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DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1898

REPORTED AND EDITED BY

HOLLAND BROS.

Official Reporters of the Senate of Canada

THIRD SESSION—EIGHTH PARLIAMENT

OTTAWA
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1898

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SENATORS OF CANADA

3rd SESSION, 8th PARLIAMENT, 61st VICTORIA

1898

THE HONOURABLE C. A. P. PELLETIER, C.M.G., SPEAKER.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
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MATTHEW HENRY COCHRANE	Wellington	Compton, P.Q.
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JOSEPH HYACINTHE BELLEROSE	DeLanaudière	St. Vincent de Paul, P.Q.
RICHARD WILLIAM SCOTT	Ottawa	Ottawa.
JAMES D. LEWIN	St. John	St. John, N. B.
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JOSEPH ROSAIRE THIBAUDEAU	Rigaud	Montreal.
C. E. BOUCHER DE BOUCHERVILLE, C.M.G.	Montarville	Boucherville, P.Q.
WILLIAM J. ALMON	Jr. M. Halifax	Halifax, N. S.
THOMAS MCKAY	Truro	Truro, N. S.
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DONALD MACINNES	Burlington	Hamilton, Ont.
JOHN O'DONOHOE	Erié	Toronto.
P. A. DE BLOIS	La Salle	Mastaï, P.Q.
DONALD MCMILLAN	Alexandria	Alexandria, Ont.
GEORGE C. MCKINDSEY	Milton	Milton, Ont.
WILLIAM MCDONALD	Cape Breton	Little Glace Bay, N. S.
JOSEPH BOLDUC	Lauzon	Tring, P.Q.
JAMES ROBERT GOWAN, C.M.G.	Barrie	Barrie, Ont.
MICHAEL SULLIVAN	Kingston	Kingston, Ont.
FRANCIS CLEMOW	Rideau	Ottawa.
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SAMUEL MERNER	Hamburg	New Hamburg, Ont.

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SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
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A. C. P. Landry	Stadacona	Mastaï, P.Q.
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Josiah Wood	Westmoreland	Sackville, N.B.
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William Owens	Inkerman	Montreal.
James Cox Aikens	Home	Toronto.
George B. Baker	Bedford	Sweetsburg, P.Q
Michael Adams	Northumberland	Newcastle, N.B
David MacKeen	Cape Breton	Halifax, N.S.
Sir John Carling, K.C.M.G.	London	London, Ont.
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Louis J. Forget	Sorel	Ottawa.
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David Mills	Bothwell	London, Ont.
George A. Cox		Toronto.
George Gerald King		Chipman, N.B.
John Lovitt		Yarmouth, N.S.
Jean Baptiste Romuald Fiset	Gulf	Rimouski, P.Q.
William Templeman	N. Westminster	Victoria, B C.
Raoul Dandurand	De Lorimier	Montreal.

THE DEBATES

OF THE

SENATE OF CANADA

IN THE

THIRD SESSION OF THE EIGHTH PARLIAMENT OF CANADA, APPOINTED TO MEET FOR DESPATCH OF BUSINESS ON THURSDAY, THE THIRD DAY OF FEBRUARY, IN THE SIXTY-FIRST YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA

THE SENATE.

Ottawa, Thursday, 3rd Feb., 1898.

The Senate met at 2.30 p.m.

PRAYERS.

NEW SENATOR.

Hon. RAOUL DANDURAND was introduced and took his seat.

THE SPEECH FROM THE THRONE.

His Excellency the Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General of Canada, being seated on the Throne,

The Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House,—"It is His Excellency's pleasure they attend him immediately in this House."

Who being come with their Speaker,

His Excellency the Governor General was then pleased to open the Session by a gracious Speech to both Houses.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I have observed with great pleasure the remarkable advance in the political importance and material prosperity of Canada during the year which has just closed.

The loan recently effected has shown that the credit of Canada has never stood so high in European markets, and affords reasonable ground for expecting that the burthens of the people will, in the near future, be materially reduced by the substitution of a much lower rate of interest on our indebtedness than that which now exists.

I congratulate you upon the exceedingly cordial reception accorded to the representatives of Canada at the jubilee ceremonials, and also upon the warm appreciation manifested everywhere throughout the mother country in reference to the conduct of Canada in materially reducing the rate of duty upon goods imported from the United Kingdom into the Dominion.

The action of the Imperial Government in denouncing the treaties with Germany and Belgium also affords most satisfactory evidence of their desire to facilitate your efforts to promote the closest possible commercial relations between Canada and the remainder of the Empire, and will, I trust, contribute materially to the development of imperial trade.

The extraordinary gold discoveries recently made upon the Yukon and its tributaries, appear likely to result in an enormous influx of people into that region, and have compelled the government to take prompt

action for the preservation of law and order in that district and almost inaccessible locality; measures will be laid before you for that purpose.

A contract has been entered into, subject to your approval, for the completion at the earliest possible moment of a system of rail and river communication through Canadian territory with the Klondike and principal gold fields, which it is expected will secure to Canada the larger portion of the lucrative traffic of that country.

The bountiful harvest with which we have been favoured by a benevolent Providence has contributed greatly to the increase of our prosperity, and I am glad to note that the trade and commerce of the Dominion, and more especially the amount and values of her principal exports, have increased greatly during the past eighteen months, and there is good reason to believe that this improvement may be maintained if not augmented, during the remainder of the present year.

I observe with pleasure that certain government contracts recently let contain provisions calculated to suppress the evils of the sweating system.

Gentlemen of the House of Commons:

The accounts of the past year will be laid before you.

The Estimates for the succeeding year will likewise be placed upon the Table at an early date.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

Measures will be submitted to you respecting Superannuation, the repeal of the present Franchise Act, and a plebiscite on the question of prohibition.

These and other measures I commend to your earnest consideration, invoking the Divine blessings upon the important labours on which you are again entering.

His Excellency the Governor General was pleased to retire, and the House of Commons withdrew.

BILL INTRODUCED.

"An Act relating to Railways."—(Hon. Mr. Scott.)

THE STIKINE-TESLIN RAILWAY CONTRACT.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—I should like to ask the leader of the House when we may expect to have laid before us the agreement or contract for the construction of the Stikine Railway referred to in the Speech from the Throne. The subject is agitating the public mind, and the contract should be submitted to Parliament without delay. It is impossible to discuss intelligently a question of such magnitude without having the details of the agreement before us.

Hon. Mr. MILLS—It will be laid upon the Table at the earliest possible moment.

Hon. Sir MACKENZIE BOWELL—May we expect it to be laid upon the Table before the debate on the Address takes place?

Hon. Mr. MILLS—Yes, I think it will be.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 7th February, 1898.

THE SPEAKER took the Chair at Eight O'clock.

Prayers and routine proceedings.

NEW SENATOR.

Hon. Mr. FISET was introduced and took his seat.

THE ADDRESS.

MOTION.

Hon. Mr. KING moved:

That the following Address be presented to His Excellency the Governor General, to offer the humble thanks of this House to His Excellency for the gracious Speech which he has been pleased to make to both Houses of Parliament, namely:

To HIS EXCELLENCY the Right Honourable Sir JOHN CAMPBELL HAMILTON-GORDON, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Traves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most dutiful and loyal subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

He said:—In rising to move the address in reply to the speech of His Excellency the Governor General, delivered at the opening of this session of Parliament, I may be permitted to say that I would have been much better pleased had the task, which has been assigned to me on this occasion, been placed

in the hands of some person more capable of discharging the duty devolving upon me than I find myself to be. I am encouraged, however, by the thought that while there are, in the speech to which I propose to refer, some subjects which may be open to honest and fair criticism, on the whole I believe that there is not much that is calculated to meet with strong opposition. So far as the political importance of Canada is concerned, I think I am safe in saying to-night that Canada stands upon a higher plane than she ever stood before. To say that Canada is better known in the outside world than she was heretofore is saying very little. I might go further and say that Canada is exerting an influence outside and among the nations of the world greater than she ever exerted before, I might even say as great as some of the independent powers. Then, again, with regard to her material prosperity. We have evidence on every hand that Canada to-day is prosperous. No man in this country willing to work need go idle. If we refer to the trade returns and to the reports of our banking institutions, we shall be forced to conclude that the business of Canada to-day is in a sound and healthy condition. That the credit of Canada is steadily improving, I am sure will be admitted on all hands. As a fact, the last loan effected in the English market was placed on better terms than any loan heretofore offered. Although identified with the minority in this House, I am not disposed to claim all the credit for the improved conditions of this country for the party to which I belong, but, hon. gentlemen, I may be permitted to go this far and remind this hon. House that the predictions which were made and sent broadcast through this country previous to the change of administration, that a change of government meant desolation and ruin to Canada, have not been fulfilled. When I last had the honour of addressing this House on an occasion similar to the present, Canada had been invited to send representatives to what is known as the Diamond Jubilee, and I took occasion then to express my belief that in the person of the hon. Premier of this Dominion, Canada would find a representative who would do her credit and would ably represent all classes and all creeds within our borders. I may claim to-night that in that respect our expectations have not been disappointed, because not only in this chamber, but outside of it, throughout the length and breadth of Canada, even the political opponents of the Hon. Sir Wilfred Laurier are generous enough to admit that his conduct and his course at that great gathering in London was such as to reflect credit upon himself and honour upon Great Britain's greatest colony. I am not to-night going to discuss the subjects referred to in the speech with reference to the denouncement of the German and Belgian treaties, but without considering the effect of that step on the part of the mother land I have this to say—and we have great reason, I think, to be proud of being able to congratulate ourselves upon the fact—that the government of Great Britain so appreciated our effort here in Canada in the matter of the preferential tariff as to at once remove the only obstacle that stood in the way of giving effect to that tariff. Last year, when Parliament was in session, we were congratulating ourselves upon the fact that we possessed in British Columbia great wealth in mines, as well as in the other provinces of the Dominion. At that time the words "Klondike" and "Yukon" were scarcely known. To-day they are household words, not in Canada alone, but throughout the civilized world, and capital by millions is seeking investment to-day in British Columbia, in Klondike and elsewhere. The government who are called upon to administer the affairs of this Dominion at the present time are face to face with a condition of things which is, so far as I know without parallel in the history of mining elsewhere in the world. Before it was possible to get reliable information with regard to that Klondike country, miners began to flock there by thousands, and it is said to-day that there are at the present time in the vicinity of Dawson City, or in the Klondike country, from five to ten thousand people, and if we are to take the opinion of gentlemen who ought to know, strong doubts are entertained at this moment as to whether their diminishing food supply will be sufficient to see them through until their stores can be replenished on the opening of navigation. That is not all. In the face of insurmountable difficulties at this inclement season of the year—shall I say hundreds—I think I am safe in saying thousands are wending their way to that country. It is estimated that this very year not less than one hundred thousand people will obtain a

foothold in the Klondike mining regions. Some persons, perhaps not quite so conservative and not so careful, estimate the number far in advance of the figures I have given, and it is true I think that, railroad or no railroad, the chances are that these people will work their way into that country. I may be mistaken, if I am mistaken I am subject to correction, but I believe that the Klondike country is a country which produces nothing in the way of substantial food. I have heard it said, and I have not very much doubt myself upon the subject, that the Klondike would not grow a Lapland turnip, and it must be apparent to all that every pound of food, all the supplies required for the maintenance of that large population, must be brought into that county from outside. I hope and trust that the largest portion of it may go in from Canada; but let me say this, that unless we are prepared to start ourselves; unless we are prepared to put forth herculean efforts, the chances are that in the coming year we shall not reap the harvest, but some one else will who is not so well entitled to it as we are. I do not suppose that it is possible for us to intelligently discuss what is known as the Yukon Railway contract as the papers are not before the House. I do not know that the matter has been referred to very much upon the floor of Parliament during this session, but it is a well known fact that the press outside are dealing with the question from day to day, and that there are different opinions with regard to the propriety of the conduct of the government with reference to this matter. I am prepared to speak on this question to-night as I understand it, simply from the reports which have come to me through the same sources through which they must have reached the ears of hon. gentlemen. If when the papers are brought down and the contract is laid before Parliament, I discover anything in it which I believe is not in the interests of Canada, I shall be prepared to disapprove of it, notwithstanding what I may say to-night. As I understand it, a contract has been entered into by the government of Canada with a firm of contractors. I think they must be responsible contractors, when I take into account the fact that they have already put up $250,000 by way of security for the completion of the work which they have undertaken. The gentlemen, Messrs. Mann & McKenzie, have undertaken to build a road from the Stikine River navigation to Teslin Lake, estimated at 150 miles. In addition to that, they have undertaken to provide a sled road as early as the month of March to facilitate communication with that country. Then, the price they are to get is 3,750,000 acres of land in alternate lots in the Klondike, or the mineral region. Besides that, the government have agreed, I believe, that no aid or encouragement is to be given for five years to any line from the Pacific coast to go into that country. As I am informed, and as I believe, the general consensus of opinion is that the government have selected the best route in the interests of all Canada. There is no difference of opinion on that score. If there is, I so far have not been made aware of it. I think it is admitted on all hands that in the selection of that route the government are following the policy of keeping Canada for the Canadians; but there are objections to that contract. First among them is this: it is said that the contract was made privately—that tenders should have been called for. Ordinarily, I admit that that would be the correct course to pursue, and there would be nothing to justify a departure from that course, save the emergency with which the government is confronted at this moment. The loss of a few weeks now might imperil, not merely the completion of that work, but so interfere with the construction of the road as to render it useless for another year. If the country is what we suppose it to be, we cannot afford to take any chances. If we had it there now it would be a great boon to Canada; if we can have it before the first of September, it will be a great boon to Canada. If we fail I am satisfied it will be a great loss to Canada. The chances are that next year we will have a population, in that country, ten times—I might say twenty times—greater than we have this year. Then again, it is said that the government should have paid cash and should not have given land. It does seem to me that if there is one provision in that contract which is likely to commend itself to the people of, shall I say all Canada—to the people, at all events, of the older provinces of Canada—it is that particular feature. I do not believe that it is right to tax the people who have no direct interest in that country continually for the purpose

of opening it up, when there is a possibility of avoiding it, and I am pleased to-night to be able to say that at last the government of this country have found a portion of the far west which is able to develop itself without adding to the burdens of the taxpayers of the older provinces.

Hon. Mr. BOULTON—To the extent of 150 miles ?

Hon. Mr. KING—I am not to-night going to cry over spilt milk. I am not going to complain of the moneys that have been expended in the past in the west, but I am satisfied that the people of Canada, as a whole, will be glad to know, as I have said, that even the lands in the Klondike are of sufficient value to induce the construction of a railway for the purpose of developing the mining interests in that country. It is said that the Government should have given cash—

Hon. Mr. McCALLUM—Who says that ?

Hon. Mr. KING—I have heard it said in a great many places—I hear it every day.

Hon. Mr. McCALLUM—Not authoritatively by anybody—merely a rumour.

Hon. Mr. KING—It is said that the land which the syndicate gets could have been placed on the market and millions more than what the railway is to cost would have been realized. That is an old story and one I think that will not bear repeating. I have a vivid recollection myself of hearing similar statements made with regard to the construction of another great work in this country. I heard the hon. gentlemen who were charged with the administration of the government of this country going so far as to predict that before 1891 Canada would have received from the sales of land in the North-west a sum of money sufficiently large to recoup it for all the expenses connected with the building of the C. P. R. I think it will not be denied that down to the present time—I may be wrong, and if so, I am subject to correction—the receipts from sales of land in the North-west have been scarcely sufficient to pay the cost of surveys and management.

Hon. Mr. BOULTON—They have been given away.

Hon. Mr. KING—I believe that the government should take no chances in this matter. We all hope that the prospects in the Klondike country may continue to grow brighter and brighter, but none of us know what may happen in a year or two from now. We do know that the inducements at the present time are sufficiently strong to warrant capitalists outside of Canada, commanding large amounts of wealth, to invest it in that country, but we do not know how long placer mining in the Yukon is likely to hold out, nor do we know what value there may be in the land which the government purposes to give to the syndicate for building that road. It is said that the contractors for this railway have got a five years monopoly. To a certain extent I admit that is true—a monopoly so far as the building of railways from the coast into that district is concerned, but I shall be greatly surprised if there is any provision in the contract which prevents the building of roads from this side of the Yukon into the Yukon district.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. KING—Then again, I may be wrong, but I think that when the navigation of the Yukon is open, it will be possible to transport supplies by way of the Yukon as they have been going heretofore, and so far as monopoly is concerned, I have not a shadow of a doubt in my mind that when it can be demonstrated, in a year or even less time, that the business of that country will warrant the construction of railways from points available on this side of the mountains in our own North-west Territories, that capital will be found in sufficient amounts to undertake them. It must not be supposed for a moment that all the people in Canada live on the Pacific coast. If I am not greatly mistaken 95 per cent of them live south and east of the Yukon River, and we on this side of the continent have an interest in getting into that district without going to Vancouver, up the coast, along the Stikine River, and by Teslin Lake to the Yukon. I expect that long before the five years expire, if the trade of that country will warrant it, capitalists will be found who will at once begin the construction of railways at points in our own North-west Territories, and the monopoly will soon have passed away. In doing this we shall also provide a market for our work-

shops and factories in Canada. We shall provide a market for the products of Canadian farms, and if the Klondike turns out to be what we hope it will, it would mean something of consequence to Canada, because the amount of supplies and provisions that would be required to provide for the wants of even one hundred thousand miners in the Klondike region would be a very considerable item in the interprovincial trade of the Dominion. I am not an expert in railroading, and do not profess to know very much about the construction of railways, especially in a country such as the one in which this road is to be built; but the probable cost of that road is variously estimated. In some cases it is as low as $15,000 per mile. Well, it may be possible to construct a road in that country for a sum so small as that, but I must say I do not believe that that would be an adequate remuneration for the contractor undertaking that burden. In the first place every one must admit that the time limit will add materially to the cost of work. All the supplies, and all the material necessary for the construction of that road, or a large proportion at any rate, will have to be transported across the continent and find its way up there at an extremely heavy cost. Then in addition to that, the gentlemen who have that contract I fear will be subjected to serious competition with the employers of labour in the mining country, and, further than that, I imagine there is danger that the employees of that syndicate when they discover that that company is compelled to complete the road by the 1st day of September, or forfeit the quarter of a million, will in all probability be ready to take advantage of that condition of things. Therefore I say that the company undertaking a work of this kind requires more than the ordinary price in a settled country for constructing a railway. One would think to read some of the newspapers which are dealing with this question that the syndicate who are building this railway are likely to become millionaires at once. They may be now for aught I know. They have, it is true, a large area of country under this contract, but I do not believe that it is possible for them or anybody else yet to determine the value of it. That has to be proved. Gold in that country is not got without digging for it. You would suppose to hear some people talk about it, that all the syndicate had to do when they got their railway through and got down to the Klondike, or the mining country, was simply to load up their steamers and ballast cars, and bring millions out of that region. But mining cannot be carried on, even in Klondike, without considerable cost. As I said before, with regard to the building of railways, I am not an expert, or an authority, but I had the pleasure of listening to an address delivered in another place not long since, by a gentleman who was deeply interested, who was the manager, I think, of one of the English syndicates seeking to invest capital in that country. That gentleman said, if I understood him correctly, that to produce $22,500 worth of gold would require an expenditure of labour amounting to $20,000. So that if Messrs. Mann & McKenzie should be so fortunate as to take out of these large tracts of land a good many millions, 90 per cent at least would be expended for labour, according to the calculation I heard the other day, from which certainly the government must derive a considerable benefit. I think that the limited time at the disposal of the government justifies their hasty and energetic action, and I have no doubt if that contract is completed in the time specified, the people of Canada from one end to the other will be prepared to appreciate and endorse the conduct of the administration which made that contract. I do not propose to refer to all the matters contained in the speech, but there is one particular question with reference to which I do intend to say a word before resuming my seat. The government have announced through the speech of His Excellency, that it is their intention to introduce a measure this year looking toward a plebiscite, or a vote on the question of prohibition in Canada. As a temperance man and prohibitionist, I have to say that I trust that the measure will receive a majority of the vote in both Houses of Parliament; and when the people at the polls are called upon to pronounce upon it, I trust also that the majority may be decisive in favour of a prohibitory law,—a law that will prohibit in Canada the importation, manufacture and sale of intoxicating liquors. But I have also to say that unless the majority is a decisive one in favour of it, I would rather that it be decisive the other way.

Hon. Mr. DANDURAND (in French) Before adding some comments to the remarks

which have fallen from the hon. gentleman from Queen's (Mr. King), my hon. colleagues will permit me to thank the administration for the honour which they have done me in calling me to a seat in this House, a position which I prize all the more highly because it comes to me at an age which gives me an absolute right to claim your kind indulgence. The government no doubt said to themselves that if youth is inexperienced, it is sufficiently pliable to acquire quickly the two qualities, the two essential virtues of wisdom and impartiality, which alone can obtain for us pardon and lead the public to forget our immovability and our irresponsibility. I have searched the reports of your debates for the past 20 years to find lessons and examples, and I have found the sound traditions and the customs which appear to have had for their foundation a constant respect for the popular will. I intend faithfully to follow the road which you have so well marked out, and in which I am certain we shall not cease to touch elbows. The representative of the Crown has spoken to us of the prosperity of the country. I shall content myself with congratulating the government on whatever share they have had in bringing about general improvement of business. Throughout the country confidence has been restored. Traders and merchants and bankers admit unanimously the improvement in the situation of the finances of the country. Canada has taken a place in the eyes of Europe that the most optimistic could not have dreamed of our holding for at least fifty years to come. The personal influence of the Premier, "the Hon. Mr. Laurier," has been a considerable cause in producing such splendid results. His journey across Europe, thanks to the talents with which he is endowed, had a considerable and beneficial effect for our country. The denunciation of the Belgian and German treaties showed to the astounded world, the power which an autonomous colony is able to exercise when it is guided by a politician who despises the old beaten roads. The placing of our bonds at 2½ per cent, following this event, has shown that the pretentious title given to our country in 1867 was not merely a vain word, and that we are commencing really to be the "Puissance" of Canada. Our Minister of Finance took a momentous step when he presented himself before the financial market of Europe to ask for the same terms as the richest nations. The stock quotation is the barometer of the confidence in which a country is held. I recall the outburst of enthusiasm provoked in France, in the home of the richest nation of the world, by the news that their 3 per cent bonds for the first time in this century had touched par. That was two years ago. To-day the 3 per cent French bonds are at a premium. That indicates that confidence is absolute, that, thank God, the republic is seated upon a rock, that the republican form of government can no more be questioned—that the republic is immortal. The prosperity of our country cannot fail to grow, now that the European immigrant knows its value, and now above all, that our gold is attracting attention in all countries. It is important that those who come to our country should proceed to the Klondike through our territory; that they should traverse our country to reach Dawson City, and I congratulate the government on having promptly taken the necessary measures to render the Canadian route the easiest. There is a threefold interest in our having the gold seekers pass through our North-west to reach Alaska. Circumstances have given the United States possession of the mouths of our rivers, and the coast of our territories bordering on Alaska. The immigrant who passes that way is subject to all sorts of exactions if his outfit which he takes with him has not been purchased in the United States. Here is what Mr. Carruthers, of the Pacific coast, says on that subject, indicating the state of feeling in the Pacific coast cities on the Klondike outfitting question :

> The Klondike is in Canada; it is most easily reached via Canadian railways and Canadian ports: "Canadian merchants should receive the greatest benefit from the trade that is to be done with the new gold fields. But to reach these fields travellers have to pass over a strip of territory belonging to the United States. The customs exactions enforced there are so onerous, and the cost involved so large, where travellers with Canadian outfits are concerned, that it pays better to purchase supplies in United States cities, and pay the Canadian duty, than to carry through Canadian goods and pay the "bonding" exactions of the United States officials.

If the intending settler chooses the Canadian route, the country will derive a profit from the moneys which he will have to distribute on his way. I want the stranger to have an opportunity to see our North-west plains in order that the prediction, not yet fulfilled,

of Sir Charles Tupper may be realized under the present government, and that the thousands of disappointed gold-seekers returning from the Klondike (for all will not find fortune there) may people Manitoba and our North-west Territories. While it is desirable that the government should interest themselves in our young provinces, it is also well that they should think of redressing the wrongs from which the older provinces suffer as well as the younger provinces. One grievance from which our population has suffered will disappear by the repeal of the present Dominion Franchise Act. A part from the exorbitant cost of preparing the electoral lists, I am personally aware of the trouble, the injustices and the inconveniences to which the people of the Dominion have been subjected in the application of that law, and I shall be happy to see and to vote for its repeal. With great pleasure I second the motion which the hon. gentleman from Queen's has submitted for your consideration.

Hon. Sir MACKENZIE BOWELL—I should like to call the attention of the leader of the house to the promise that he made at the opening of the session when I asked the question whether the terms of the contract for the Yukon Railway would be laid upon the table before the discussion upon the address took place. I understood the hon. gentleman to say at that time that the contract would be laid upon the table prior to this discussion, and I find that it has not been done.

Hon. Mr. MILLS—I did not tell the hon. gentleman that the contract would be laid upon the table. I said I would lay it upon the table if possible. I did not find it possible to do so. I should have been very glad indeed to have met the desire of my hon. friend, but I have found it impossible to do so up to this evening.

Hon. Sir MACKENZIE BOWELL—I must confess I am not disappointed, and under the circumstances I move the adjournment of the debate.

The motion was agreed to.

DELAYED RETURNS.

Hon. Mr. MILLS moved that the House do now adjourn.

Hon. Sir MACKENZIE BOWELL—Before the House adjourns I should like to call the attention of the Secretary of State to the promise that he made before the close of the last session of parliament. I think there can be no mistake this time as to the actual promise which was then made. He will remember that I moved for a certain return on the 9th April. On the 5th May I called the attention of the House to the fact that it had not yet been laid upon the table. On the 7th I asked if there was any information as to when the return would be submitted, and on the 7th June I again asked when the return would be laid before us, and the Secretary of State made the following statement :

> I had a letter from one of the ministers saying that it appeared to be quite impossible to bring it down in any reasonable time. A large amount of the information is not in the department at all. The proceedings before the commissioners have not in many instances been terminated, and the names of the witnesses are not within the knowledge of the departments and the names of the attorneys who may be retained by the parties charged is not within our knowledge. There is a vast amount of information which we cannot get.

> Hon. Sir MACKENZIE BOWELL—I shall be satisfied if we can get it by the opening of the next session, provided the hon. gentleman will add to the return the number of dismissals and the reasons and the commissions appointed since the date of the address for which I moved and up to the date at which the return is presented to this House which would make it complete.

> Hon. Mr. SCOTT—Yes.

> Hon. Sir MACKENZIE BOWELL—Is that the understanding ?

> Hon. Mr. SCOTT—Yes.

> Hon. Sir MACKENZIE BOWELL—That you will bring it down the first day of next session.

> Hon. Mr. SCOTT—I hope so.

May I ask the hon. gentleman whether he is prepared after seven or eight months cogitation over this matter to comply with the promise that he made in reference to information which we desire as contained in the address for which I asked ?

Hon. Mr. SCOTT—The hon. gentleman is quite right in stating I hoped to be able to bring down the return by the first of the session. It is one of those returns that has been growing steadily.

Hon. Sir MACKENZIE BOWELL—I am very sorry to hear that.

Hon. Mr. SCOTT—I at one time offered to bring down all that was prepared. I am still prepared to bring down the list, if he will accept it in that way. I have pressed on my colleagues the importance of having it here, and I still hope to have it early in the session. I think I have a return from all the departments but two. There are two delinquents yet. I suppose the hon. gentleman would prefer to wait until I can get the returns from those two departments.

Hon. Sir MACKENZIE BOWELL—I have no desire to unduly press the government. I am very sorry to hear that the return has become voluminous, or will be more voluminous now than it was at prorogation last session. The government have had seven months in which to prepare this return. I can easily understand why the return has not been completed, after the statement made by the hon. Secretary of State, that is, that the list is growing continually, which means that the government is continually dismissing officials, and that they are continually appointing commissions to investigate charges, or assumed charges, against the officials, in order to make room for others. If the hon. Secretary of State can say within any reasonable time this session—I mean before parliament rises, or a few weeks or a month.

Hon. Mr. SCOTT.—The hon. gentleman is quite aware, having been a member of the government, of the difficulty there is sometimes in getting those returns from some departments. Several departments have been overworked. I have written repeatedly to two or three departments which have been in arrears with these returns, pressing on them the necessity of it. I shall further press them, and hope to accomplish it within a reasonable time.

Hon. Sir MACKENZIE BOWELL—We shall wait a week or two.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 8th February, 1898.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

DEBATE CONTINUED.

Hon. Sir MACKENZIE BOWELL—In rising to address the House upon the subject of the Speech from the Throne, I take this the first opportunity of congratulating my hon. friend, the Minister of Justice, upon what I consider, from a party standpoint, the just promotion which he has received. He has been long in the political harness. It has been my good fortune to have known him since Confederation. We have battled, not together, but we have engaged in political warfare in opposition to each other for now over a quarter of a century; and I say this, and say it in all sincerity, that the longer I have known the hon. gentleman the higher opinion I have formed of him, and have no doubt he will perform the duties pertaining to his office in a manner that will be satisfactory at least to his own party, if not to the country generally. I must also be permitted to congratulate the hon. Secretary of State on the fact of having been for the second time relieved from the onerous duties of leader of the government in this House. He occupied the enviable position which I now occupy for some 17 or 18 years—as leader of the opposition. Whether he performed that duty to the satisfaction of his party can be best judged, from the fact that they have upon two occasions promoted those who have recently been brought into the Senate over his head to lead this House. However, I know that he will appreciate that kindness from the fact that he is relieved from the great responsibility which would otherwise rest upon his shoulders. Referring to the Address before the House, I think we might very properly comment upon what it does not contain rather than what is contained in it. I expected to see a reference to the Drummond County Railway, setting forth the fact that they had entered into an arrangement with that company, and that

great results were following the agreement which had been made. But if newspaper reports be true, the government are about as far from accomplishing the object which they desired to force upon the country during the last session as they were at that period. It is evident to me, and must be to every hon. gentleman in this House, from the position in which they find themselves and the position in which that road is at the present moment, that the Senate performed one of its wisest acts when it rejected the proposition which was laid before it during last session. I also entertained the hope that we should have had some reference to that for which we have been all looking with a great deal of anxiety, the establishment of a fast line of steamers between Canada and Great Britain. A short time ago the press was filled with the boastings of the premier, and others, over the fact that they had entered into an agreement with wealthy gentlemen in England —that the money had been deposited and that the ships would soon be upon the ocean, and that we should be reaping the benefits which we believe would flow from the establishment of a line like that. However, there is no reference to that, and if whisperings be true, there does not appear to be the slightest probability of any success with the present contractors, and the country will look with regret and suspicion upon the action of the government in not carrying out the arrangements which had been made by the late government prior to their vacation of office. Then, again, there is that very important question of cable communication between this continent and the Australasian colonies. I have always looked upon that scheme and that proposition as one of absolute necessity, in order to accomplish that which all British statesmen at the present moment are desirous of accomplishing, and that is, the unity of the Empire to the fullest possible extent. Until that communication has been established, so that it will be exclusively British, instead of having to pass through two or three foreign countries, just so long will we be deprived of the advantages of that trade which is rapidly growing between the islands of the Pacific and the Dominion of Canada. Perhaps, however, when my hon. friend rises to address the House, he will be able to give us some satisfactory information upon these points. It will be accepted, I know, with gratitude, by those who have taken an interest in this great enterprise. There has been a conference in England during the past year between the representatives of the Australasian colonies and Canada. The Hon. Mr. Jones and Sir Donald Smith acted on behalf of Canada, with Mr., now Sir Sanford Fleming assisting them at that conference. Why these papers have not been laid upon the Table, and why we have received no information on the subject is a matter which is incomprehensible to me; and I hope that before long we shall have the information which is absolutely necessary in order to keep us informed of what is really being done on these important questions. I know it is the custom to congratulate the mover and seconder of the address. I do not know that it is necessary that I should particularly extend that courtesy to an old member of the Commons and also of the Senate, a gentleman who had already spoken in this House. Still I must compliment him on the very lucid speech which he gave to the House in endeavouring to sustain the policy of the government on one or two of the great questions which are referred to in the Speech. I am sorry the hon. gentleman, the seconder of the address (Mr. Dandurand), is not present. We must all welcome that hon. gentleman to a seat in this House. His readiness of speech, in fact, his eloquence, was enough to captivate us, more particularly those who understand the language. My limited knowledge of French was not such as to enable me to form such a correct opinion of his remarks as will his own countrymen and those who do understand the language. However, I understand sufficient to find that he, like many others who have entered this Chamber, materially change their opinions and views upon the question of the existence of a second chamber. We have observed during the past few years that this chamber has been threatened with annihilation or at least reformation, by politicians and by newspapers. We had the late Minister of Justice, when he condescended to accept a seat in the cabinet, telling his chief the present premier, that he would accept it with the understanding and condition that he was to reform the Senate. You will all remember the eulogy which he passed upon the composition of this House and the necessity for its existence. Since that, however, the

Senate has had the courage of its convictions, and it has been honest enough to express them, not only in word but in deed, and by its votes. That has brought down the condemnation of those who have been denouncing the Senate as a useless body, and at the same time condemning them for exercising their own opinions and judgments upon important questions affecting the great and material interests of the country. Within a short time we had an utterance from the hon. Minister of Public Works. I have no doubt it was very interesting to the members of the Senate, but if I read it, I trust it will not frighten them and that they will not be under any apprehension as to what is to follow. At a dinner given in the city of Montreal to the Minister of Public Works, referring to the Senate, he says :

> You can rely upon our good will and we must count equally on yours.

That is speaking to the people.

> We have eminent men in the House of Commons and in the Cabinet.

Of course we would expect that, knowing that the hon. gentleman was there himself.

> And in the Senate the majority are not worth the rope to hang them. Reforms are necessary and to accomplish them we can depend on your good will and unity.

The hon. Premier, who spoke immediately after the Minister of Public Works, used this language :—

> You appreciate him, (that is the Hon. Mr. Tarte) and so do I.

Hon. Mr. MACDONALD (B.C.)—So did Mercier.

Hon. Sir MACKENZIE BOWELL—And he further says :—

> I think I have known him longer than you have.

And consequently, he knew better how to appreciate him. Then we have *La Patrie*, that $30,000 organ of the party, throwing out its threat that if the Senate dared to express opinions upon some questions and to reject certain measures which it foreshadow may be brought before it, that we must be annihilated. The *Globe*, the other day, uttered its warning voice against us if we dared to reject the Yukon Railway deal, as we had rejected the Drummond County deal. The Hamilton *Times* has also been muttering its threats against the Senate if we dare to have any such opinions ; but after all, when we think of the utterances of the hon. seconder of the motion for the adoption of the address, and particularly after his utterances at a dinner party in Montreal as to how he, among others, was to use his power and influence in reforming this body, we may rest safely for at least a time. If I understood the hon. gentleman's language when he addressed the House, he said :

> The history of the Senate showed that it had always acted with wisdom, prudence, and a due responsibility to the popular will, and for this the public was disposed to forgive it for being a non-representative and irresponsible body.

I may have misunderstood the hon. gentleman, but that is what I understood him to say; and what, I think, has been reported. Still, we may rest content since he has given us a certificate of character of acting with wisdom and prudence, and it only proves to me that the moment an hon. gentleman enters the Senate, it appears that the benign influences by which he is surrounded, and the general company in which he finds himself, and the conservative character of the Senate, so mollifies his opinion that he becomes as mild as a suckling dove—one of ourselves. Then I have, in addition to that, and I desire to put this matter on record, the opinion of the present Minister of Justice, and I frankly confess that when I read the remarks of the hon. gentleman at a demonstration given in his honour when accepting that important portfolio which he now holds, I read it with pleasure, though I have no recollection during the 25 or 30 years I have known him, of ever hearing him speak of abolishing the Upper House. The hon. gentleman, the Minister of Justice, said in his speech delivered at Ridgetown, on the 26th November last :

> It is sometimes argued that we ought to have but one House. He did not accept that view, and he was free to say after he had become for the time being, at all events (I do not know whether that indicates that the hon. gentleman intends to descend to the other House), a member of another Chamber, what he had said before he entered it, that it would be a very dangerous experiment where a government had large questions to deal with—and every government would have such questions from time to time to solve, and in times of excitement that government should be entirely under the control of one Chamber, if the whole power is in the hands of one Assembly, and that Assembly had behind it an excited public, there would be no guarantee of justice and fair dealing. The great advantage of two Houses is this, that it leaves upon the members of the House that is dominant the ever present impression that it cannot do wholly as it pleases.

With those sentiments I am sure there is not a conservative member of this House, nor a conservative in Canada, who will not be heartily and fully in accord. I trust I may be pardoned for these introductory remarks, but I was anxious that these sentiments that had been uttered by different members of the House, and the change which has taken place in their sentiments since they became senators should be put upon record, in order, that at least we may know what their opinions really are. I could not help reflecting upon times gone by when I heard the speech of my hon. friend who moved the address. I fancy that I heard his dulcet tones ringing through the chamber of the House of Commons in denunciation of the national policy and protection, as having brought ruin and misery on every poor man in the country, and on the farmers in particular. But what a change has come over his dream. Why he had nothing but praise for the government and their whole policy, so far as he ventured an opinion. It is true he said that he would not express an opinion upon what might be called the Yukon railway deal, until he had seen the terms of it, but unfortunately for him, the greater part of his half hour's speech was devoted to approving of that of which he said he knew nothing. It is enough for an old politician like himself to know that the party that he follows had enunciated a certain policy and he was prepared to support it. He also, with a good deal of pleasure, referred to the political importance and material prosperity of Canada, referring to the prosperous state of the country and also to the increase in its business, particularly the imports and exports of the country. There is not a man in Canada who does not join hands in rejoicing over any prosperity that may exist, but when, by inference, it is pretended to show that that is the result of the policy of the present Government, then it becomes an assertion which will be doubted by any one who has studied the question. If our exports have increased during the past year from 16,000,000 to 17,000,000 of dollars has that been the result of the policy of this, or any other Government? It has been the result of better harvest in Canada, more particularly in the North-west Territories, and in Manitoba. It has been caused to a great extent by the fact of a scarcity of provisions, more particularly of cereals in other countries. If the present government and its policy are to be credited with the prosperity which has existed in this particular line, then I suppose they are also responsible for the causes which created the increase in the value of our cereals. There was a famine in India; are they responsible for that? There was a shortage in the crop of the Australian Colonies to such an extent that millions of bushels of grain had to be shipped to that country. The wheat crop in the Argentine Republic was also a failure, and so it was almost over the whole world, except, fortunately, in the Dominion of Canada. That failure in other portions of the word, opened a market for every bushel of grain and every pound of beef that we could send out of the country. Prices rose and we have reaped a benefit thereby. If you look at the trend of trade in this country you will find that it is tending almost entirely towards England. I have pointed out in former addresses to this House how from 1868 up to last year, the percentage of trade from the United States had fallen off, and that there had been a great increase in the export trade to England. The present preferential tariff, as it is called, however, has had this result: while England has furnished a market for all that we could possibly send her, the importations from Great Britain have fallen off over 3 millions of dollars during the last 9 months. Statistics give us these facts, and if that be the case what becomes of this boasted preferential arrangement, which it is said the present government has adopted in order to increase our trade with England and reduce our trade with other sections of the world? Has the tariff been preferential in its character? Is it not precisely what we pointed out it was during the last session of this House? It was denied then by the government that the preference was given to other nations. However, if my recollection serves me right, I must give the late Minister of Justice credit for this: I have no recollection of hearing that hon. gentleman giving an opinion, as Minister of Justice, upon the disputed point as to the effect of the German, Belgian, and other treaties, containing favoured nations clauses. He studiously avoided that, if my memory serves me right. The furthest I heard him go was to say "Our government contends that those treaties do not affect us," and beyond that the hon. gentleman did not go. Great Britain accepted the statement made by the Premier and by other members of the

cabinet that it was a preferential arrangement to specially benefit the mother country, but as its operations became known to the mercantile community of England, they began to change their mind and asked themselves this question: If this be the case, how is it, that our exportations to Canada are falling off while those from the United States to Canada are increasing? If you look at the tariff you can understand why that has been the result. While the hon. gentlemen opposite have professed free trade principles—that is before the election—and while they re-echoed them in England, their tariff is not a free trade tariff, nor is it what is known as a revenue tariff; and I am quite satisfied that my hon. friend who sits opposite me (Mr. Mills) will not attempt to prove or even to state that it is one or the other. All you have to do is to look at the rates of duty to convince you that it is not a free trade tariff. Let me give you a few figures in order to sustain this portion of my argument. If you refer to the tariff you will find that the old rate of duty on pig iron was $4, under the present tariff it is $2.50, but bear in mind, that they adopted a principle which they had, when in opposition, in the strongest possible language condemned as vicious, that of increasing the bounties, so that a greater protection was given to the manufacturer of iron than they had enjoyed under the old regime, while the reduction of the duty was a loss to the revenue. No doubt my hon. friends opposite will argue that that was for the benefit of the consumer. The following are the old rates compared with those in the new list:—

—	Former Duty.	Present Duty.
	$ cts.	$ cts.
Pig iron per ton	4 00	2 50
Coal, per ton	0 60	0 53
Corn, per bush	0 7½	Free.
Bar iron, per ton	10 00	7 00
Wheat, per bush	0 15	0 12½
Flour, per bbl	0 75	0 60
Corn meal	0 40	0 25

I have selected those items to show that wherever the duties affected the trade from the United States, they have been lowered, and the consequence is that larger importations have taken place from the United States during the last nine months than at any previous period. So far, therefore, as preference in the new tariff is concerned, it was in favour of the United States rather than of Great Britain. Now, let us look at the importations from the mother country and see how far the hon. gentlemen opposite have carried out the principle of free trade. Here are the duties imposed upon a number of articles which are principally imported from Great Britain with the 12½ per cent deducted:—

—	Former Duty.	Present Duty.
	p. c.	p. c.
Carpets	30	30⅝
Shawls	25	26¼
Linen	30	30⅝
Doylies	30	30⅝
Dress goods	22½	21⅞
Sewing thread	12½	13⅛
Cotton fabrics	30	30⅝
Laces	30	30⅝
Braids	30	30⅝
Musical instruments	25	26¼
Cutlery	25	26¼

Hon. Mr. MILLS—Is the hon. gentleman giving our rate of duty on English goods or on goods generally?

Hon. Sir MACKENZIE BOWELL—I am speaking of the tariff as it exists, with the 12½ off, and that applies to the world, but what I want to point is that the duties have been decreased on importations from the United States while on those from Great Britain the duties have been actually increased. Is it any wonder that the manufacturers of this country say that the present tariff is as good for them as the old one in many respects? Is it any wonder that the late election in Centre Toronto was carried more on a personal issue than on party lines by the election of one of the strongest protectionists in that city—by the election of a gentleman who boasted that he had supervised every single item in the tariff, and more particularly the iron duties, and the manufactures of machinery in which he is himself engaged.

Hon. Mr. BOULTON—There is the 12½ per cent reduction.

Hon. Sir MACKENZIE BOWELL—I am aware of that. There will be a 12½ per cent reduction on goods until the first of July.

Hon. Mr. BOULTON—Not on goods imported from the United States.

Hon. Sir MACKENZIE BOWELL—Allow me to make my own statement: 12½ per cent until the first of July, and after that an additionnal 12½ per cent, upon goods imported into this country under what is termed the preferential tariff. That will not apply to any country, the United States among them, except they reduce their tariffs, but it is open to be taken advantage of by the United States, or any country that may think proper to reduce their tariff, not to a level with ours, but in the words of the resolution, to a level, on the whole, equal to ours; hence the clause does not apply to England exclusively; it applies to every country in the world that has any tariff regulation which is as low as the Canadian tariff The best evidence of that is that the preference has been extended to many countries—I think some 15 or 20, outside those countries which are governed in their commercial relations with England and her colonies, by what is known as the favoured nations clause. If any one has taken the trouble to look at the different tariffs throughout the world in the smaller principalities and smaller countries, outside of France and Germany, and some portions of Austria, and one of the Australian colonies in particular, he will find that all their tariffs are lower than the Canadian tariff, and consequently they come within the meaning of the resolution which provides for the reduction of the duties. I will not weary the House with other figures upon this point. But it has been also stated that the government have adopted a free-trade policy, and I was a little astonished in reading the newspapers to find in the reported speech of the mover of the address—I suppose I can refer to what appeared in the newspapers, it is public property—in which he said that the Liberal party never pledged itself to remove every vestige of protection or of adopting free trade. I do not know how the present tariff will meet the approval and approbation of my hon. friend from Marquette (Mr. Boulton), particularly when you look at its operations, and the effect that it is having upon the trade of the country generally. I will even, at the risk of wearying the House for a few moments, refer to some of the utterances of the party in power, in order that we may judge of the correctness of that statement. I may say that one would be a little surprised, in reading the debates of the other House and the utterances of ministers, to find that they never attempt to justify the non-fulfilment of the professions which they made before they came into office, and yet you hear members of the party justifying the actions of the government in continuing the tariff as it is. Speaking from a personal standpoint, according to the views I hold upon the question of the fiscal policy of this country, more particularly with reference to protection, I do not find any fault with the course they have pursued; but when we are told, as we have been told by the mover of the address, that the predictions made before the elections of the destruction of our industries had not been fulfilled, but that everything was prosperous, why then we can only reply that the people of this country were dolts enough to believe that the professions which public men had made would be honestly carried out. In the language of Mr. Bertram the other day in the House, had the policy indicated in their speeches been carried out, we would have seen the destruction of our industries, and the prostration of trade in the country. I am going to read a few extracts in order that they may be placed in a succinct manner before the people and upon record, to show how grossly the men at present in power have violated every promise that they have made when they were in opposition. I read in a paper a short time ago a very eloquent lecture delivered by the Hon. Geo. Washington Ross, Minister of Education for Ontario, in which he made this declaration:

> In Canada the conditions are such—and I know of no liberal who took any other ground—that free trade is impracticable.

That is a very good sentiment, but it sounds strange coming from the lips of a leader in the Liberal party, after our experience of the last ten or fifteen years. Then we have the mover of the address in the Commons the other day declaring that the Liberal party never pledged themselves to adopt free trade principles. Let us see what some of them said. Mr. Laurier, the present premier, at the Ottawa conference in 1893, made this declaration:

> We shall never rest until it (protection) is wiped out entirely.

In Peel the same gentlemen said :

I propose that we shall follow England's example and open our ports to the products of the world.

In Ottawa at the convention he said :

I preach to you the gospel of absolute destruction to protection ; not a vestige shall remain.

Mr. Laurier at Waterloo, in July, 1893, said :

The Liberal party proposed to tax for revenue only, and not one cent for the protected manufacturer.

At Victoria, B.C., in 1894, he said :

If the Liberals were successful they would cut off the head of protection at once and trample on its body.

I have given these quotations from their speeches in 1890, 1891, 1892, 1893, 1894, 1895, and up to the present time to show how consistent they were in their advocacy of that which they say now they never did advocate. Let me continue. In Montreal, in July, 1895, the Hon. Mr. Laurier said :

In the next place I will assert that, so far as Canada is concerned, the system of protection has been the bane and the curse of Canada.

At Quebec, he said :

Gentlemen, the only way in which Quebec can recover its old time prosperity as a maritime city is by adopting a policy of freedom of trade as it exists in the mother country, Old England. Such is the end we have in view and, as you all know, we are exceptionally well situated to carry on a maritime trade.

In Ottawa, in 1893, he again said :

They (the Conservatives) want to reform the tariff and still retain the principle of protection, but I submit to you that the ideal system is the British system of free trade. Let it be well understood that from this moment we have a distinct issue with the party in power. Their ideal is protection ; our ideal is free trade.

In Waterloo, in 1893, in addressing the electors, that hon. gentleman said :

"I denounce to you the policy of protection as bondage ; yes, bondage ; and I refer to bondage in the same manner in which American slavery was bondage. Sir, our policy is freedom of trade as it exists in England, such as is practised in Great Britain. I propose we should follow England's example, and open our ports to the products of the world."

Mr. Laurier at Newmarket, Sept., 1893, (*Globe's* Report)—

I will not be satisfied till the last vestige of protection has been removed from the soil of Canada. That is the end to which we are progressing, and the aim which we have in view, and we will not rest till we have achieved that object. When that will be I do not profess to know, but at all events I say that the Reformers of Canada have reforms to carry out, but that our great reform is to put away from the soil of Canada the last vestige of protection.

Mr. Laurier at Winnipeg, as reported in the Toronto *Globe* of Sept. 4, 1894 :

And now I will ask you, what is the policy of the Liberal party ? I refer to freedom of trade such as exists in England, freedom of trade such as is practised in Great Britain, freedom of trade as it was in vogue at the time of Cobden and Bright. We shall give you free trade, and although it will be a hard fight, we shall not give in one inch, or retrace one step, until we shall have reached the goal, and that goal is the same policy of free trade as it exists in England to-day.

Mr. Laurier at Waterloo, 1893 :

We will tax for revenue, but not one cent for protection. Taxation is an evil that nothing but the requirements of the government can justify. When we are in power—and I don't want to sell the skin of the bear till the bear is shot, yet I think the Tory bear is about to be skinned—we will relieve the people of protection, which is a fraud and a delusion and a robbery. For it is a robbery to take money from one man and give it to another. It is not right that the farmers should be taxed to give workingmen employment in the cities. It is not just to tax workingmen in order to appreciate the prices of farm products.

Mr. Laurier, at the village of Arthur, in North Wellington, on Sept. 17, 1895 :

It was claimed that protection was a benefit to Canada, but it was the bane and curse of the country. Again : Sir John Thompson, at Montreal, said that the tariff would be reformed, but that they would keep to the principle of protection. This, Mr. Laurier went on to say, was no reform whatever. The system was wrong from top to bottom..... The Liberals are opposed to the system. They declare it to be a fraud and a robbery upon the people of Canada. The goal of the Liberal party is freedom of trade such as exists on the other side of the water in the motherland.

Is it any wonder that when Sir Wilfrid Laurier, the Premier of Canada, uttered sentiments similar to those in England, that they should have been accepted ? and is it a wonder that they believed that he had authority and permission from this country, after the elections, to give utterance to sentiments such as characterized his speech upon his arrival ? I noticed in one of the speeches from a member in the opposition in the Lower House the other day, it was stated that he had no mandate from Canada to give utterance to free trade sentiments. I differ from that and take issue with him on that point. I think that from the utterances and from the results of the elections, the people of England had a right to believe that the Premier was honest in his opinions and honest in his declarations, and that he would carry them out as the Conservative party did in 1878, when they adopted the National Policy. I never forgot a remark

made to me by a leading member of the Liberal party after Sir L. Tilley had made his first speech in 1879, the session called immediately after the elections of 1878. I was met in the lobby of the House by one of those gentlemen, and he said, "Well, Bowell, you have gone the whole hog." I said, "What do you mean by that"? He said, "You have adopted protection in its entirety." I replied, "Did we not tell the people of Canada that if we were elected we would do so?" "Ah," said he, "I never believed you would." "Well," I said "That is just the difference between you and the party to which I belong." We have had an illustration of the truth of that statement, 18 years afterwards. They went to the people pledged to a certain policy, pledged to the very hilt, that if they were elected they would give free trade to this country the moment they got into power. They adopted the very policy which Sir John Thompson said should be adopted, and would be carried out by the Conservative party, of reforming the tariff—very slightly though, only to the extent in a great measure of removing the specific duties, a point which I will not discuss now, and adopting the ad valorem system, but on the lines of protecting, every industry in this country excepting two, binder twine, on which now some Liberals are trying to have the duty restored, and barbed wire. Now, is the Right Hon. the Premier the only man who made utterances in this way? Why, we have the mild and genial Minister of Trade and Commerce, Sir Richard Cartwright, who never uses, as we all know, strong language. He said, in reference to the protective policy:

The National Policy is worse than war, pestilence and famine.

He also again said:

When we get into power there will be no half measures; we will destroy this policy root and branch. These men and their bonused manufacturers are scoundrels great and scoundrels small.

Then in Montreal, the same gentleman said:

There is no Canadian manufacturer who need be afraid to face the competition of the whole world. Our policy is death to protection.

He also said, see *Hansard*, page 714, in 1893:

Our policy, first to last, has been to destroy this villainous protective system, which has been grinding out the vitals of this country.

Sir Richard Cartwright—

I, for my part, would be sorry to see the issue dwindled down to a mere question of revenue tariff. This is a very good thing in its way, but very much more than this can be got.

Sir Richard Cartwright's tariff speech, 1894:

Sir, we strike, and we strike for liberty and freedom from this system of protective taxation. I tell the hon. gentlemen that we will not rest until the slavery that they have imposed upon us has become a thing of the past.

Sir Richard Cartwright at Ingersoll:

There are some people of the Liberal party who are there for their fleshpots, and their stock of cotton and some other stock, who did him the justice to believe that he would do what he promised, and that he would not be satisfied with half measures.

One more extract from Sir Richard Cartwright's free trade utterances, see Hansard page 336, 1894:

Sir, they demand our policy. Well, sir, they shall have our policy, and I believe I do speak for my hon. friends beside me. Our policy is death to protection and war to the knife to corruption. Sir, we strike, and we will strike for liberty and freedom from this system of protective taxation. I tell the hon. gentlemen that we will not rest until the slavery that they have imposed upon us has become a thing of the past.

Well, they, like many Conservatives, believed his utterances at that time, as well as those of his colleagues on the trade platform. Then (Mr. now Sir Louis Davies) uttered the same sentiments particularly in the maritime provinces, where he denounced protection as a system "accursed of God and man."

At Middleton, P. E. I., the same gentleman in 1893, declared that:

Whatever doubts or difficulties there may have been about understanding our trade policy in times past, there is none now. Our platform is clear and definite. To-day the people stand face to face with such an issue, and the next contest is to be one between free trade and protection. The policy of the Liberal party is the reform of the tariff by the elimination from it of every vestige of protection.

Columns could be filled, and I could occupy your time for hours in reading extracts to show what the professions of these men were when they were in opposition, I would then ask you to compare those sentiments and those utterances with their deeds since they have been in power. I do not know that I can close this part of my remarks without giving you two lines of their campaign song:

Join together, heart and hand,
Liberals for free trade shall stand.

I do not commend the metre, nor particularly the sentiments, but the opinion is expressed in this doggerel of two lines just as fully as if I had quoted for an hour. If it will not weary the House I should like very much to place on record the opinion which people at a distance have formed of Sir Wilfrid Laurier's tariff and of the present government and their fiscal policy. Pass over the old world and proceed some ten thousand miles away from home into the Australian colonies, for instance, and you will find the newspapers there diagnosing the tariff as correctly as any man could possible do who has watched it from its inception. I have here a tolerably long article, but it is worth reading. It is from the Australian *Star*, published in Sydney, New South Wales. It was a protectionist colony when I was there a few years ago, but since then they had an election. Hon. Mr. Reed, the present premier, was then leading the opposition, and they had a contest there just as we had an election in this country with Sir Wilfrid Laurier leading the opposition, both upon the same lines exactly. Mr. Reed is an out and out Cobdenite, a free trader pure and simple. He told the people of Australia that if he was elected and Sir George Dibbs was defeated, he would introduce the principle of free trade in its entirety in parliament; and unlike the free traders in Canada he acted up to his promise. The moment the legislature met he abolished the protective principle altogether, placed the taxes upon lands and incomes; and adopted, in fact, a free trade policy pure and simple. That gentleman, when he was in England, might and did very properly, when Lord Hartington, the present Duke of Devonshire, suggested the question of preferential trade with the colonies, repudiate the whole thing. He was honest in his professions. He had carried them out to the letter. He did more than that; he was opposed to what our present premier once designated as "tin-pot titles," he refused to accept any, and went home to Australia as plain Mr. Reed. I instance this to show the difference between the two parties, one in Australia professing free trade principles, and the free trade party in this country. The Australian *Star* in discussing this question recently, used the following language:

When Sir Wilfrid Laurier, Premier of Canada, recently jubilated in England, he was welcomed there, it will be remembered, with unexampled effusion by the free traders as the true apostle of the gospel according to Cobden. The Cobdenites presented him with a gold medal, as the outward and visible sign of his inward and spiritual free trade grace, and otherwise worshipped at his shrine. And Sir Wilfrid received the acclamations of the faithful with the proud humility of one who knows adoration is his due. He seemed to stand there, the most solitary figure in the empire, outside of Great Britain, lifting his voice and testimony in favour of the only true fiscal faith. He might suffer political martyrdom, but he was strong to do and dare in the sacred cause of free trade. Only a few months previously a general election in Canada had taken place; whilst the main issue in that contest was a dispute about the teaching of religion in the public schools in the province of Manitoba, it was well known that Sir Wilfrid also denounced the fiscal system in operation in the country, and declared that if his party came into office they would sweep away protection.

This accursing thing was stifling the energies of the people, and preventing the proper development of trade and industry, and therefore it was only right that it should be destroyed. At the time Sir Wilfrid Laurier was in London to take part in the Jubilee festivities the English people probably did not know to what extent he had fulfilled the promise to establish free trade in the Dominion, for the newspapers published in Great Britain did not give much information on the subject. They knew, however, that the Canadian parliament had included to the new Tariff Act an admirable provision by which the manufacturers in the mother country were given certain advantages in trading in Canada over manufacturers belonging to foreign lands, and this provision so excited their imagination that they apparently did not take the trouble of ascertaining whether the other provisions in the act were equally liberal from their point of view, or whether, indeed, any real advance beyond the reciprocity arrangement had been made in Canada in the direction of free trade.

The new Tariff Act has recently come into our hands and it is a revelation to us as it must be to the people of England.

As we read its pages the pathetic figure of Free Trade Apostle Laurier fades and is lost alike to imagination and sight. The best that can said of him is "The voice is Jacob's voice, but the hands are the hands of Esau." For, in truth, Sir Wilfrid Laurier deceived the Cobden Club and obtained its gold medal by using the voice of free trade, while, as for his tariff, no protectionist in this province (New South Wales) even in the wildest of his dreams ever conjured up or ever desired a tariff so thoroughly protectionist as that of the Dominion of "Free Trade" Canada. Examine the schedule of that tariff where you will, from initial "ale" to final "unenumerated goods," and you find a high scale of duties, such as regards New South Wales at least, it has hardly entered into the heart of man to conceive. There is, it is true, a schedule of "free goods"—"articles for the use of the Governor General," "travellers' baggage," "Admiralty charts," "communion plate when imported for the use of the churches," "curling stones," "fossils," and cognate articles not producible in Canada, and certain wares, such as indecent photographs and oleomargarine are prohibited, but with these and a few other exceptions every article imported into that "free-trade" Dominion has to pay heavy duties. Take a few instances: Canned meats, etc., pay 25 per cent ad valorem; mutton and lamb, fresh, pay 35 per cent; paraffine wax candles, 30 per cent; condensed coffee, etc., 30 per cent; apples, 40 per cent; pickles, 35 per cent; books, 30 per cent; buggies, etc., 35 per cent; cotton fabrics, coloured, 35 per cent; ready-made clothing, wholly or in part of wool, 35 per cent, and so on. These, of course, are merely a few instances taken at random of the free trade tariff of Cobden's Canadian disciple, Sir Wilfrid Laurier. These are

some of the services to the cause of free trade which have earned him the gold medal of the Cobden Society, the plaudits of English free traders and the profound admiration of "right-thinking" free traders throughout the world.

But the Canadian tariff is not, as no doubt our foreign trade friends would, with their usual ingenuity, like to attempt to represent, a tariff framed in the interests of the greedy manufacturer. It is designed for the benefit of the people. Whenever the Governor in Council has reason to believe that with regard to any article of commerce there exists a ring among manufacturers or dealers to unduly enhance the price of such articles has (the Governor in Council) may empower any judge of the Supreme Court to make summary inquiry and report whether such combination or ring exists.

If the judge reports in the affirmative, and, "if it appears to the Governor in Council that such disadvantage to the consumers is facilitated by the duties of customs imposed on a like article when imported, then the Governor in Council shall place such article on the free list, or so reduce the duty on it as to give to the public the benefit of reasonable competition in such article." It is unnecessary to add that this provision gives the death-blow to selfish combinations, not only of manufacturers, but of retailers, and conclusively shows that the tariff is designed to foster local industries, not at the cost of the consumer, but at that of the employers of cheap labour in Europe and the Orient. Our free trade apologists have, therefore, a great deal to explain away in connection with Canadian trade and commerce and Canada's fiscal system. They must first explain away the tartff; next they must show how this most drastic description of tariff has injured or will injure Canadian manufacturers, or the Canadian consumer, and if they cannot do this, and they cannot with truth, it will be necessary for them to demonstrate how a very much lighter tariff can, with provisos similar to those of the Dominion, which we have quoted, injure either the manufacturers or the cousumers of this province. Finally they may feel it incumbent upon them to explain how Sir Wilfrid Laurier, with his own inflexible fiscal policy, staring him in the face, could by any stretch of truth or of imagination, even, style himself, when in England, a free trader. For our part, we are free to confess that the practice of the Canadian premier seems to be infinitely better and more honest than his precept. At the same time perfect honesty of profession, combined with protection, would never have procured him the gold medal of that eccentric organization, the Cobden Club. We hope, however, that after this exposure we shall hear no more nonsense about Canada being a free trade country, and that no further attempts in this direction will be made to deceive the people of New South Wales.

Now, let us look at the premier's conduct when he came back to Canada. His first speech on his return was made in Montreal. In it he assured the manufacturers in as plain language as he could use, that their industries would not be destroyed, that they would adopt, as far as possible, a permanency of tariff, and in adopting a permanency of tariff the protective principle, upon the lines that had been suggested by Sir John Thompson, which they have adopted, would be carried out. Then, he found that there was a strong sentiment of disapproval of his utterances in England, particularly when he declared that they did not want any preference, though they had professed it by their tariff. When he got to Toronto he made the astounding statement that he had to adopt that principle of diplomacy in order to obtain the denunication of the German and Belgium treaties; or, in other words, he had to swallow at one gulp, all his professions to the people of Canada the moment he set foot upon English soil. In order to what?—to humbug the people of England and lead them to believe that they would adopt every principle which they had professed in regard to the fiscal policy of the country by adopting free trade; and when the olive branch was held out by the Duke of Devonshire (one of the most important Liberals in England, of a family of Whigs and Liberals of a whole life time—now it is true joined with Lord Salisbury, more particularly on account of the Home Rule question) and still further by Mr. Chamberlain—that was rejected by Sir Wilfrid Laurier on the part of Canada, and that, too, in the face of the professions that he had made during the last eight or ten years. Well, he says, I could not obtain the denunciation of these treaties unless I had taken that course. Why, it seems to me a diplomat would have held his tongue! There was no necessity for his rejecting a proposition, however remote it may have been, however indefinite it may have been, the moment he set his foot on the shores of England. All that was necessary for him to do, when the intimation was given that England was prepared to adopt a more liberal policy, and to give something in return for the opening of our markets to their manufacturers, was certainly to have either thanked them for it, or given such an answer as would have left it open for the future, when the conference met, to discuss the question.

Hon. Mr. MILLS—What proposition am I to understand the Duke of Devonshire made?

Hon. Sir MACKENZIE BOWELL—I did not say a proposition was made, I said the olive branch was held out by the Duke of Devonshire that a preferential trade with England could be adopted.

Hon. Mr. BOULTON—On what basis? It makes a great difference.

Hon. Sir MACKENZIE BOWELL—It does, if any basis was suggested; but no basis was suggested.

Hon. Mr. BOULTON—But was it a protective basis or a free trade basis?

Hon. Sir MACKENZIE BOWELL—Why ask that question? Have I not already said there was no basis suggested? The premier had said, and he reiterated it the other day, and it was stated by the *Globe* that the proposition of Mr. Chamberlain was free trade, pure and simple, between England and her colonies; and then he asked this question: Are you prepared, said the premier, to adopt that policy? The answer is that the *London Times* took exception to that statement. The *London Times* said, in reviewing the article that was in the *Globe*, that Mr. Chamberlain was a sensible man, and he would never make such a proposition, and we have no evidence that he did make such a proposition. On the contrary, the record shows what Mr. Chamberlain proposed at that conference, and he makes no such proposition there. When asked the other day what took place at that conference, the premier said his lips were sealed, because he was not permitted to give to the public the proceedings of that conference. May we not naturally ask, how it is that the *Globe* got possession of that information unless it was given for the purpose of the election at that moment, or concoted by the writer? If the premier took upon himself the responsibility of informing the *Globe's* editorial writer that such a proposition was made, then his mouth should be open to tell this country the whole of the proceedings that took place in reference to that conference; otherwise it is a a gross breach of faith on the part of the premier to those who formed that conference. Every man who reflects will come to the conclusion, that he made the grievous mistake of his life when he took the position that he did in his first speech in Liverpool, reiterated through the whole of England wherever he had an opportunity of speaking. Any one who has watched current events and has followed the policy which Mr. Chamberlain has carried out ever since he has been in office, knows that it has been one having for its object the unity of the empire and was prepared to fight our battle with the people of England upon this very question. And had it not been for Sir Wilfrid Laurier's declarations, backed by those of the premier of New South Wales, I doubt not we should be rapidly on the road towards receiving something like a preference in the market of England, such a preference as was indicated by the Hon. Wilfrid Laurier in his speech in London before he left for England, when he declared in the strongest possible language that he was in favour of preferential trade, that every man in Canada was in favour of a preference in the English market; and then he said this: If we had a preference in the English market for our wheat and meat and cheese, of what inestimable value it would be for the commerce of this country.

Hon. Mr. MILLS—Does the hon. member say Mr. Chamberlain was ready to give us preferential trade?

Hon. Sir MACKENZIE BOWELL—Well, I must say this, that question is very much like drawing a herring across the trail. It has nothing to do whatever with the point I was making. What I say is, Mr. Chamberlain's whole policy has been that of colonial preference, and he stated himself that, after the declaration of Mr. Laurier, he would not touch the question with a pair of tongs, that it was hard enough to fight the free traders of England on that question, even with the approval and consent of the whole of the colonies at his back; but they, having deserted him, and saying they did not want it, he was not going to run his head against a stone wall. That was the position of Mr. Chamberlain, and no one knows better than my hon. friend opposite (Mr. Mills) that Mr. Chamberlain's whole policy has been more liberal towards the colonies than that of any colonial minister that has existed in his and my day: that he has done everything he possibly could to cement the union between the different parts of the empire. Preferential trade was one of the grandest schemes that could possibly have been devised; and I believe that the people of England were beginning to realize that fact, but when Lord Rosebery said, in view of what had taken place and what had been uttered by the two premiers of the two premier provinces, Sir Wilfrid Laurier and Mr. Reed, the question was out of the range of practical politics at the present day. And so it is. But what

I was saying is this, that Mr. Laurier enunciated certain views at London, Canada, where he pointed out the great advantage that preferential trade would be to Canada, and at the very moment he set his foot on English soil he denounced the policy of preferential trade, declaring that Canada did not want it. I have occupied more time than I intended on this point. There are one or two others, however, to which I desire to call the attention of the House before I sit down. I notice in the address a reference to the giving of contracts by which the sweating system is to be abolished. I confess I am at a loss to understand what that means. Am I to understand that in giving out contracts for the manufacturing of articles for the government, that there is a clause in the contract instructing the contractor whom he shall employ, how many hours the workmen shall be employed and the wages they shall receive? We all know that the sweating system in manufacturing centres, both in the United States and Europe, is vicious in principle. How has that been adopted here? When did we hear of this before except through the press? And why is it of such importance that a reference to it is put in the Governor General's mouth in opening parliament? Now, I have it from the best authority that in some manufacturing establishments in Canada which have received contracts lately for the manufacture of police and militia clothing, and other things, there is no such restriction—that the contractors can employ women at all hours, make the girls work for starvation wages, and carry out in fact and in practice, that which is denounced as the sweating system. Am I correct in this, or does my hon. friend know, or is it one of those little dodges to get a little cheap popularity? We had announced in flaming letters during the Centre Toronto election that the foreign postage was reduced from five to three cents. Well, there was another evidence that those who were administering the affairs of the country had as little knowledge of what was contained in the Berne Postal Convention, as the Finance Minister and all the ministers of that day, had as to what would be the effect of the German and Belgian treaties upon the preferential tariff. It turned out that they knew nothing about it, until they announced the fact, and their attention was called to it by the Colonial Secretary informing them they had no power; and then they had to do in that as in the preferential trade—back down most ignominiously. Is this sweating paragraph of a similar character? If not, I shall be glad to know what it means. But we have heard a great deal about paternal government. My hon. friend opposite has a dislike to paternal government. He thinks we have no right to interfere with the manner in which people should carry on their business. But here is a system without the warrant of law, as far as I know, I know of no law which justifies interference by the government with any man's manner of carrying on his business. There is, however, one important paragraph which reads as follows:

> The extraordinary gold discoveries recently made upon the Yukon and its tributaries, appear likely to result in an enormous influx of people into that region, and we are glad to hear that the government has taken prompt action for the preservation of law and order in that distant and almost inaccessible locality; and we assure His Excellency that any measures laid before us for that purpose—

What those measures are it is impossible to tell, but any one who reads this paragraph will come to the conclusion that the present government were entitled to all the credit for taking steps to preserve peace and order in that country. It is on a par with most of their other professions. Before I left the late government and while I was president of the Privy Council and had the police force under my control, I took steps to send the first contingent of police into that country to preserve law and order, and looking at what might possibly occur, we took those steps for which the present government now claim credit and consider it of sufficient importance to put it into the Governor's speech. They have, it is true, gone a little further. They have sent an additional force of police to preserve law and order. How far that law and order will be preserved, with their gold regulations to be enforced, remains to be seen in the future, but they are not very likely to preserve law and order if the denunciation of the Liberal press in the North-west Territories and in British Columbia are to be taken as an index of the feeling of the people.

Hon. Mr. MILLS—Does my hon. friend object to those regulations?

Hon Sir MACKENZIE BOWELL—I will tell my hon. friend when that

question is under consideration. I am not discussing the regulations; I am discussing the modesty of my hon. friends in arrogating to themselves the credit for carrying out the same policy as their predecessors did, and which it is not very likely will accomplish the end in view if the statements of the Liberal press in the North-west and British Columbia are any indications of public feeling. The next matter is with reference to the contract which is to be laid before the House. The contract was placed in my hands after I had commenced speaking; the Senate I think will excuse me if I do not discuss this question as intelligently as I might have done if I had had a few minutes to read it. But I have this to say with reference to the policy of the government, that it is another evidence of the total abandonment of the principles they had advocated for years. We have been told over and over again that entering into contracts by Order in Council was a vicious principle. We have been told over and over again, that all contracts should be given out by tender, but we are told in this case that urgency necessitated taking a different course. I read in the government organ of this city, a day or two before I came to Ottawa, a statement of this kind, and I was rather surprised, because it was written in a chuckling and glorifying style. It went on to say that the government had entered into a contract for the construction of a road in order to enable produce to be carried into the Yukon district at the earliest possible moment, and that passengers could get there; and that it had been a great disappointment to many people who have spent large amounts of money in investigating the feasibility of building a road, and that there were over thirty people applying for charters in order to obtain power to enter that country, and that fully half a million of money—you will find it in the *Free Press* of a few days ago—had been spent by these gentlemen in order to ascertain whether they would be justified in investing money in constructing the road, and that they went away chopfallen because, without their knowledge, a contract had been secretly entered into with two gentlemen, to give them that whole country. Whether that is justice to the outsiders or not I am not going to argue just now. It has been said also that this road is to be built without the expenditure of one dollar of public money. That was well illustrated by a little paragraph I saw. A farmer went home and told his wife he had bought her a very expensive piano. "Well, my dear," she said, "You should not have done that, we cannot afford it." "Don't trouble yourself about that, I never gave a dollar for it. I gave the farm for it." While we don't give any cash subsidy we give away an enormous territory which is supposed to be worth hundreds of millions of dollars. If the reports of Mr. Ogilvie and those who have been in that country, and the investigations of prospectors are to be relied upon, then we have given millions. But why was it necessary to take this step? Parliament was to meet within five or six days after the date when this contract was being entered into. But nobody knew; it was kept a profound secret. Contrast the course of hon. gentlemen opposite with the conduct of the government of Western Australia when they were placed in a precisely similar position. About four or five years ago gold was discovered in Western Australia. There was just such clamouring for railways into that country, about 120 or 130 miles, as there is now for railways into the Yukon district. Did the Australian government, with Sir John Forest as governor, adopt the policy that has been pursued by this government? Not at all. They asked for tenders. There were scores of people waiting for it, and they made this provision: "We will give you a contract for the construction of this road into the gold territories," and time being the essence of the contract, they limited them to a certain period within which it should be completed, but they added this addendum "you shall have the use of that road from the time of its completion until the time provided in the contract." The moneyed men went to work; they built the road at about one-half the ordinary cost for the construction of roads, and for the seven or eight or nine months that they had that road under their own control to collect the revenues from freight and passengers, they collected more than paid for the construction of the whole road, and retired wealthy men. Of course, I admit the difference between the climates. I admit the difficulties in the Yukon country, which they will say, no doubt, are almost insurmountable. They are not insurmountable, because if the reports be true that road can be built at $25,000 a

mile ; that is the report of those who have been over the road. If that be so, a policy similar to that adopted in Western Australia could be followed here. You might have extended the time ; you might have said : You shall have ten or fifteen months to complete that road, and we will give you a monopoly of the proceeds of passengers, traffic or trade for one, or two, or even three years, if you like ; and if you had given it to them for five years, the country would have been in an infinitely better position than under the bargain which has been made. Then, there is another point. If the contractors for the construction of the Western Australia Railway into the gold fields could construct that road and be paid by the government very little more than half its actual cost, and could by the passenger fares and the freight enrich themselves in a very few months, comparatively speaking, in a country where the population is as small as it is in Western Australia, what would be the result if this is to be the main line to the Yukon district with a country like ours. We have the whole of British Columbia, we have the whole population of the Dominion. We have the mining population, and those who enter into these speculations of 65,000,000 in the United States, who are rushing there by the tens of thousands, so that in three or four years the owners of that 150 miles could have retired millionaires, simply from the freights and passenger rates alone. Instead of that, you give them a charter to build a road and give them a monoply of the whole country for five years, and you give them 3,750,000 acres of gold land. It is true you may say, formerly it was considered to be worth nothing, but it has been known for the last quarter of a century that gold existed in this country, and if you want any evidence of that, read an extract from one of Sir John Macdonald's letters contained in his history by Mr. Joseph Pope, when he was writing to Lord Strathcona on this very important question, in which the then Sir Donald Smith pointed out the necessity of securing, under the Washington treaty, the navigation of the Yukon and Stikine Rivers, because, he says, that is looked upon as a gold country. The Hudson Bay people I suppose, had discovered the fact that there was gold in that country, but acting on their policy they never gave the information to the public. But that is not all. Contractors are to receive some $375,000 from the British Columbian Government to aid in its construction. So that you have all these advantages granted to a couple of gentlemen who are undertaking this contract. Personally, I have the highest esteem and greatest respect for these gentlemen and I do not blame them for entering into the contract obtaining the charter for 150 miles for which they are to receive 3,750,000 acres of land and $375,000 from British Columbia and a monopoly of the carrying trade into that country for five years at least, and I believe there is something about a ten year concession in the contract of which I cannot speak now, because I am not aware of the actual contents of the document which has been placed in my hands. What I ask is this : whether, with a proposition of that kind, this House or this country would be justified in adopting it and in placing the law upon the statute-book. Urgency, I know, is all that can be said in its favour. Urgency existed in Australia at the time I refer to. The hon. gentleman (Mr. Mills) shakes his head, but the fact that they made time the essence of the contract is the best possible answer to that wise shake of the head of the hon. Minister of Justice, that urgency induced the government to take the course they did, and I do not hesitate to say that a more extravagant and indefensible contract—perhaps I may change my mind after I read the terms—so far as it has been made public, could not be conceived by any person, nor can I understand how any government could enter into such an arrangement secretly on the eve of meeting parliament. Would it not have been as easy to have said to all these gentlemen seeking charters "We want this road built immediately, it is urgent that it should be constructed in order to keep the people who go into that country from starving, and what are the terms upon which you will build the road?" I believe the road could have been built without the granting of one single dollar of money or one single acre of land. The traffic over that section of the road will be sufficient to justify the expenditure of any amount of money in order to enable them to construct it When the measure comes up I shall take the trouble to go more fully into this whole question, because then I hope to be better informed upon the subject ; but in the meantime I cannot believe that this country will justify the adoption of any contract involving the sequestra-

tion of so large an amount of the public domain, and that too of a kind and character out of which it is believed millions of dollars can be made. My hon. friend asked me a moment ago if I approved of the regulations. This I do know, that if the public statements be true, this favoured company is to pay a royalty of one per cent upon the products of the different mines which they may sell, or which they may operate, while the hard working miner has to pay ten per cent. The man who goes there, and develops the industry, the man who discovers it would have to pay ten per cent, while this favoured company, with its four million acres of land supposed to be gold producing, would have to pay only one per cent. I leave that question at present until the whole statement comes up before us. There are three other matters referred to in the speech, superannuation, the plebiscite, and the franchise. I am glad to see that the government intend to make some changes in the Superannuation Act. That is like many of their other principles. Some of the ministry in 1869 were its strongest supporters—not to say adherents—of a Superannuation Act. Being at that time in the House of Commons, I voted against it, for reasons which it is not necessary to repeat now, but the manner in which the Superannuation Act has been abused within the last twelve months, should induce its strongest advocate to suggest some changes. I shall take occasion to bring before the House one illustration at least in my own city of the manner in which the Superannuation Act has, to my mind, been most grossly abused, and I question whether they have acted in accordance with the law. The plebiscite I have already expressed my opinion upon. I am opposed to the principle in toto. I believe it is an abnegation of the functions of parliament. I believe it to be the duty of a government, under our responsible system, to come down to parliament, if they believe prohibition to be right, with a well defined scheme, and ask the approval of parliament, and if parliament disapproves, to go the people and ask them to sanction it, and stand or fall by what they consider to be a great moral principle. Whether it be moral or immoral, it is the duty of the government, to my mind, to have opinions upon the subject, to have a policy upon the subject, and to come down to parliament and ask for its verification, or not to touch it at all. Is it anything but a shirking of responsibility for the government to go to the people and say: "If you want so and so we will do so and so." Is that the principle of responsible government? If they had gone to the country upon the question of prohibition and taken their political lives in their hands, individually and collectively, upon that question, then it would be quite right, quite proper to come down to parliament, and either propose or reject it. And so it is with the whole system. I believe it to be a violation of the principles of responsible government, the shirking of a responsibility which devolves upon the Ministers of the Crown. I do not mean that offensively, although it may, perhaps, sound offensive. As to the franchise, I am in favour of a uniform franchise. I care very little what it is at present, but I have never been in favour in my life of what you call manhood suffrage or universal suffrage. But when we consider the extent to which the suffrage has been extended to the people of the Dominion, it is a grave question whether it would not be better to have one uniform system over the whole Dominion, with manhood suffrage with certain restrictions as to age and residence, rather than have a franchise different in each province.. I believe it is universal suffrage in P.E.I. and the same in British Columbia, with restricted suffrage in the province of Quebec and a complicated suffrage in the province of Ontario, and so on throughout the whole Dominion. I am speaking for myself and not for any other party. I have come to this conclusion, that it would be much better, and particularly for the Dominion Parliament, where every young man pays into the treasury of the country in proportion to his consumption of imported goods, or the consumption of excise goods, and where every man is subject, under certain ages, to military duty in defence of the Dominion and of the empire. The principle, to my mind, is not so strong when you apply it to the provinces, because their taxation is based upon property and income, almost exclusively, and many of the younger men pay no taxes at all, they having no property or income sufficient to tax. So that the principle as applied to the Dominion is quite different from that applied to the different provinces. There are many other points to which I would very much like to allude from a political stand-

point, but I think I have said quite enough to show at least the opinions that I hold in reference to the policy of the government, their abnegation of principle, their total disregard of all promises that they ever made; and we must look forward in the future, I suppose, to a continuance of something of the same kind. I hope they will never adopt their free trade doctrines in this country, but I would like them to be honest and straightforward and admit that they have changed their opinions and know that it cannot be carried out, and that they will continue to protect all industries in this country to the fullest possible extent.

Hon. Mr. MILLS—I will begin my observations to-day like my hon. friend opposite, by congratulating the mover and seconder of the address in reply to His Excellency's speech upon the very lucid and clear statements which they have made with regard to the public policy foreshadowed in that speech. These hon. gentlemen have acquitted themselves with credit in the addresses which they have delivered to this House, but they have done precisely what I had no doubt they would do when they undertook the honourable and dignified task of replying to his Excellency's speech. I may say that I thank my hon. friend for the very kind observation which he he has addressed to this assembly in respect to myself. As leader of this House I shall endeavour to discharge my duties in a way consistent with the duties and functions of this dignified chamber, and I trust that I shall receive, and I have no doubt I shall receive from hon. gentlemen, that consideration and that fair treatment which they, I am sure, will be always ready to bestow upon one who relies upon them for a support for those measures which he believes to be in the public interest. Now my hon. friend, while he said some kind things with regard to myself, nevertheless said some very hard things with regard to the government of which I am a member, and in respect to a policy for which I with my colleagues am responsible. The hon. gentleman thinks that we are rather a dishonest group of persons, at all events politically, and that there is nothing that he can say of us that is worse than we merit. Now, I do not agree with my hon. friend in that particular. I am sure that this hon. assembly will not be surprised at my dissent, and I think I shall be able to show that the hon. gentleman has taken rather a jaundiced view of the position of the government, and that they are not chargeable with all those inconsistencies and with all those derelictions of duty which the hon. gentleman has with so much force, attributed to us. The hon. gentleman complains of what is in the speech and he complains of what is not there. The hon. gentleman reminded me, in the address which he delivered to the House, of a sermon that was preached by a western minister many years ago, in which he said his subject naturally divided itself into three parts, and he would discuss them. In the first place he would tell them what they knew and he did not know, and in the second place he would tell them what he knew and they did not know, and in the third place he would tell them what neither of them knew. Now the hon. gentleman has made a division, not simply of the policy of the government foreshadowed in the speech, the work of the session, but he has decried everything to which he thinks the government of the day is committed, and although the policy of the administration was marked out for a period of five years, he complains that the whole work of legislation which the government has promised to undertake is not foreshadowed in the speech from the Throne and undertaken in a single session. Now this would be a heroic work for which I confess myself—and I believe my colleagues will join me in that confession—that we are altogether unable to accomplish in a single session, and I doubt very much whether my hon. friend would not think us unreasonable if he were in our places and we were to make similar demands at his hands. The hon. leader of the opposition in this House has told us that the country is prosperous. He admits that; it is idle to deny it under the circumstances. The trade and navigation returns, the state of the revenue, all proclaim the fact, but my hon. friend says the government deserves no credit for this. It is only when my hon. friend was in power; it is only when my hon. friend was associated with some of the colleagues that are here and some elsewhere that the hon. gentleman was willing to claim, or thought right to claim, credit to the administration for every good that the country received. If the prices were high for farm products, if the crop was abundant, if the season was favourable for

a bountiful harvest, my hon. friend claimed that as the work of the administration, but he will not admit that the present condition of trade and commerce and the present prosperous condition of the country is in the slightest degree attributable to the government or to its policy. The hon. gentleman complained that there was nothing said in the speech from the Throne about the fast line of steamers. My hon. friend had that subject before him and, if I remember rightly, an appropriation was taken to establish a fast line of steamers many months before my hon. friend went out of office. He accomplished nothing. He tried to do something, but he did not succeed, and he must not be surprised if, under the circumstances, the negotiations which the government have undertaken, and which they have been carrying on, have not yet been completed. My hon. friend speaks of the matter of a Pacific cable and of better trade relations with the Australian colonies. I am not complaining, nor am I expressing any dissent from the views my hon. friend has addressed to this assembly in respect to these matters. I would be very far indeed from expressing any opinion that it was not important to extend our trade with the other portions of the empire, in so far as the elements for mutual exchange exist between them and us, I think it is very important that the work should be accomplished. And I am ready to go this far: I am ready to say to my hon. friend that when he succeeded in bringing about the intercolonial conference some few years ago, he did a very good thing, not only for this country but for the empire, because it brought men from the different colonies of the empire together, and the mere hearing and discussion of matters of common interest among them could not do otherwise than confer a substantial benefit upon them. The union—the common brotherhood; the union of the common interest; the importance of securing, maintaining and upholding the unity of the empire were matters of no little consequence, and I did my hon. friend full credit for having initiated that matter and for all that he accomplished. Let me say more: My hon. friend has expressed sentiments here to-day with regard to protection and with regard to the promotion of industries by a system of taxation—of burdensome taxation, and it always seemed to me extraordinary that while he fully appreciated the importance of imperial and intercolonial intercourse, he did not seem to appreciate this fact that the fiscal regulations which he was urgently advocating stood in the way of accomplishing the most beneficial results that could flow from such a system. My honourable friend's patriotism led him to decry closer relations between different portions of the empire. My honourable friend's little England view in this regard led him to erect a Chinese wall around this country as far as he could, and tended to make Canada a close preserve for one class of the community against the other classes. I am not going to follow my honourable friend in the discussion on the tariff changes. Some changes have been made and those changes are all in the direction of freer trade and less restricted intercourse. My hon. friend has spoken to-day of the importance of trade between different portions of the empire, and he has referred to views expressed by the Duke of Devonshire, and what in very vague terms would have been accomplished if Sir Joseph Chamberlain's views had been seconded and he had been encouraged to pursue the line on which he set out. But what that line is I do not precisely know, nor do I think my hon. friend is any better informed than I am. That Mr. Chamberlain would have agreed to impose duties against all the rest of the world and to establish free trade between the different portions of the empire, I do not think and I do not believe. I am of opinion that Mr. Chamberlain would be very far from making such a proposition. I believe it for this reason, that if he had made it it would have been impossible for him, in the present state of public opinion in England, to have remained in public life. He could not have maintained his position as a member of any government, whether it be a radical government such as he favoured when he first entered public life, or the government of Lord Salisbury. I do not care what government you look at in the mother country, you will find it favoured unrestricted trade. The people are unanimously in favour of such a policy, and Mr. Chamberlain, as a man not desiring to render himself wholly useless in the public opinion of the country, as it exists for the time being, could not and would not commit himself to a proposition of that kind. There was this difference between the views advocated by my hon.

friend and those associated with him, and the views that have been adopted by this government with respect to this question of trade. My hon. friend, while he maintains that it was important to establish closer trade relations between different portions of the empire, was altogether opposed to doing that without the British government would make some special concession in favour of Canadian products that were put upon the British market. That he could not get; that would not be conceded; that would seriously interfere with 85 per cent of the trade of the United Kingdom, and that being the case, the hon. gentleman was not willing to make those arrangements which we have made, and which I regard as of great political importance, apart altogether from the commercial advantages which may spring from those trade regulations. Does any man doubt that the concession of preferential trade —especially preferential trade to the United Kingdom—brought this country at once into prominence, led to a discussion of the affairs of Canada, and its relations to the empire, to Canada as a field for immigration, to Canada as a field for the investment of British capital? Does not everyone see that, apart from the question of trade, an immense impetus was given to immigration in this direction by the adoption of this policy and that it has conferred upon Canada, in the friendship which it has secured from the mother country in the sympathy which has been extended to this country in consequence of that concession, a standing and a position which it would not have enjoyed and was not likely otherwise to obtain. My hon. friend said that, so far as the second chamber is concerned, certain parties advocated its abolition. I do not know whether my hon. friend intended to point those observations at myself personally or not, but I can say this to the hon. gentleman: I have never advocated a single chamber. I have always taken the position that two chambers were essential, under our constitutional system, to the preservation of liberty and property and to the security and permanence of our political institutions.

Hon. Sir MACKENZIE BOWELL—I said distinctly that I was not aware that the hon. gentlemen had ever advocated the abolition of the Senate.

Hon. Mr. MILLS—On the contrary, I have always maintained the necessity of two chambers. In appealing to the constituency that for 30 years I represented, some three years ago, when the question was put to me whether I would favour the abolition of the Senate—because that seems to be a favourite doctrine with our Patron friends—I said I would as soon think of crossing lake Erie in a canoe and expect to reach safely the other shore as to carry on the government of this country for any length of time with out a revolution if we had only a single chamber. That has been my view for years, and it is the view which I entertain to-day; but the manner in which a second chamber should be constituted I consider a fair question for public discussion, and the views that I have entertained upon the possiblitity of improving this chamber, by altering the mode of its constitution, I still entertain. My hon. friend made another statement which seems to me was scarcely candid, and let me invite his attention to it. He spoke of preferential trade with Great Britain, but he said the effect of our present tariff was merely to increase our trade with the United States and diminish our trade with Great Britain, and the hon. gentleman referred to the trade and navigation returns as an evidence of that fact. Now, I do not admit that that is any evidence of my hon. friend's proposition. In the first place, the tariff which he quoted—the general tariff—is not the tariff which is applicable between this country and Great Britain. That tariff is less, and the articles which the hon. gentleman refers to as articles upon which the duty has been diminished between this country and the United States are articles that do not come from England at all, and in regard of which there is no competition between the United States and England. The duty on coal he says was reduced from sixty to fifty cents, the duty on corn from ten cents to free corn, and that these things the United States have a preference. Now, the United States is the only country from which those articles are to any extent purchased by Canada. Take, for instance, corn. There was any amount of United States corn put upon the Canadian market a little over a year and a half ago for eight or ten cents a bushel. I am speaking now of corn unshelled, and that corn was purchased by whom?

By the farmers, throughout the west in large quantities for feeding their stock.

Hon. Mr. McCALLUM—Does the hon. gentleman say that the United States shipped cob corn into this country?

Hon. Mr. MILLS—Yes, I have seen it in the elevators at Windsor. Although I had a considerable quantity, as a farmer, on hand, I thought of purchasing at the low rate then prevailing because it was there for sale and a great many of our farmers in the west did so. That, I think, was an advantage to the agricultural population; my hon. friend may take a different view, but after all, that is a question on which we may differ. I believe it is of very great consequence to the people of this country that they should have the opportunity of buying cheap corn.

Hon. Sir MACKENZIE BOWELL—What about the other articles?

Hon. Mr. MILLS—Which other articles—coal?

Hon. Sir MACKENZIE BOWELL—No, iron.

Hon. Mr. MILLS—I took a note of two articles which the hon. gentleman mentioned. I am taking these as illustrations.

Hon. Sir MACKENZIE BOWELL—Taking all the items that I mentioned, I do not agree as to your deduction.

Hon. Mr. MILLS—I think the hon. gentleman will see that I am entirely right.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—In my opinion that certainly was the view of the country, for those who purchased those articles, if they thought they were going to be injured by their purchases, would never have made them. The hon. gentleman speaks of the destruction of our industries. No one in this country, so far as I know, proposes to abolish customs duties as a means of revenue. This country is very largely in debt. It has to meet its obligations in some way or other, and a tax on importations and on commerce, fairly imposed, is perhaps as fair a way of collecting revenue as any that can, for the present, be devised, at all events in the present state of public opinion. About that there was no difference between hon. gentlemen opposite and those who are members and supporters of the present government. But when you propose to impose the tax, not for the purpose of revenue, but for the purpose of enabling some one to sell an article at the expense of his neighbour at a larger price than he otherwise could obtain, and that neighbour is compelled to take from his income and to hand it over by virtue of the operation of that law to the party who puts that article upon the market, the hon. gentleman then is using the power of taxation, not for the purpose of revenue, but for the unequal distribution of the profits of the various industries in which the people of this country are engaged. When a state of things is once established, it may be very difficult to change it. The opportunity does not always come to make an extensive change. We are bound to consider the social order of things; we are bound to take into consideration what we can accomplish by way of reform with as little disturbance as possible. It is one thing to force industries into existence by special legislation; it is another thing, when they become once established, to undertake ruthlessly to pull them up by the roots. That we cannot undertake; that we never said we would enter upon. We have said that we were in favour of a revenue tariff, and we believe that the freer you can make trade, the better it will be for the country. Let hon. gentlemen look at what would be the consequences if you were to adopt the views of my hon. friend opposite.

Hon. Mr. McCALLUM—But your Prime Minister says he wants free trade?

Hon. Mr. MILLS—My hon. friend so we do all want it, and we want many things we cannot always get, but we can aspire after them and perhaps in time will be able to accomplish them. Let us look at the condition of these things. Supposing this country were out of debt; supposing we had other means of meeting the cost of government than the imposition of customs duties more advantageous than those, then my hon. friend might say the country would be ruined because you cannot prevent the people of Canada purchasing what they require abroad, because you cannot impose any duty. You have no pretext for imposing any duty to keep those articles out, so that

if the views expressed by my hon. friend opposite and those who agree with him are correct, then the government of this country —if the country were out of debt—would be in a most unfortunate condition. I do not agree with that view.

Hon. Mr. McCALLUM—The whole of the argument of the hon. gentleman is that "if." "If ifs and ans were pots and pans what would the tinkers do?"

Hon. Mr. MILLS—My hon. friend can answer that better than I can. I cannot tell what they would do. I put a hypothetical case. I say that if my hon. friend's contention is right, then the greater the burden of taxation the more certain the protection is and the greater would be the security. That is not my position at all, I say if you had started out without a public debt, with fewer public burdens; if no expenditures had taken place except those which were absolutely necessary, you would have to-day in this country some millions more of agriculturists. Would they be alone? Certainly not, for when your farmer takes up his land, there must be a blacksmith; there must be a carpenter. He requires his house to be built and furnished; he requires all those appliances which give employment to skilled labour and without which the country itself could not ex st, and it in no way depends upon the imposition of heavy burdens, nor the exclusion of goods from other portions of the world. Now, I am not saying that we should adopt heroic measures. We are anxious to carry on the government economically. We are anxious to reduce the burdens of taxation as far as the present circumstances of the country will permit, and when a still higher tide rises in the finances of this country there will be a further opportunity of making further reductions. If in the case of the settlement of the North-west regions in which gold is found you have that tide of immigration which formerly flowed towards Africa and Australia, turned in the direction of the Yukon country and the North-west and British Columbia, and you have seven or eight millions to bear the burdens which are now borne by five millions, does any man say it will be in the interest of the country to maintain the present rate of taxation? Would it not be advantageous to this country, if you had the power to further reduce taxation? I do not think that can be questioned—at all events successfully questioned, and that being so, I do not propose to accomplish the reform, nor have the government proposed to accomplish the reform that they call for in this country in a night; but we do expect, with the progress of the country, with the development of its resources that those burdens which are borne by a small population will be borne by a very much larger population at an early date.

Hon. Mr. PROWSE—Will no improvements be made in the meantime?

Hon. Mr. MILLS—Certainly improvements will be made where they are required, but I trust no wild or visionary expenditures will take place which add nothing to the wealth or the prosperity of the country. I wish to say a few words with regard to the measures of the government proposed during the present session. My hon. friend has criticized the proposed railway scheme into the Yukon country, and he says that this is a measure made by Order in Council. Most measures are, but this is a measure that is not yet in force. It is a measure that depends upon the will of parliament. Parliament can say whenever this measure comes before it that it is a bad measure and ought not to become law. We have not invaded the authority of parliament; we have not taken anything out of the hands of parliament. Parliament is as free to deal with this contract as it was to deal with the contract for the construction of the Canadian Pacific Railway, which also was submitted to parliament and required the ratification of parliament to bring it into being. My hon friend refers to a precedent in the history of Western Australia, to show that we ought to have advertised for tenders. I admit that ordinarily that is the correct rule; but there may be emergencies in which that cannot be done. Ordinarily we ought to ask parliament for an appropriation of public moneys when they are required, but in England they have sometimes been obliged to use money to meet an emergency which could not be foreseen, and have had to come to parliament for a indemnity. They say it is in the public interest and we throw ourselves on parliament to sustain us for taking our political lives in our hands to accomplish this result. That is the position in which

we stand to-day. There is no comparison between the case of western Australia and the Klondike country. Australia has not a country of 70,000,000 people beside it which may at any moment take possession of the country. Australia has not a country beside it which may at any moment close every gate and every avenue which leads into the country which you call your own, but that is the position of Canada at this moment. We find along the whole of the Pacific coast the only avenues into our territory in the hands of our neighbours. There is a quantity of land a few miles away from Skagway that we believed they would recognize as a boundary, but you will see it stated in almost every United States periodical published on the Pacific coast that is not the boundary line; that the boundary extends ten geographical leagues inland, and that their territory reaches to that point. If it does, the Treaty of Washington gives them the right to navigate the rivers in our territory, and instead of the government of Canada holding that territory, it would be the government of the United States that would hold it, and you could not send a policeman into the territory nor a man with arms, nor make the slightest defence of your country without the will and grace of your neighbours. That is the position. That is a position on which this government has determined shall not continue, and we have undertaken to construct a railway, in the public interests, to defend Canadian rights and British interests in the North-west.

Hon. Mr. McCALLUM—The building of a railway will not prevent the use of the Yukon by the people of the United States.

Hon. Mr. MILLS—If the honourable gentleman was a little more disposed to listen fairly, instead of listening unfairly, he would see that it is vital to us that we should have means of communication with the Klondike by which we could send supplies and the police and our officers, under our own control.

Hon. Sir MACKENZIE BOWELL—Is not the navigation of the Stikine River and Lake Teslin free to both countries the same as the St. Lawrence?

Hon. Mr. MILLS—Yes, I do not deny that, but the hon. gentleman knows it is only for commercial purposes, and the treaty says so. The hon. gentleman knows that under the treaty of St. Petersburg, we had the right to navigate the Yukon for all purposes, and every other river which flows into the ocean, but we lost that when the treaty of 1871 was negotiated. By the route through the Chilcoot Pass you go into a United States port, and whether you are allowed to land police there, or land arms, or send any equipment through, depends upon your neighbours. If you go to the White Pass, there is the same condition of things, and until this railway is constructed we have not the means of getting into that territory, except by the favour of our neighbour. Every hon. gentleman knows that the Edmonton route is a most desirable one, and one which it may be necessary to open at an early date, yet it is fifteen hundred miles, and the whole season would be lost if it was adopted, and at present it would be quite impossible to get the required supplies through by that route. We believe it is in the public interest that that road should be constructed. If we had delayed it could not have been built this year. The work must be carried on while the snow is upon the ground. There must be means of sending in supplies, and storing them at the head of the navigable waters of Teslin Lake. There are provisions made, as hon. gentlemen will see, that that may be accomplished, and that road, which is to be made within thirty or forty days fit for ordinary travel, is to be made a completed railway, connecting the navigable waters on the one side with the navigable waters on the other, by the 1st of September and it will be in the power of the government to send in such men as may be necessary to maintain law and order with a large population, which will be mostly foreign, and to retain that country, and to maintain the interests of Canada within it. In fact there are many things it would be most desirable to say in our defence which cannot in the public interest be said this moment, but I am satisfied that there is not one in this House no matter how strong his feelings may be, no matter how anxious he might be that there should be a change of government, if he knew the circumstances as I and my colleagues know them, who would not defend the government, even if our arrangement had been less favourable than the one which we have made.

Hon. Mr. McCALLUM—We should have that knowledge. We should have the papers on the table.

Hon. Mr. MILLS—No, the hon. gentleman should not have it, because the hon. gentleman knows that in the political relations that exist between countries it is impossible to communicate that. My hon. friend knows that as well as I know it, and so, for the time being, my hon. friend has to permit that information to remain with the government.

Hon. Mr. KIRCHHOFFER—What other country has the right to interfere with what we are doing on our own land? Why cannot the information be given? Why should the other country interfere?

Hon. Mr. MILLS—My hon. friend asks what we are doing on our own land. Take the Lynn Canal. My opinion is the boundary should be drawn at its mouth, but it is in the hands of the United States people, and Skagway and Dyea are for the present United States ports. We supposed the furthest they would claim would be the summit of the pass at Chilcoot and White Pass, but we find the United States flag was raised at Lake Bennett, far north of these places. Our flag at the present time has taken its place, and the hon. gentleman knows that out of these matters correspondence may arise which could not be communicated to the public.

Hon. Mr. KIRCHHOFFER—I do not see why it should not be.

Hon. Mr. MILLS—I venture to say my hon. friend is the only hon. gentleman in this House who thinks so.

Hon. Mr. KIRCHHOFFER—I am sure there are others who think so.

Hon. Mr. ALMON—There are fourteen Ministers in the Cabinet, and the greater part of them married men. How can they expect the secret to be kept from the world?

Hon. Mr. MILLS—I think I have stated enough to show the hon. gentleman that there was urgency in undertaking this work, and undertaking it at a season when it was possible to push it with some vigour and hope of success. Another measure of the government is the Superannuation Act, which my hon. friend opposite says has been grossly abused in the last six months. My hon. friend will remember that the statement was that it had been grossly abused for the past twelve years, and we think hon. gentlemen perhaps did not make the wisest use of that law. It will be very much as it was in England when the Conservatives, or Tories as they were then called, accused the Cromwellians of desiring a standing army, and the Cromwellians accused them of desiring the same thing also, so that they both began to dislike the idea of a standing army, and got rid of it. I suppose the hon. gentleman would sooner wipe it out than see the abuse continue.

Hon. Sir MACKENZIE BOWELL—I said that.

Hon. Mr. MILLS—My hon. friend has spoken in favour of manhood suffrage. I am not going into a discussion of manhood suffrage, nor the provisions of the Franchise Act. For eighteen years after this union was established we accepted and acted upon the franchise of the provinces, and, so far as I know, no difficulty arose, and no expenses were incurred by this parliament in the preparation of the voters' list, and no special complaint was made. Now, I am not going to defend the measure. It will be time enough for that when it is before the House. We promised that measure while we were in opposition. We advocated it for years. It was an issue when we went to the country, and the opinion of the country has been pronounced upon it; and whether the hon. gentleman thinks we kept faith with the country in regard to the tariff, we, at all events, undertake to keep faith with regard to that particular measure. Then, my hon. friend has referred to the question of the plebiscite, and says he considers it an abnegation of the principle of responsible government. I am devoted to the principle of responsible government, but I do not see that this is an abnegation. There are certain questions of a social character, and you may entertain views on them, and whether your views are practical, and whether it will be in the public interest to carry such a measure or not, will depend wholly upon the state of public opinion, and whatever you may think with regard to the propriety of prohibition, I think no one will maintain that a prohibitory

measure which public opinion would not enable you to enforce, which would be disregarded, where you would have illicit distillation and private stills all over the country, and stills by persons whom you could not punish, and dare not undertake to punish, because public opinion sympathizes with them, you would have a condition very much worse indeed than anything that could possibly arise under any well regulated license system. Therefore, I think a measure of this sort, being somewhat sumptuary in its character, is a measure on which you should ascertain the state of public opinion before you undertake to legislate upon the subject. I have briefly alluded to the many points to which my hon. friend referred, and I shall not further trespass upon the indulgence of the House.

Hon. Mr. BOULTON moved the adjournment of the debate.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 9th February, 1898.

The Speaker took the Chair at Three O'clock.

Prayers and routine proceedings.

JAPANESE IN THE YUKON COUNTRY.

INQUIRY.

Hon. Mr. MACDONALD (B.C.)—Before the Orders of the Day are called, I wish to ask the Minister of Justice if his attention has been called to the report that an invasion of the Yukon country by the Japanese is expected. I suppose under the treaty between Great Britain and Japan we cannot prevent them coming into our country, though I suppose we might tax them as we tax Chinese, but I think they should be shut out from the mineral country of the Yukon. It would be a serious thing if hordes of people from that country should come into our mines and carry off the proceeds. Of course, they are men who do not take root in our country and we do not want them as citizens of Canada.

Hon. Mr. MILLS—My attention has not been called to the subject further than the announcement which I have seen in the newspapers, which I suppose attracted the attention of the hon. gentleman himself. The government have not considered the subject.

Hon. Mr. MACDONALD (B.C.)—I would ask the Minister if he would have maps of the Yukon country placed on the Table of the House for the information of members. Many members have asked about the country. They know nothing at all about it and would like to have something in the nature of a map before them to refer to.

Hon. Mr. MILLS—I may say to my hon. friend that a map is being prepared by the Minister of the Interior, and it is perhaps ready by this time. I shall inquire of the Minister and shall endeavour to comply with the hon. gentleman's request.

THE ADDRESS.

DEBATE CONTINUED.

The Order of the Day being called—

Resuming the further adjourned Debate on the consideration of His Excellency the Governor General's Speech on the opening of the Third Session of the Eighth Parliament.

Hon. Mr. BOULTON rose to resume the debate.

Hon. Mr. MACDONALD (B.C.)—Make it short.

Hon. Mr. BOULTON—Unfortunately, hon. gentlemen, if you furnish me with a great wealth of controversy here you cannot expect a very short speech, unless you discuss only one particular individual item of it. When I rise in my place to address the Senate, it is with a view of dealing with all the subjects that are put before us in the speech, and I think that every one of us will acknowledge that there is a new feature put upon a great many of the subjects formally dealt with that requires considerable care and thought and discussion, and all I hope is, should I prolong my remarks longer

than your patience will permit, that you will forgive me for it, but I will try not to transgress. The speech that we have to discuss commences by saying :

I have observed with great pleasure the remarkable advance in the political importance and material prosperity of Canada during the year which has just closed.

I think that that is a perfectly legitimate matter for congratulation. There is not the slightest doubt about it, that Canada has increased in material prosperity and political importance. The more our influence is extended beyond the bounds of our own country, the more our political importance will increase. We will never have any political importance as long as we shut ourselves up, as the former government thought and did, and I am sorry to say as the present government appear to think and do, shut ourselves up and make Canada a close preserve for a small coterie of men who gather wealth under the influence of monopoly and protection, a policy which I have for a great number of years strongly opposed. The more you lessen that, the more you extend your operations and remove restrictions on trade at our seaports, the more political influence we are going to exercise and the greater prosperity we will enjoy because the field for occupation for our industrial population is going to be enlarged materially when we apply the ability and energy of the Canadian people to enter the markets of the world and compete there for the extensive trade that awaits these who take part in it. For these reasons I think the remark with which the speech opens gives me an opportunity of making these few comments. At the same time I think that while the government have for a number of years argued upon the same basis that the opening of the doors was the proper way, the very moment that they have an opportunity to pursue that policy something seems to have got hold of them and they are shutting the doors. The second paragraph in the speech is :

The loan recently effected has shown that the credit of Canada has never stood so high in European markets, and affords reasonable ground for expecting that the burthens of the people will, in the near future, be materially reduced by the substitution of a much lower rate of interest on our indebtedness than that which now exists.

I think Canada has kept pace with the rest of Britain's colonies and Great Britain herself in the credit that she has in the markets of the world. That is due very largely to the thrift of our population—to thrift in the management of our finances, no matter which government is in power. It is also very largely due to the continual lessening of the value of money. People now are very thankful indeed to get a good investment at two or two and a-half per cent, where they would have scorned it at four per cent a dozen years ago. So it is not altogether due entirely to causes within ourselves, but it is due to that cause also. I regret very much indeed to see that the public debt is still increasing and that there has been a steady increase to date. Of course, if we get a lower rate of interest every year, the burden of that increase does not bear quite so heavily as would if the rate of interest were not reduced ; still the increase of our debt annually, involves the remitting of that amount of money abroad to meet interest and necessitates the absorption of our exports in order to meet that demand, and under our present system puts the burden of maintaining the revenue upon our industrial classes. The increase of the debt during the past year has been $3,500,000. That increase may probably be due to the loan of $10,000,000 that we had to float, a portion of which went to remove former indebtedness and the other to meet additional burdens that were put on the country for some reason or other. I do not think the Crow's Nest Pass, $3,500,000, will come into the public accounts of that year, because it was only appropriated in May, and we might have an additional debt next year to add to this amount given to the Crow's Nest Pass of $3,500,000, and whatever they may give to the Grand Trunk Railway for the Drummond County Railway. All these things, of course, involve an additional debt and create an additional demand every year for the absorption of a certain portion of the exports of the country. But it is a matter of congratulation that we are able, as a nation, to maintain our credit and pay our debts regularly so that we enjoy the very lowest rates of interest going for public loans of such a nature as we have applied for and obtained. There are, however, evidences to which I will presently refer that our exports in the past year or two, have been absorbed to an alarming extent. Now, hon. gentlemen, the next clause in the address of His Excellency is :

I congratulate you upon the exceedingly cordial reception accorded to the representatives of Canada

at the Jubilee ceremonials, and also upon the warm appreciation manifested everywhere throughout the mother country in reference to the conduct of Canada in materially reducing the rate of duty upon goods imported from the United Kingdom into the Dominion.

Hon. gentlemen, that is also a matter of congratulation. As you are all aware I had the honour of being included among those who took part in the military contingent that went across the Atlantic last year, and obtained the leave of the Senate in order to take part in it and leave my duties. A few remarks with regard to my visit there will probably not be out of place, in order to endeavour to show you the honourable part that Canada played in the ceremony both in connection with the visit of the premier of Canada and also the visit of the military contingent that we sent over. I may say this, that the premier, Sir Wilfred Laurier, may be congratulated upon the cordial reception that he met with. It was due to the dignity with which he upheld the character of Canada, to his own personality and to the mode in which he conducted himself and the addresses that he delivered to the people of England while there. He was placed in the highest position in the procession and in the ceremonies which took place—taking his rank next the Queen's Government; he occupied the most prominent position with Lady Laurier in the procession; and wherever he appeared before the public he was cheered, for the sake of Canada, and, as I said before, the dignity with which he conducted himself on every public occasion. The Canadian contingent went across on the steamer 200 strong, including officers and men. The journey across was not a very comfortable one, because the steamer was overloaded, and this caused a certain degree of discomfort. The return passage was not accompanied by anything like the discomfort we had experienced going over, the ship being an excellent one, and accommodation ample. When we arrived, we were met at the station by Lord Methuen, who commands the London district, and Colonel Herbert and Colonel Ward, Sir Donald A. Smith, the High Commissioner, and Mr. Colmer accompanied them. We marched to Chelsea Barracks, where we were located for the next fortnight. Chelsea barracks is in the grounds of the Chelsea Hospital, that noble pile that was designed by Sir Christopher Wren, 200 years ago, and has been the home of Britain's pensioners from that time to the present. We found General Robinson, a Canadian, in charge as deputy governor. The accommodation that was provided for us was exceedingly comfortable and the barracks that were occupied by the Guards were given over to the contingents from all parts of the empire which, together, numbered about 1,000. The officers were furnished with a mess in the gymnasium, and accommodation provided for them by temporary buildings put up in the barrack square. To Lord Roberts was assigned the command of the colonial force on public duty, with Colonel Ivor Herbert as second in command in garrison, and we were under the command of Lord Wolseley in Hyde Park. After we arrived there, our contingent paraded with all the rest of the colonial force and the gathering was one of the most remarkable sights ever seen. All colours and all hues from all parts of the world were there. The negro blacks came from Africa, East Indians and West Indians, Houssas from the Niger, native troops from Cyprus, Ceylon, Borneo, Trinidad, British Guiana, artillery from the Mauritius and Malta, Chinese from Hong Kong; Malay troops from the Strait Settlements, the Australians in strong force, Cape Mounted Rifles from South Africa, Rhodesia under Captain Gifford, Natal, New Zealand, our forces from Canada, etc., and the whole of this large force, numbering about one thousand men, were paraded and assembled together in Chelsea barracks for the purpose of being instructed in the duties we had to perform in the ceremonies, and also in conjunction with the premiers of the self-governing colonies, and heads of the Crown colonies, to show the people of London, the centre of British life, the class of men that were gathered together to illustrate the physical power and political unity of the British Empire. We took our place in the procession, and on the morning of the procession we marched to the Hotel Cecil, where the various premiers resided as the guests of the nation. We formed up there in order to give them the opportunity of falling into their respective ranks at the head of their various colonial contingents, with the Hon. Sir Wilfrid Laurier as premier of Canada heading the procession. We marched off in that order, and led the procession as far as St. Paul's Cathedral, passing Buckingham

Palace at half past eight in the morning, and there the rest of the procession fell in after us, and we led the way to St. Paul's Cathedral, where the great religious ceremony was to be performed, and the Queen was to hold the short service that had been provided as part of the celebration, in which all the religious sects and denominations of the British Empire, and the nation's guests partook on the steps of St. Paul's Cathedral. After halting there a sufficient time for the service, we held our places, and the procession that had marched behind us, with the Queen at its head and the British troops passed us, so that we saw the whole procession in rear of us going by at St. Paul's Cathedral, and we had led the procession as far as St. Paul's Cathedral. We fell in at the rear of the procession and followed Her Majesty round across London Bridge on the Surrey side, re-crossing at Parliament Buildings, and so on back to Buckingham Palace. The multitude we passed through, a million provided with seats in every available niche, and another million on the curbstone, were in the happiest mood, and represented every class from the highest to the humblest. It was one of the most inspiring sights, I think, that has ever been seen, that great noble tribute that was paid to a sovereign upon the completion of the 60th year of her reign, not only for the wisdom and length of that reign, but of the virtues of a good woman who had governed wisely and well through the whole of that period. She was surrounded by the whole of her family, all occupying high positions, all working industriously along with the rest of the population in serving the State in their respective capacities; and if any one has reason to be proud and to think that the blessings of the Almighty rested upon her, it was the Queen upon that day. The whole world was there looking at the magnificent spectacle, 50,000 British troops brought into London to guard the way, and five and twenty thousand policemen supporting them for the same purpose, the pick of the troops in England marching in the procession, headed by the colonial forces drawn from all parts of the world. Every nation in the world sending their representatives to pay their tribute of respect. There never was a greater display of reserved physical power since the world began than was brought together from all parts; not drawn at the expense of the British Government, not forced there under the command of military discipline, but a voluntary contribution of the various outlying portions of the British Empire, that came to lay their voluntary allegiance at the feet of their sovereign, as aiding her to maintain the British constitution in its purity, and the integrity of the British Empire in its world-wide reputation and renown. It was a proud position for Canada to have occupied on that particular occasion. It was well carried out in every particular. Our troops were looked at and admired by everybody. Their physique, their conduct and everything could not be surpassed. They were received with cordiality everywhere. The volunteer corps invited us to various entertainments, the Colonial Institute, the Imperial Institute. Madame Albani gave us a concert in Albert Hall. Sir Henry Irvine had a special entertainment at his theatre. The Maxim Nordenfeld Company provided an inspection of their armouries at the Einsford ranges with a sumptuous entertainment—Lady Brassey at Normanhurst Court. Every officer was entertained most hospitably by General Lord Methuen, and the High Commissioner had a reception on Dominion day and a banquet the night after. Lord Lansdowne, Lord Derby and the Hon. Mr. Chamberlain specially entertained the nations' guests. Every theatre was thrown open to them free; invitations forced upon both officers and men without number, and every courtesy was extended to Canadians and to Australians and to other colonists that could possibly be extended to them on their visit to the motherland. Her Majesty received the contingent at Windsor Castle where the whole force was entertained at luncheon, and the officers, one hundred and fifty-three in number, sat down in St. George's banquetting hall in the castle. The Queen inspected us on a lawn in the rear of the castle and all the officers and two men from each corps were presented to her. She addressed the Indian troops in Hindustani and she showed an active interest in everything, as Lord Roberts accompanied her and presented each corps for review. The Queen's garden party at Buckingham Palace and the presentation of the jubilee medals by His Royal Highness the Prince of Wales were two brilliant sights. The review was shared in by the contingent force at Aldershot, when the review was held for Her Majesty's inspection, and the naval review at Portsmouth

was one of the grandest sights ever witnessed. The contingent forces were well looked after by the mayor and citizens of Portsmouth, and the government provided accommodation to give the whole force the best opportunity to witness the review and inspection by the Prince of Wales. The illuminations on this occasion and on the evening of the procession were remarkably fine. Wheeled traffic was entirely suspended at night in London, and the stream of people thronged the route of the procession to overflowing and millions enjoyed the sights with the utmost freedom and in the utmost good humour. The events of the fortnight were ample evidence that the government of the vast population in the city of London was developed upon the highest principles of self government that had yet been reached in any nation. That was a great occasion, hon. gentlemen, that was a great year. Now, what is going to follow it? Is it going to be a ceremony and nothing more? Is it going to stir up the hearts of the people in the various parts of the British Empire, to do something more than they have been doing, to accomplish something more than they have accomplished towards the unification of the British Empire, towards helping to strengthen in a material way the forces that are at work by the British Government, which is doing the noblest work that any government has ever yet laid itself out to do, to bring under subjection the forces of the world towards peace, to open the ports of the world to free trade, to give all nations an opportunity to reap together on a common ground, on common soil, in unity and peace and commercial rivalry? That is the battle that England is fighting to-day. You have only to read the papers from day to day to see the noble stand she is taking in China at the present moment. What for? To aggrandize herself there and seize a portion of the territory? No; it is simply to announce to the world that her determination is that no nation should seize a portion of China or Africa or anywhere else and lock it up from the rest of the world, as long as she has the power to withstand the effort.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. BOULTON—I say that that is one of the noblest things a nation had ever set itself out to do. They are not taking a portion of the world and saying that nobody else should deal there but themselves. They are taking the foremost part in trying to bring heathen nations under the influence of civilizrtion. Wherever England has put her hand on a piece of foreign territory it is as free to Germans, Chinese, Frenchman, Canadians or anybody else who chooses to go and trade there as to the people of the United Kingdom, and she gives them good government under the British constitution. She gives them ample protection under the power she possesses in her army and navy with all the forces of justice that prevail wherever Britain's government holds sway. Are we going to be chided by Sir Michael Hicks-Beach when he says we are doing nothing for the maintenance of the protection of the British Empire? He says we are doing this in the name of Canadians, South Africans, Australians and the people of every portion of the British Empire, and are you going to offer no material assistance in the shape of money or men or anything else? The burden is being felt, the pressure of foreign nations is great. Sir Michael Hicks Beach is right in drawing our attention to the great responsibilities they entail. I say that the answer of Canada should be "to the utmost of our power will we stand at your back and assist and support Great Britain with our material resources to the best of our ability." I can say, in answer to what Sir Michael Hicks-Beach sent over the cable the other day, that we are as yet a poor country, notwithstanding the prosperity set forth in the speech before us. We are still a poor country, so far as national revenue is concerned and national prosperity, that must to a very large extent be shown by the redundancy of the revenue which the nation is able to contribute to its support. The revenue we enjoy has been to a certain extent stagnant for the last ten years. There is no redundancy to it. Notwithstanding our large territory and the increasing exports, the result of more labour, it has been amply shown that we have reached the limit of the power of raising revenue by the Canadian people under the principle of protection, that there is no force that we can bring to bear except to impose direct taxation, such as we did the other day in reimposing a duty on raw sugar, or increasing the excise on spirit, or some direct taxation of that kind. There is no possible means under the principles of our commercial policy by which we can extract

from the people of Canada a larger revenue than we are doing, because monopoly divides the taxation with the government. I say, hon. gentlemen, that the people of Canada can contribute a larger revenue a great deal than they are doing to-day, but it is impossible to increase that revenue beyond the twenty million dollars that we are contributing to-day under the customs taxation which, as I said before, is stagnant and has been stagnant for a great number of years and is only stimulated by borrowing. It is possible for the people of Canada to pay a great deal more revenue than that if it was only levied in the proper way, if it was only levied in the same way Great Britain levies her taxes. She releases the necessities of labour and taxes profits. Hers is the most redundant revenue in the world. The Government of Great Britain has spent enormously on its navy without imposing one additional penny of taxation upon the people. She has maintained her position, she has increased her trade, she has perpetually and constantly increased her revenue year after year. Every year it is greater than it was before. This last year her trade has increased and is the largest ever known in the history of the country. This year her revenue has got a surplus of eight or ten million dollars, the largest ever known in the history of the country. That is due to the method in which she exacts the revenue for governmental purposes, while we divide the revenue which should go for the support of the country, with the monopolists and protected classes that enjoy a very large portion of the means that should be at the disposal of the government. The people have to contribute the taxation and these people take half of it. Now when we are prepared to see things in a different light, which I think before long there is no doubt the people of Canada will come to see, that the business of the government is a different business from the business of an individual, and that the government has got to take care of its revenues, that it has not to manage for the customers who come here for legislation, but it has to manage its affairs for the stock holders, who are the people of Canada ; and when they come to carry out their business upon that basis and upon these relations, then hon. gentlemen will see that the revenue of Canada, instead of being stagnant and remaining as it is to-day, will show a redundancy that is the outcome of prosperity. It is in order to reply to the leader, the great financier, Chancellor of the Exchequer in England that it is not the spirit of Canada that prevents her from giving material resources to strengthen Great Britain, to stand at her back in the fight that she is making with the rest of the world, but it is the weakness of the revenue that prevents us showing that in any appreciable or material manner. To be sure the government did try to show a disposition, and they did show a spirit by reducing the tariff in favour of Great Britain to the extent of 25 per cent, which comes into force on the 1st July next. That is only a concession of trade and not a source of revenue. The carrying out of that is simply the carrying out of the idea of the hon. Minister of Marine when he made a motion in the House of Commons some years ago that the taxation levied against Great Britain was large compared with that of the United States, and this reduction is no reduction so far as protection is concerned ; it is merely an attempt to equalize the protective duties that are still imposed and make them even with those of the United States, which it was always contended were of an unequal character, so that it is not regarded in Great Britain as a very great concession, it is not regarded as of any particular material value, as business men in England assembled together said they would prefer a great deal to see an insolvency act passed to protect the commercial interests of the merchants who have customers in Canada than have this 25 per cent reduction in the tariff. That is only an evidence of the manner in which they look upon it, but so far as the spirit that has been shown by the people of Canada in making that reduction, it is accepted as an evidence of good spirit and a hope that something better will follow, and I was really in hopes that something better would follow as announced in the Speech from the Throne. Well, hon. gentlemen, as the speech says here it was due :

> To the conduct of Canada in materially reducing the rate of duty upon goods imported from the United Kingdom into the Dominion.

As I say, that is an evidence of good will, and it is an evidence of good spirit ; but beyond that it has not shown itself to be of any material value so far as increasing the power of the people of Great Britain to export their goods to Canada is concerned. It

led to the action of the Imperial government in denouncing the treaties with Belgium and Germany which has been a matter of controversy for a great number of years and which has been solicited by successive governments. The question has been up very often on the floor of this chamber and hon. gentlemen are thoroughly acquainted with it. The denunciation of the treaties was requested for the purpose of enabling the colonies of Great Britain to admit British goods into Canada or Australia on better terms than the rest of the world were permitted to send them. That was the object of getting the treaties denounced. Recollect that it did not require the denouncing of the treaties to allow England to put on a preferential tariff in England; that was open to England to do at any time whether the treaties were in force or not, but it required the denouncing of the treaties in order to permit Canada to reduce her tariff or to have free trade with Great Britain, while still maintaining the duties against the rest of the world. That was the object of the denunciation of the treaties, that was why we applied that the treaties might be denounced. It was applied for by the conservative government. As you all recollect, Sir John Abbott prepared an address and sent it forward when he was premier, and it has been a matter of correspondence with the British government for many years. There was a meeting of the colonial premiers last year at the Jubilee ceremonies and they met together with Mr. Chamberlain, the Colonial Secretary, to discuss this very point, in order to place before the Imperial government the necessity that arose on the part of Canada, Australia and other outlying portions of the British Empire, for the British government to denounce those treaties which they evidently regarded as a very great safeguard to their commercial affairs. These favoured nation treaties have been negotiated by England as far back as the year 1820 or 1830. They have been arranged with nearly every nation of the earth, and Great Britain attaches very great importance to these commercial treaties. Their importance has been brought out more forcibly than ever before by recent affairs in China. Great Britain has with China a treaty containing the most favoured nation treaty by which she is admitted, and Canada with all the British Empire is admitted, to trade freely in Chinese ports upon the same terms as may be accorded to any foreign nation, and it is upon that right that England is to-day standing in order to maintain any ports that are acquired by any foreign power open to British and Canadian trade, a policy that is now being acquiesced in by Germany and Russia. That only shows the importance that Great Britain attaches to these commercial treaties. Now, the premiers met there, and this position was put before the Colonial Secretary, and it was the climax of the negotiations that had been continually going on, mostly, I believe, from Canada herself. Great Britain agreed to the desire of the Canadian government, and denounced those treaties. What for? So that Canada might reduce her tariff and establish, as I thought, as I supposed, and I have advocated for a number of years, free trade with Great Britain, while still keeping up her tariff against the people of the United States as long as their hostility to our commercial interests remains. Canada went over there with a guerdon held out to the people of Great Britain—with a reduction of 25 per cent upon her tariff. This was a kind of tempting bait to say, "Now you denounce those treaties, you put that in force and then you will see what we will do in order to bring about that commercial unity which you think is so important to the prosperity of Canada." And Great Britain did it. I say, hon. gentlemen, that the Canadian people are bound in honour to carry out the idea that was conveyed by the premier of Canada, when at that Jubilee celebration upon every platform, he announced that that was the policy he advocated, and that was the policy he expected to carry out, and it was to enable him to carry out that policy that he asked the government of Great Britain to denounce those treaties which were of such value to the people of Great Britain. And I say, hon. gentlemen, that we cannot have any better evidence of that than a short extract I took from a speech made by Lord Rosebery a month or two ago in which he discussed the question of free trade, and apparently taking the stand of the Liberal party in Britain firmly upon that policy in order that Canada and other countries and the people of Great Britain might know exactly the stand they took. He says:

But I have an illustrious authority, perhaps the most illustrious outside these islands, inside the

empire, who sustains my views as to the preserving effects of free trade on our empire. Sir Wilfrid Laurier says: "There are parties who hope to maintain the British Empire upon lines of restricted trade. If the British Empire is to be maintained, it can only be upon the most absolute freedom, political and commercial. In building up this great empire, to deviate from the principle of freedom will be to so much weaken the ties and bonds which hold it together." That is the view I hold, and, I believe, you hold in this hall. (Cheers.) It only requires the force of law to give effect to Sir Wilfrid's policy, and he is in the position of power to carry it out.

That is the interpretation put by Lord Rosebery, leader of the Liberal party in England, on Sir Wilfrid Laurier's remarks. The people of Great Britain have taken exactly the same ground. Some of the leaders of the Conservative party in this country, and I believe the Conservatives generally, still cling to what they call preferential trade—that we will lower our duties to Great Britain if Great Britain will give us a preference over the United States and other countries of the world. I was in the House of Commons last night and heard Sir Charles Tupper refer to the Governor General and the remarks made by His Excellency lately in the city of Toronto. The moment I read those remarks I regarded them as an intimation from the British Government—the Conservative party in England conveying through the Governor General to the Conservative party in Canada that the carrying out of that policy was an impossible one—that the imports of the people of Great Britain were confined almost entirely to raw materials and to food and upon the cheapening of both of these important articles, which are imported to the extent of about $1,000,000,000 per year they relied for their prosperity—that it would be ruin to the trade of England and ruin to the industrial population of Great Britain if they put any tax, however small, upon that enormous import of articles which are so essential to the weltare and prosperity of the people of Great Britain. Any one can see in a moment that the strength of Britain's policy is free trade. There is no nation in the world which can show such remarkable prosperity, such a redundant revenue and such freedom from debt. Germany, France and Russia have increased their debt; the United States have increased their debt; Canada has increased her debt. The only nation that has not increased her debt is the British nation. They have been reducing it year after year at the rate of forty or fifty millions of dollars every year. If that condition is arrived at through the policy of free trade that she is to-day following, how would she prosper under the opposite condition by taxing the food and the raw materials that are imported there to be worked over for export to the markets of the world by her industrial population? Instead of condemning the Governor General for the stand that he took—and I have no authority for supposing any more than my own intelligence—we should carefully weigh his words. That the Governor General would attempt for a moment to interfere in the battle of the two parties in Canada,—

Hon. Mr. McCALLUM—It looks like it.

Hon. Mr. BOULTON—No; but he is the representative of the British Government in Canada, and if the British Government have thought it desirable to convey to the people of Canada the stand they are obliged to take upon the policy that is being developed in any portion of the British Empire which requires their sanction to the adoption of such a clause, they are quite justified in giving timely warning and timely notice to the people of Canada that it would be ruin to their own policy if they attempted to carry out such an arrangement. If I am correct in my idea, that the Governor General was acting as the mouthpiece between the government of Great Britain or maybe Her Majesty herself and the people of Canada in so far as that is concerned, I have no fault to find with him or with the British Government asking him to make that reference.

Hon. Mr. McCALLUM—We have responsible government.

Hon. Mr. BOULTON—Certainly we have responsible government, but while the Governor General is guided by the constitutional advice given by his advisers here in Canada, he has a certain responsibility also to the British Government who have sent him here, as the connecting link in the British constitution which binds an empire together and I say in exercising his responsibility in that respect, he was perfectly right and perfectly justified. It was not a question of domestic politics in Canada, but a question that involves the taxation of the imports of Great Britain. It was not an interference with our domestic policy at all, but dealing with a proposition to im-

pose taxation upon the people of England in order to carry out a policy that was being advocated here.

Hon. Mr. McCALLUM—That is a distinction without a difference.

Hon. Mr. BOULTON—The British government wished to convey—I am assuming this entirely—to the people of Canada that under the present condition of public opinion what they were asking was an utter impossibility to be carried out on the part of the people of Great Britain in consequence of that peculiar condition of affairs that exists in the mother country—that they import some $600,000,000 worth of food and some $1,000,000,000 worth of food and raw material, and that the taxation of that would be ruin to their country. I hear the hon. gentleman from Halifax saying hear, hear.

Hon. Mr. POWER—I quite agree with the hon. gentleman.

Hon. Mr. BOULTON—It is always "hear, hear." The hon. leader of the opposition (Sir Mackenzie Bowell) read an article from the Australian *Star* yesterday, in which the writer, referring to the policy of the Canadian government, said, "the voice is the voice of Jacob, but the hands are the hands of Esau." Hon. Mr. Reed, the premier of New South Wales, has adopted a free trade policy—the very policy of Great Britain. He is an Australian, and when he comes to criticise Sir Wilfrid Laurier, who received ovations beyond him and who concedes to Great Britain only a twenty-five per cent preference with an average taxation of thirty-two per cent, he is perfectly justified in saying "the voice is the voice of Jacob, but the hands are the hands of Esau." My hon. friend always said, "hear, hear," when I was arguing this during the years he was in opposition ; I want to show him that the policy of the government he still supports deserves the remark quoted from the Australian *Star*. I do not condemn Sir Wilfrid Laurier who I believe is conscientious, but I do condemn the Liberal party for not enabling their Leader to make good the pledges he gave when seeking the denunciation of the German and Belgian treaties. I have endeavoured to show that the government of Canada, not the Liberal party, not Sir Wilfred Laurier, but the government of Canada, whichever party is in power is in honour bound to adopt a policy of free trade with Great Britain, to the exclusion of the rest of the world if you like ; we are bound to trade with Great Britain on the same terms that Great Britain concedes to us, not only because the denunciation of those treaties was obtained on the ground that that was to be our policy, but also in our own interest. I say we are getting the worst of the trade when we refuse to receive back cargoes the products of British labour, in return for products of Canadian labour. If you want Canadian labour to get the full value out of the labour that produces those exports that go across the Atlantic, we should admit return cargoes free, and then those who labour and produce those exports will receive the full benefit of their labour under that policy.

The next paragraph in the speech is as follows :

> The extraordinary gold discoveries recently made upon the Yukon and its tributaries, appear likely to result in an enormous influx of people into that region, and have compelled the government to take prompt action for the preservation of law and order in that distant and almost inaccessible locality ; measures will be laid before you for that purpose.
>
> A contract has been entered into, subject to your approval, for the completion at the earliest possible moment of a system of rail and river communication through Canadian territory with the Klondike and principal gold fields, which it is expected will secure to Canada the larger portion of the lucrative traffic of that country.

Those two clauses go together. The Mounted Police are an efficient arm of the law, and its administration in their hands has always been characterized by justice and firmness and we are fortunate in having such an efficiently organized force at our disposal at the present juncture. Mr. Ogilvie has upheld the character of Canadian officials and has inspired confidence in the manner in which he has performed a difficult task among the miners and meting out among them the mining laws. The contract referred to in the foregoing paragraph has excited more interest through the length and breadth of Canada than anything we have had yet to excite the people. I cannot condemn too strongly the policy that the government have been led into in making such a contract as to give away in that Yukon territory four million acres of gold bearing lands to a company for the construction of 150 miles of a narrow gauge railway. I do not think that, of all the transactions that we have denounced as corrupt and indefensible when the Conservative government were in power, any begins to come up

to the contract that is to be submitted to this parliament to-day. I feel perfectly convinced that we are taking a leap in the dark—that we are trading unsight unseen—both the railway and the mining lands. We know nothing of their value except from the report of Mr. Ogilvie, and the reports that come to us from people who have been mining there. What we do know is that it is an exceedingly rich country; that it is a country which has been unexplored; that it has been untouched yet by the hand of man, except in the last year or two; that it contains marvellous deposits of gold which for ages have been worn off the rocks by glacial action, frost and snow and have sunk to the bottom of its rivers and have lain there a rich deposit the extent of which is beyond our knowledge. We all know that the same excitement took place in the Cariboo district a great number of years ago—some thirty years ago—where in Williams Creek $19,000,000 worth of gold was taken out in placer mining. That was just one creek that yielded that. The inaccessibility of the country, the difficulty of getting supplies, the cost of everything has evidently retarded the development of mining property in British Columbia from that day to this. We are all aware that where there is $19,000,000 of placer gold worn off the rock and deposited in the streams of the Rocky Mountains, there must be a mother lode and quartz ledges which are capable of great development. Quartz mining can only be done by machinery, combination and the expenditure of a very large amount of capital. Placer mining, of course, can be resorted to by individuals and there are no very great difficulties to encounter.

Hon. Mr. MILLS—Quartz mining on an average takes 90 per cent to pay the cost of mining.

Hon. Mr. BOULTON—I quite agree with the hon. gentleman.

Hon. Mr. MILLS—There is only 10 per cent profit.

Hon. Mr. BOULTON—Ten per cent is a very good profit.

Hon. Mr. MILLS—One per cent of that would be royalty.

Hon. Mr. BOULTON—When you speak of 90 per cent, it all depends on the richness of the ore, the expenditure for machinery and the value of the labour that is expended upon it.

Hon. Mr. MILLS—And the cost of getting machinery there.

Hon. Mr. BOULTON—The cost of placing the plant there, the labour upon it and the value of the quartz. Where those conditions vary the percentage may be larger than 90.

Hon. Mr. McCALLUM—The hon. Minister of Justice speaks of the average cost I suppose?

Hon. Mr. BOULTON—I suppose he is speaking of the present conditions.

Hon. Mr. MILLS—Yes; under very much more favourable conditions if you consider the location of the country.

Hon. Mr. BOULTON—I am not prepared to say what the percentage is. I can only say if 90 per cent is expended in extracting the gold, it is expended in the country and that the profit only goes out. The larger the expenditure in the country, the better it is. It is no argument against quartz mining.

Hon. Mr. MILLS—My hon. friend will see my statement was this. He says this company is over compensated. I am pointing out to him that 91 per cent, under ordinary circumstances, of what they receive is not theirs. It belongs to the public.

Hon. Mr. BOULTON—All I can say is if Mann & Mackenzie are going on the chance of making ten per cent on their speculation, they are not the men I take them for. Of course, we all know what South Africa, California and Australia have yielded. They yield largely both in quartz mining and placer mining, and the profits which have been derived from them have been enormous. There is $53,000,000 a year in gold mined in the United States, $43,000,000 in Australia and about the same quantity in South Africa per annum. These are the three chief countries in which gold is obtained. There is a small quantity from Russia and a small quantity from other countries. I have no doubt that that gold is obtained in those large quantities in those three countries owing to the great enterprise of the population that takes it out, the facilities which are afforded by the combining of capital and all those

adjuncts to trade and commerce. West Kootenay is coming to the front with an output during the year of nine million dollars. There is mineral activity in various parts of Canada and now we are adding the Klondike or Yukon country to our mineral wealth. It may not be as rich as we believe it is, but we have no right to assume that it is worth nothing. In making the contract we have no right to assume that the contractor is making a bad bargain. We have no right to assume that it is the proper thing for the government to give away the whole of the auriferous belt of that mining country. I think the statement has been made by Mr. Ogilvie that the auriferous belt extends 100 miles by 50, and 100 miles by 50 is exactly 3,500,000 acres. The government proposes to give 3,750,000 acres to Mann & Mackenzie to build 150 miles of railway. If the government is bound by this contract, to give them 3,750,000 acres of mining lands with the right of selection, although they have retained the right of holding the alternate blocks, the question comes in where is the government going to find 4,000,000 acres for themselves and 4,000,000 for Mackenzie & Mann?

Hon. Mr. SCOTT—The hon. gentleman is mistaken in the estimate made by Mr. Ogilvie. My recollection is it was 300 by 100 miles.

Hon. Mr. BOULTON—That would bring it a little nearer the position of distributing it equally between the government and Mackenzie & Mann. However, those estimates are purely in the dark. Mr. Ogilvie is not in a position to give an exact statement of what is available to the government.

Hon. Mr. MILLS—The contractors can make no location until after the railway is built.

Hon. Mr. BOULTON—No, but if the road is built by the first of September the lands will be available for location. The contract binds them to build it by the first of September, and when they complete the road they are entitled to something like four million acres of land. That is the condition.

Hon. Sir MACKENZIE BOWELL—They are entitled to it on the completion of each section of ten miles.

Hon. Mr. SCOTT—Only a small portion —not a proportionate amount to the amount of the line they have built.

Hon. Sir MACKENZIE BOWELL—They are entitled to it as they construct the line. I did not mean they should receive the four million acres of land at once.

Hon. Mr. MILLS—They only receive a small portion of it.

Hon. Mr. BOULTON—Yes. They receive a large portion of the 25,000 acres per mile for each ten mile section as completed and the only forfeiture for non-compliance with the terms of the contract is the $250,000. That is to say, supposing they were to build 130 miles of road by the 1st September next they will be entitled to the bulk of the grant and they would have the bulk of the land transferred to them, but they would lose the $250,000. They are going to get so much for every ten miles, even if they do not go another yard. Now, the idea of placing in the hands of two men the entire control of four million acres of land is beyond our conception. There seem to be no restrictions of any kind excepting any laws that we may pass afterwards, but if Mackenzie & Mann were open to sell to United States citizens, then they might purchase another Alaska. Alaska would not only be owned by the United States, but all of the north-western peninsula would be owned by them as well. Are we going to place ourselves in such a position, after having lost Alaska and that strip of coast going down there, for want of as much foresight and judgment as our neighbours have shown? Are we going, for some extraordinary reason, to rush into a transaction that involves the cession of four million acres of land, handing it over to United States citizens, because under the laws it can be sold out to them, and we virtually have lost our influence and control of that portion of the territory. I cannot support any such contract for that reason, apart from the opposition that I have always shown to the cession of land ever since the grant to the Canadian Pacific Railway. I supported the Canadian Pacific Railway, but I have consistently, for a number of years, opposed as strenuously as I could parting with any more real estate in that way. There is a more thrifty way of developing our necessary transportation, and that is to guarantee the first bonds taking them as security

for repayment. I think that our lands or our mines should be nursed for the benefit of the country, for the benefit of the people who come after us, and the revenue which can still be obtained from it, and not given away recklessly and blindly, in the way we have been doing, as was condemned in the case of British Columbia, when they gave the enormous grant last year, when they gave the grant to the Canadian Pacific Railway, and it was also given to Mackenzie & Mann in the case of the Lake Dauphin Railway. It did not cost $8,000 a mile to build the line, and the Manitoba government guaranteed the bonds to the extent of $8,000 a mile, and they had the land grant of 6,400 acres a mile, and a cash subsidy of $2,000 a mile. Now if that is indefensible, and if 6,400 acres per mile is considered too large a land grant, with a guarantee from the provincial government that gave them the cash to build the road with, leaving them the land grant and the subsidy of the Dominion government free to do as they liked with, unrestricted, untouched, no bonds on it, all their own—they have the title deeds of it, hon. gentlemen; they built the road for the $8,000 the government gave them, they have the right to issue bonds upon it, and it is paying all the fixed charges to-day and has been from the first day it started. That is well known in Manitoba. Those are the concessions and privileges we are giving to contractors, and they become millionaires by the cession of public lands and property in that reckless way. If it was reckless to give them 6,400 acres a mile on that occasion, is it not ten times more reckless to give them for each mile of this road 25,000 acres of our gold bearing lands? Because, you must recollect, that with gold bearing lands the value is sometimes enormous.

Hon. Mr. MILLS—My hon. friends will see that if these blocks extended half a mile back from the river the quantity of land would be reduced to one-twelfth of what it is, and so far as the placer gold is concerned, the quantity granted will be exactly the same.

Hon. Mr. BOULTON—Those are items to be considered. I know perfectly well that every acre of that 4,000,000 acres is not equally productive, and that there is a very large portion of it will probably be valueless. I am quite prepared to acknowledge that. And so with regard to our placer mines, we know that it is in the deep pools that the gold drops down. Where it is rapid there is no gold; it will not settle there, but where it gets deep it sinks to the bottom. So that really it is concentrated in pockets. But if it is all concentrated you may be sure Mackenzie & Mann will get hold of the concentrated parts, and that the government is not likely to obtain possession of a concentrated part. However, that is apart from the position that I take. In the laying out of our lands in the North-west Territories we have even-numbered sections. The even-numbered sections were for open entry by the people at large, for the purpose of encouraging population to come there and get the land. We reserved the odd-numbered sections to preserve the development of the country; and to serve as a future resource for the development of that country. Well, now, we have recklessly given away some forty million acres of our land, and to that extent we have parted with it. But I wish to point out that it is advisable that we should not continue this course, and I can only repeat what I was taught by the Liberal party for 20 years in their speeches. In the mining country we should endeavour to reserve a certain portion for those who mine, for the individuals who go in there: that portion is for the public to assist in developing the country. We should endeavour to utilize the other half in some way that it will recoup the Treasury by a revenue from its resources for governing the country. The government apparently have made no effort to ascertain whether it would be possible to formulate such a scheme as would develop that half reserved from the public by the mining regulations in order to develop a revenue. We certainly are not going to develop a revenue from Mackenzie & Mann under the present contract and the resources of the country we are going to part with. I suggest to the government that a company could be formed to mine the alternate sections in conjunction with the government. that is to say, that to-morrow if the government were to say we will form a company and give them the right to mine those alternate lands in conjunction with the government, for the benefit of the government, with a representative of the government on

its board to ascertain what it is doing, with the inland revenue officer watching over its operations—a company, I say, can be formed with a capital of $20,000,000 to give one half of the profits of its operations to the government as a revenue. If you go to England with a proposition and say: here, is a concession obtained from the government to mine for the benefit of the government, and to give one-half of the profits that are derived from the operations of this company, you can, to morrow, form a a company among the investing public to the extent of 25 million dollars to carry out the scheme. While they are dividing the profits with the government, investors realize that there is no speculation behind it, and they know the government is represented upon it and they have a joint interest with a company of that kind with these terms, that the company is going to get as fair play as the government themselves, and, therefore, if the investment would not appear so remunerative, at any rate it would present itself to them as the safest, and, therefore, I say that it is practicable. It is impossible for the government to mine on their own account. That would not be profitable. It would not be wise to place the mines for sale in the same way as we put our lands up in the province of Manitoba during the boom there, because there would immediately be a combination of buyers, as there was on that occasion when the land produced only $2.55 an acre, 5 cents over the government price. So it would be in this case if the lands were up for sale. But such a scheme as I have formulated and suggested to the government myself, from my knowledge of affairs, would be quite practicable and might return a revenue of one million or a million and a half per year, when in full operation, always assuming that the mining claims would be held as our odd and even-numbered agricultural lands, the even numbers for free occupation by the public, the odd for the revenues of the government. With the present proposition there is nothing to prevent Mackenzie & Mann opening an office at the head of their railway and handing out mining licenses on a ten per cent royalty and pocketing nine per cent without investing a dollar.

Hon. Mr. MILLS—Does the hon. gentleman suppose he could attract a population to that country, going into it to work as labourers, in the same way as a man at liberty to take his own mining lot and mine for himself?

Hon. Mr. BOULTON—I say if you put in the proper machinery and capital, put up comfortable houses, and furnish the proper means for supplying a population, that there would not be the slightest difficulty in attracting 200,000 or 300,000; and if the population is going to be attracted there at all Mr. Mackenzie and Mr. Mann will have to do the same thing except that Mr. Mann and Mr. Mackenzie only give 1 per cent, while I propose that this company should give 50 per cent.

Hon. Mr. MILLS—But the hon. gentleman will see that that is not quite a fair statement, because while he says the government will get 50 per cent, that is out of the net profits; the other includes the gross earnings.

Hon. Mr. BOULTON—In reference to what the Minister of Justice suggests, I may say in laying my views before the government, I suggested that the government should have 40 per cent of the gross profits or 50 per cent of the net profits. I put the two ideas before them. However, they were only crude ideas, and only formulated with the idea of offering a friendly suggestion as to the best mode of dealing with that. In order to make my views more forcible, and to bring them before parliament in some form, I myself put into the *Gazette* in December last an application for the formation of such a company as I speak of, which may or may not come before parliament for enactment.

It was in order that I might put the views I hold more forcibly before the govgovernment. If this contract goes through, of course, that puts an end to any further ideas in regard to the disposition of those lands; but I wish to say that it is exceedingly ill-judged in my opinion to, at the present moment, alienate any portion of those lands in the imperfect knowledge that we possess of them, because any knowledge that we do pos-ess is of a very crude nature and exceedingly favourable to the country. But there is another feature I wish to point out, and that is, that one great argument that is used in regard to this route, that it is an all-Canadian route.

Now, that is the greatest misnomer to apply to this road that it is possible to apply. It is not an all-Canadian route; we have to go through United States territory in order to utilize it. The hon. Minister of Justice himself told us yesterday that that route was open for commercial purposes only, and that for military purposes it was not open. We have our mounted police in there at the present moment, and if it is not open for military purposes, the mounted police can be ordered to remain there, and any one who wishes to get entrance there can be told to remain outside, and the only way the government can reciprocate is to allow the United States troops to go through Canadian soil, that is, give a *quid pro quo*. Then how can it be called a Canadian route? It is no Canadian route at all.

Hon. Mr. MILLS—Is the hon. gentleman opposed to the construction of this road?

Hon. Mr. BOULTON—In the first place I object to the valuable assets in the Northwest Territories upon which we depend to assist us to obtain direct access to the mining regions of the Rocky Mountains being used to build a railway in British Columbia, which holds its own public lands and mines. I am not opposed to the construction of the road itself, as far as the mere value of paying for the road itself is concerned; if I had anything to do with it I would get the government to guarantee the bonds to the extent of ten or fifteen thousand dollars a mile, take a first charge on the route, and then the government will be recouped for the guarantee very quickly after the road has been built, and it will not cost the country a solitary penny. I would not allow anything like a narrow gauge road to be built. These narrow gauge roads, wherever they have been built, have had to be abandoned. The rails weigh only thirty pounds to the yard, and the cost of building such a road is nothing at all, with iron manufactured in the United States now, as low as $16 a ton. The narrow gauge road is an exceedingly light rail, and the cost of building that is nothing. If the government would guarantee the bonds to the extent of $8,000 a mile the road would be built and contractors would be very thankful indeed to make their modicum of profit by taking it for that sum. I know something of that. The Crow's Nest Pass Railway has been built with a bonus; I believe if we had the contract of the Canadian Pacific Railway before us we would find that the Canadian Pacific Railway has got from the government every penny that it has cost to build that railway. Iron is so very cheap and labour is so low and machinery has become perfected that they have machinery not only for grading earth but they can actually dredge rock. They have reduced by powerful machinery the cost of building these roads to a very small thing indeed, and I see that the people of the United States have increased their manufacture of iron to the extent of 15,000,000 tons per annum and that rails have been manufactured as low as $15 and $16 a ton. So you can see what a very small amount of value the contractors are to put into the road in comparison with the enormous subsidies given to them. Now, hon. gentlemen, we have to look behind in order to see some reason for this extraordinary position. We know perfectly well, as Mr. Osler, a director of the Canadian Pacific Railway will tell you any day, that the business of the Canadian Pacific Railway is to try and carry the freight into that Yukon region over their road as far as their road goes. That is perfectly legitimate for the Canadian Pacific Railway to do. Then we know a transportation company has been formed to connect the Canadian Pacific Railway at Vancouver with the Stikine route. Now we know there is a desire on the part of the friends of that road to throw the traffic upon that route instead of going in by Dyea. That gives a monopoly to the Canadian Pacific Railway to Vancouver a practical monopoly of the Stikine navigation, and a monoply of the railway.

Hon. Mr. MILLS—In going by the Stikine we have a treaty right in that way, but the other way we have not.

Hon. Mr. SCOTT—We have no customs to pay going in by the Stikine.

Hon. Mr. BOULTON—Well, we have to tranship on the Stikine route, and the United States government, if they choose, can hamper our hands on the transaction.

Hon. Sir MACKENZIE BOWELL—They can do more than that, they can prevent the transhipment.

Hon. Mr. SCOTT—That is not the interpretation put on it by Customs Department at Ottawa, I understand.

Hon. Sir MACKENZIE BOWELL—I do not know what the interpretation of the custom officials at Ottawa is, but it is a question that has come under the notice of all governments for a great many years past, and we all know that the United States government has enforced to the fullest extent all the provisions of the customs and navigation laws, and they prevent the transhipment of goods at any United States port that have come from a Canadian port.

Hon. Mr. SCOTT—Are not goods that arrive in New York, transferred in bond through Canada?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. SCOTT—Can not goods arriving at Wrangel be transhipped in the same manner?

Hon. Sir MACKENZIE BOWELL—Those are not the terms of the coasting laws. The hon. gentleman ought to know that the transmission of goods from Europe through the United States is provided for under treaty and the bonding laws, particularly the Washington treaty. We are now speaking of the coasting laws and the effect which they have on the trade of the country, not the bonding system. It is possible that upon a vessel arriving at Wrangel with British goods, they might be entered in bond and then sent out of the United States by making an ex-warehouse entry, but the expense and annoyance attending this course is great.

Hon. Mr. SCOTT—We have the same right on the Stikine that they have. We have the right to navigate the Yukon. We have the right to tranship at Wrangel.

Hon. Sir MACKENZIE BOWELL—That is a question you have not shown.

Hon. Mr. SCOTT—I have seen the regulations, which are very clear, that boats arriving at St. Michael's can transfer their cargoes to smaller boats to go up the river, but they cannot coast at those ports of the Yukon that border Alaska; they must go through to a British port, to Dawson or Fort Cudahy.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman may have seen regulations of that kind. I must confess in my long experience of the customs I have not, nor has there been any concession of that kind made. The coasting laws make this provision: a United States vessel can leave its own port and touch at a Canadian port, but it cannot take in any goods at the Canadian port, nor passengers and discharge again at another Canadian port; but it can go from a United States port to a Canadian port and thence to a United States port, otherwise it has no right to touch. Now, if I understand the position in Wrangel it is this, that it is required, if a British vessel goes there, she must tranship the goods from the vessel in which they were brought to that port to a vessel which can carry them to another port.

Hon. Mr. MILLS—Up the river.

Hon. Sir MACKENZIE BOWELL—Yes, up the river. A question was asked in the Commons of the Minister of Railways whether the Department of Justice had been consulted upon that point, and whether the opinion of the Justice Department was that it had that power and right, under the coasting laws. The Minister of Railways said the department had not been consulted and he did not know what the law was. Probably the hon. Minister of Justice can tell us what the law is upon that point, which they failed to get in the House of Commons.

Hon. Mr. MILLS—The hon. gentleman will see that that largely depends upon the construction that is put upon the Washington Treaty with reference to the navigation of those waters, and that the interests of the two governments in a large measure correspond in that regard, and as a matter of fact the United States government recognizing our right, for commercial purposes, to navigate the Yukon River, have also, in connection with that, recognized the right of transhipment at St. Michael's; so I do not apprehend there will be any difficulty.

Hon. Sir MACKENZIE BOWELL—Do I understand the hon. gentleman to say that the United States government has recognized that?

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—Because the United States have the same

right under the Washington Treaty to navigate the River St. Lawrence as Canada, but they have no further right than that of navigating; they have no right, under the customs laws, to any of the privileges which are enjoyed by our own people, either of transhipment or otherwise.

Hon. Mr. MILLS—They have also gone further than that. They have recognized our right to obtain wood along the river, without which the right of navigation would not be of any value.

Hon. Sir MACKENZIE BOWELL—That is a right they enjoy in the St. Lawrence. If they wish to stop at Kingston to receive fuel they can do that, but it must be consumed on the vessel or taken to the United States, they cannot land it at a Canadian port.

Hon. Mr. McCALLUM—British steamers touching at different places along the Yukon would be subject to enormous duties.

Hon. Mr. SCOTT—Oh, yes, that is true. That would be an interference with the coasting laws of the United States. A British steamer leaving St. Michael's could not take on or put off passengers in Alaska. She would have to go to Fort Cudahy or Dawson. So long as she does that, she is quite within the terms of the treaty and the regulations of the coasting trade.

Hon. Mr. SANFORD—This treaty says "for commercial purposes;" do I understand that the Canadian government are at liberty to send the mounted police up the river?

Hon. Mr. SCOTT—Up to the present they have not objected.

Hon. Mr. BOULTON—The interruptions have brought out some very interesting facts. Where we can have reciprocity with the United States I am with you all the time. If the United States grant certain favours to us in a certain direction we are quite prepared to reciprocate, and the better understanding that we have between us, the better it is going to be for both countries and all concerned. But we have to deal with facts as they are, and when it is claimed that this is to be an all-Canadian route, it is a misnomer. It is not an all-Canadian route. In a month's time, unless we choose to accede to the demands of the United States, our mounted police may be shut out from going there. But after having spent $300,000 this winter in order to build a route through Dyea and open a way for the United States militia to go in, we may be excluded from going in.

Hon. Mr. SCOTT—We have not spent any money at Dyea.

Hon. Mr. BOULTON—The expense that has been incurred in taking in provisions and opening up that route is not going to cost one penny less than $300,000.

Hon. Mr. MILLS—But the hon. gentleman is mistaken in supposing that that sum has been spent at Dyea.

Hon. Mr. SCOTT—In transportation, not in any permanent work.

Hon. Mr. BOULTON—I am quite aware that this is in transport, the sending Major Walsh, the commissioner, and his party and all the expenses that are attached to it. We read in the paper that Major Walsh bought provisions at $2 a pound: that is $4,000 a ton for the provisions all round, whether it was tea, sugar, pork, salt or anything else. Now you cannot, without incurring great expense, pay such prices as that. We know that the cost of transportation has been something enormous; even on the route by way of St. Michael's the charges are ten cents a pound, but by the Chilkoot Pass and these other passes the expenditure has been enormous.

Hon. Mr. MILLS—But my hon. friend will see that there has been no expenditure upon the passes. The provisions that are bought, and the amount that is spent for provisions and for supplies that are consumed on the way, are not expenditures upon these passes.

Hon. Mr. BOULTON—Certainly not. I am quite agreeable to that position, but what I want to impress upon the government is this, that they sent Major Walsh in with a full outfit of government stock, and that he is now still halted at the Salmon River, and he is as far away from the seat of government as if he were in Ottawa.

Hon. Mr. SCOTT—What does that show? That the difficulties of getting into that

country are very great, and that even with the government behind the expedition, it is almost impossible to get in. There was no other way for him to go.

Hon. Sir MACKENZIE BOWELL—He is not there yet.

Hon. Mr. BOULTON—That is exactly what I want to come at, that some $300,000 had been expended in conveying Major Walsh as far as he had got, without any public improvements of any kind or description. There have been stopping places and other things, but the whole cost has gone in transportation, $300 a ton, for conveying things up the Chilkoot Pass. When that bill comes to be paid, you will find I am not outside of my estimate in saying that we have spent $300,000 in order to convey Major Walsh into Dawson City, and that he is still camped at the mouth of Big Salmon River. He tried to send Mr. McGregor, the inspector of mines, a few miles further, but he has had to stop. That is the result of the efforts and expenditure of a very large sum of money indeed. The hon. gentleman says that that was the only way. I find fault entirely with the folly of trying to send a government by that route into that country at the time of the year it went in. If they thought it advisable and necessary to send it in, they ought to have sent it in by the Edmonton route. If they had sent it that way.

Hon. Mr POWER—It would take six months to get through.

Hon. Mr. BOULTON—I will undertake to go in there in six weeks if you will give me a letter of credit on the Hudson Bay Company.

Hon. Mr. SCOTT—An expedition was despatched consisting of mounted police and a surveyor. They left in September and we have not heard of their arrival there yet.

Hon. Mr. LOUGHEED—If they had gone by the Mackenzie River they could have got there long ago.

Hon. Mr. SCOTT—They were told to select the best route they knew.

Hon. Mr. BOULTON—I am aware that the expedition got as far as the Liard. I am not prepared to say the mounted police are the smartest men in the world to do things of that kind. The settlers in the country are more inured to the difficulties which their own individuality have to overcome. The mounted police are under discipline and under orders. They have to go under certain conditions. They are under discipline. This party started in there with eight or ten men and I have no doubt they are at Dawson to-day. It would not surprise me if they were not, but there are lots of people who have gone into that country inured to difficulties. I myself went into the part of the country where I settled 18 years ago and took my wife and children with me across the country 300 miles, across rivers and sloughs and without a bridge or any adjunct money can supply, and when numbers turned back in consequence of the difficulties. You can get lots of people in the North-west Territories who will undertake to deliver a letter in Dawson City inside of six weeks if you will only pay them. The Mounted Police however are obliged to act more deliberately they cannot take chances individuals can.

Hon. Mr. POWER—Perhaps by balloon.

Hon. Mr. BOULTON—No, not by balloon. Half the way to Dawson City the route is through a good country for settlement. There are Hudson Bay posts and settlers all over it.

Hon. Mr. MILLS—From the Peace River district to Dawson City is about 1,100 miles?

Hon. Mr. BOULTON—I am aware of that, but there are lots of people there that do not mind travelling 1,100 miles. It is a big country. Near where I live, a man with a team and outfit started from Russell a week or two ago to go through Peace River, 1,400 miles, and he will get there inside of a couple of months. The Peace River district is an agricultural country, full of rich resources of all kinds, pastoral resources, grain resources, mineral resources and every thing that is required to sustain human life. We have in the Peace River district 3,000,000 acres of land that was transferred in exchange by the province of British Columbia because it was on the east side of the Rocky Mountains and not easily administered from the Pacific coast. It is an exceedingly fine agricultural district, I

believe. The same way with the Peace River district, the agricultural lands extend very far north, I am satisfied more than half the distance toward Dawson City. Mineral wealth is to be discovered and developed on the streams in that region and if the government had last September sent Major Walsh in there to establish headquarters half way between Edmonton and Dawson City, and let him work his way from there with the staff that was necessary there, something would have been accomplished, and if the $300,000 we have expended this winter in a fruitless effort to get Major Walsh and his party through to Dawson from the Pacific coast had been expended on the Edmonton route, there would have been a very different story to tell to-day. The government might then have boasted they had opened out an all-Canadian route. Major Walsh is camped on the Big Salmon River out of touch with the government and out of touch with the people up there. When he is to get to Dawson City, goodness knows. In my opinion it will be the first of June at least. He has to be supported there and how far he has provision for that, I cannot tell. We had information only two or three days ago that he paid $2 a pound for provisions, whether for his own support or to relieve distressed miners I cannot tell. There is this point I wish to point out, that if we are going to furnish from the North-west Territories and from eastern Canada here the food supplies and the necessaries required for the development of that mining region, we can never compete with Oregon and California. It is utterly impossible for us to do so and pay the freight across the continent and ship the goods on by steamboat through this route that is now being developed, tranship them at Fort Wrangel, tranship them again into smaller boats, tranship again to this railway and then tranship them again on to the route where Major Walsh has been stuck for months. The emigrants or intending miners on their return from the Yukon will find their way to California, they will never come back over the C. P. R. to settle. Going in by the Edmonton route, they will, if not successful in locating gold, fall back upon our agricultural districts to settle and help to develop their resources.

Hon. Mr. MACDONALD (B. C.)—It is a fact that we get nearly all our flour, cattle and supplies of that kind from Manitoba and the North-west. It is also a fact that United States miners come over to Victoria to compare the prices for such articles with those in Seattle and Tacoma, and they buy them from us, finding them cheaper.

Hon. Mr. BOULTON—I do not want to disturb the equanimity of my hon. friend from British Columbia, I am quite aware that they use our flour and why? Because it is a great deal better flour than can be got in Washington or Oregon. This statement that we send our cattle from Manitoba and the North-west Territories to British Columbia is not correct. We send them to the mountains, but not a single beast goes beyond that. Most of them come east and are shipped to England. I came down with the manager of Rothschild's Company, and he is sending supplies in there. He came to buy canned corn and tomatoes and things of that kind and he told me that he bought his flour in San Francisco, his bacon in Chicago and his butter from a creamery in Washington. What is the use in arguing and saying that we can compete and send our stuff across the continent, and that the duty is going to keep our neighbours out. What does the duty amount to when the transportation is twenty cents a pound?

Hon. Mr. MACDONALD (B.C.)—It is done every day for all that.

Hon. Mr. BOULTON—Yes, with a certain class of dry goods, but it is not our business or the business of the government to consider the diversion of wealth or business into any particular town or city. The duty of the government is to serve the interests of the country at large rather than the immediate interests of Edmonton, of Calgary, of Prince Albert or Victoria or Vancouver. That is not the question we are arguing at all. They are individual towns which will look after themselves to the best of their ability, and provide the supplies from some source or other, which are absolutely nesessary for the development of that mining region. We are interested whether for all time, or ten or fifteen years at least, they are going to be diverted from this country or whether we are to be able to compete with foreigners by the government taking the shortest and most advantageous

route to get in there from our agricultural districts in the east, customs duty does not count when freight rates are high.

Hon. Mr. MILLS—That is the point at which my hon. friend lays down his free trade and takes up the other view.

Hon. Mr. BOULTON—I do not understand the hon gentleman's point. Anybody knows perfectly well that if I want to go from that corner of the room to the other corner of the room, the shortest route is to go right across, instead of going round the sides of the room.

Hon. Mr. LOUGHEED—That is the way you would have to go, though.

Hon. Mr. LANDRY—You prefer the straight line.

Hon. Mr. BOULTON—I prefer the straight line every time. Toe the mark every time, stick to your principles, and carry them out. That is the position in which the matter stands. The road from Edmonton in the North-west Territories, which is the terminus of railway communication in the interior, is a Canadian route all through, which our United States friends cannot interfere with in any degree whatever.

Hon. Mr. MILLS—Does my hon. friend assume that because this road is to be built to enable us to get in there within a few months and get our supplies in, that therefore no other road can be built?

Hon. Mr. BOULTON—No. I quite understand our position. I do know that if you give away the whole of our resources to build 150 miles of road in British Columbia, there would not be much use in our coming down from Edmonton and asking for assistance to build a road. I want the government to hang on to the dollars and cents.

Hon. Mr. SCOTT—I think there are about 70,000,000 acres of land left.

Hon. Sir MACKENZIE BOWELL—Under ice.

Hon. Mr. BOULTON—We are not speaking of that particular belt surrounding that district. I do not think it is the business of the government to contribute with undue haste to the excitement, because it is an excitement, and it is a boom which cannot last and will not last. Therefore, I do not consider it is the business of the government to unduly facilitate the ingress of that enormous population, which everybody claims is going in there before the country is able to digest it, and, as Mr. Ogilvie himself says, will return disgusted with the difficulties they have to encounter.

Hon. Mr. MILLS—Does my hon. friend think that if the government had taken advantage of that route they could have found contractors ready to construct the road at all?

Hon. Mr. BOULTON—Put up a notice in these buildings asking for tenders to-morrow, and say that the government will guarantee the bonds to the extent of $10,000 a mile for a narrow gauge road, and ask for tenders from contractors from Canada and you will not have to guarantee them for more than $8,000 a mile. Let them build the road, and the company are going to pay you back every penny out of the business they will do: it will not cost the government any money. I know what Manitoba did. They guaranteed the bonds of the Lake Dauphin railway for $8,000 a mile, and that built the whole road, and the Provincial Government took a first lien, and the company is earning enough from the traffic to bear the whole of the charges necessary to repay the province of Manitoba. The same condition of affairs exists on that road out there. I heard last night in the House of Commons an argument used that the expenditure on transportation and the purchase of goods in that country this year was going to be $20,000,000. But who is going to get that $20,000,000? Mainly those interested in transportation and in the construction of that road. All the government apparently wants is to secure that road. I will support them in securing that road, but I will not support them in giving away that enormous track of country to secure it, and I am not going to support them in their diversion of a large area of country which could readily be appropriated to connect the North-west Territory with that region which belongs to the North-west Territory. The road is being built through British Columbia, and they have their mines there, and own them there, and it is developing that portion of the country owned by the United States along the coast, and not developing the Yukon dis-

trict. A connection between Edmonton and Dawson City would develop Canadian territory the whole way. We had here a committee appointed at the instigation of His Honour Governor Schultz, which went into a thorough examination of the natural resources of the Mackenzie basin and hon. members who sat on that commission will recollect very well the enormous resources which were proved to exist in that country. The Yukon country is part of the North-west Territory of Canada, and that the resources of these North-west Territories should be husbanded in order to connect the various parts of the North-west Territory together, and not force the trade of our heavy products, the only thing we grow, all the way back across to the Pacific, in order that the Canadian Pacific Railway may earn every dollar that there is to be made in carrying these goods. It is not our interest to support that; it is not our interest to support a monopoly of any kind. What we want to do is to get rid of monopolies. The monopolies are eating the vitals of the country. It is competition that we require. And while the government may feel the necessity of constructing that road, what I say is that they should put it on a business basis and business principles. Let it be built in thay way, and if possible administer the affairs of that Yukon region so that a good return can be obtained from it, in order that the country may be developed without falling back on the revenues of the country. These are my ideas with regard to construction of that road. The next clause in the speech reads :

> The bountiful harvest with which we have been favoured by a benevolent Providence has contributed greatly to the increase of our prosperity, and I am glad to note that the trade and commerce of the Dominion, and more especially the amount and values of her principal exports, have increased greatly during the past eighteen months, and there is good reason to believe that this improvement may be maintained if not augmented, during the remainder of the present year.

I am very glad indeed to see that the government have attributed our prosperity to the proper source—that is to benevolent Providence. I thoroughly believe in the hand of Providence being over us at all times. That fact that the government have seen fit to insert that clause in the speech is an evidence that they attribute our prosperity to that source, which is very true, and for which we have every reason to be thankful.

Hon. Mr. McCALLUM—They attribute it to Providence and not to the government.

Hon. Mr. BOULTON—Yes. But we strike a snag right here, as far as I am concerned, and that is my free trade views.

Hon. Mr. MILLS—My hon. friend abandoned his free trade views when he talked about flour from California and the Western States.

Hon. Mr. BOULTON—No; my free trade views are limited to free trade with Great Britain for the present, until we can remove the commercial hostility of our friends in the United States, and I tell hon. gentlemen that it is the most popular policy that there is in the country to-day.

Hon. Mr. CLEMOW—You had better endeavour to abolish the Dingley tariff.

Hon. Mr. BOULTON—If you would adopt free trade with Great Britain you would convert the whole Northern States to the same principle. It will not be more than five years, or a very little longer, when the United States will find it absolutely necessary for them to adopt the same principle. There are lots of free traders in the United States, only they cannot get out of the grasp of protection and it is the same in Canada. Here is a free trade government that appealed to the country for 20 years, who have put themselves under the thumb of the member for Centre Toronto, who says that no disturbance of that tariff shall be made for ten years. When I find that that gentleman has been put forward to move the address, and that this speech contains no reference to the reduction of the tariff, to the carrying out of the principles the liberal party advocated for many years, you cannot expect me, hon. gentlemen, to believe in the views that they may express so long as that condition is maintained.

Hon. Mr. MILLS—But you do not want to lower the tariff against our neighbours.

Hon. Mr. BOULTON—No, not for the present. I am quite convinced if we have free trade with Great Britain that they will be in a great hurry to lower it, that they will enter into a reciprocity treaty at once.

Hon. Sir MACKENZIE BOWELL—So as to get rid of the smuggling.

Hon. Mr. BOULTON—I want for the present, our commercial relations with Great Britain to be reciprocal free trade for free trade, and the same for the United States, free trade for free trade. But we are brought face to face with a new condition that has never presented itself since Canada was Canada, and the new condition having arisen, it is necessary to put on your thinking cap and consider is that condition a wholesome one, or is it necessary that some change should be made in order to improve it? Now, what is this condition which has arisen, only in the last three years? It is that our imports exceeded our exports for 30 years. If anybody will run his eye down page 17 of the Trade and Navigation Returns, he will see that from 1868 to 1898, with the exception of three years, the imports have exceeded the exports, that is for 27 years of the life of Confederation the imports exceeded the exports. For the past three years they have reversed this order. Now, both conditions cannot be sound. If it was a sound position that we were importing more than we were exporting, it cannot be a sound position that we are now exporting more than we are importing. You can take whichever side you like to argue upon, but you cannot argue both ways like the present government. My hon. friend, the leader of the opposition (Sir Mackenzie Bowell), while he condemns the government for not carrying out the policy advocated in their speeches, quite approves of the manner in which they are conducting operations in not carrying them out, but I think, to a certain extent, arguing both ways also. He approves of the policy the government have adopted, but he condemns them for stealing his clothes.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. BOULTON—And they have left him without the means of covering up his nakedness. He is not prepared to put on a new suit. I want to dress him up with a new suit, and I think I can do it before I conclude. There is a stone wall that you have got your head against, and that is the fact that I have announced today, that we are exporting more than we are importing. In 1896 we exported two million and a half more than we imported.

Hon. Mr. MACDONALD (B.C.)—That is a good sign.

Hon. Mr. BOULTON—In 1897, the year which has just closed, the exports have exceeded the imports to the extent of $18,000,000. That is a jump from $2,000,000 to $18,000,000. The public returns show us that the exports have exceeded the imports during the last six months of the present financial year—that is, between the first of July last and the 31st December last—$30,000,000, or at the rate of $60,000,000 a year. I want to know how you can explain that condition. For 27 years of our life we have been importing more than we have been exporting. The moment the Liberal party get into power, the reverse condition comes about and we are now parting with $60,000,000 more of the product of the labour of Canada than we are getting back. The hon. leader of the House knows that I am stating a thing that is against the principles he has always advocated, and I believe thoroughly in my heart he is advocating to-day, only he has got into a nest of traitors, to use a new parliamentary phrase, traitors to their principles, I think, and he must submit to the inevitable and has to swallow his own principles. I quite appreciate the position. He knows Her Majesty's government has to be carried on and I am proud and pleased to think he is occupying a seat in this chamber and helping the government to carry it out, and I only hope his influence will be so exerted that he will cause them to change their policy; whether he can do that or not, remains to be seen.

Hon. Mr. MACDONALD (B.C.)—Would you stop the exports?

Hon. Mr. BOULTON—No, but I would bring back the imports.

Hon. Mr. MILLS—Supposing this country had been running behind for some years previous, supposing we were incurring a foreign indebtedness, and that when the country was becoming more prosperous, there was an opportunity to even up matters, does not my hon. friend see that the exports would be in excess of the imports? That may be our condition.

Hon. Mr. BOULTON—Yes, and that is why I opposed giving a grant to the Crow's Nest Pass Railway, and why I oppose the excessive cost of transporting Major Walsh to Salmon River through the United States, and several other matters. I opposed those things for the reason that the hon. gentleman has given. What he said does not justify such an enormous surplus over imports of $60,000,000 a year. I am quite aware that any public indebtedness that we have to remit in the shape of governmental indebtedness, in the shape of dividends of our large corporations, and all those things are absorbed by our exports, that our exports go to pay for these remittances instead of the Canadian Pacific Railway, or the Canadian government sending gold across there, they merely draw on England, or rather the country sends exports, and the exchange in England is what remits the indebtedness. But there is something more behind that to account for the enormous increase, because hon. gentlemen must become alarmed at the fact that we have parted with $30,000,000 worth of exportation of the product of Canadian labour in six months and get no visible return for it.

Hon. Mr. COCHRANE—We got the money.

Hon. Mr. BOULTON—No, sir, we have not got the money.

Hon. Mr. SCOTT—A good many mortgages have been paid off.

Hon. Mr. BOULTON—The loan companies are not in that prosperous condition in eastern Canada to justify that last remark. In Manitoba, where the loans do not as a rule exceed two to four dollars an acre with 8 per cent interest, their condition may be better, but loan companies will not accept payment of a mortgage under those conditions. I am going to explain exactly to you the conditions that I think we have arrived at, and that is, first of all, we have of course to remit the government indebtedness, the interest amounting to $11,000,000, the net earnings of the Canadian Pacific Railway, the net revenue of the Grand Trunk and the net revenue of all our corporations. Then, of course, hon. gentlemen will know that the principle I have always argued this question upon is this, that if we export to England or any other country a million of dollars worth of products which are admitted into England free, and we refuse to receive British products back again into Canada, excepting under a tax of 30 per cent, that of necessity they can only send back 70 per cent.

Hon. Mr. McCALLUM—Where does that 30 per cent go to?

Hon. Mr. BOULTON—That goes to customs duties on our necessaries. The farmers are bearing the whole cost, because those exports, as the speech says, consist mainly of our agricultural products. I am arguing the question for the benefit of the great agricultural interest which represents 75 per cent of the exporting power of the country; they send out of the product of their labour, 75 per cent of all our exports, and they get nothing back for it; it is absorbed by the high charges on the Canadian Pacific Railway, the increase of indebtedness, etc. That does not account for the enormous difference between exports and imports of the past six months, which is going to alarm the country, and I advise people to open their eyes to it, that we are parting with $30,000,000 worth and have no visible return for it in six months. except any one here in this House can explain how it is returned, and who gets the money. Now, my explanation of it is this, that in May last there was a boom got up for the Canadian Pacific Railway stock and it stood at 49 in April last, and you will recollect my drawing attention to the fact that the hon. Minister of Interior had contributed to that boom by announcing on the floor of the House of Parliament his opinion as to the exemptions of Canadian Pacific Railway lands from taxation for 20 years. Mr. Lister, the member for Lambton, asked the question when did the exemption of the Canadian Pacific Railway lands from taxation for 20 years commence, was it from the date of the issue of the individual patent or the date the letters patent when the land grant was earned. His reply was that it dated from the issue of the individual patent, and that only 1,500,000 acres had so far been patented. The Canadian Pacific Railway stock boomed up from 50 to 90, an increase of 40 per cent. That was bought very largely in Montreal; so, at any rate, to the ex-

tent that it was purchased in Montreal, is it necessary to remit the amount of the purchase money to England. That is to say, supposing people here in Montreal or elsewhere purchased stock of the Canadian Pacific Railway upon a marginal deposit of five or ten per cent for a rise or a fall, say at 50, they would have to remit the value of the stock at 50, when the demand for the transfer of the stock was made, the profit between 50 and 90 remains with the purchaser, but the 50 per cent would have to be remitted to England in order to meet the obligations entered into in the purchase of that stock from Dutch, English or American shareholders or whoever it was who agreed to sell that stock at those figures. Hon. gentlemen, when you come to think that $30,000,000 has gone out of the country and that the exchange has absorbed that $30,000,000, the exchange being contributed by these sources such as the remittance of the dividends of the Canadian Pacific Railway government liabilities, our corporate liabilities and, added to that, the terms of the purchase of the Canadian Pacific Railway stock by speculators, then I can account for the transference of $30,000,000 of Canada exports into the pockets of somebody else; and the people which have reaped the benefit of the exports are those who purchased the stock and pocketed the profits. They had to remit, of course, the original purchase money, but the profit they made between the price they purchased at and the rise, remained with them, but the products of the country have been absorbed in purchasing exchange in England to cover that. That is what I call the transference of the profits of labour that produced those articles of export to the pockets of speculators who do not do any work upon it. And the moment the farmers whose exports last year were sixty million become aware of that, I tell the leader of the opposition, they will get such a hustle on to change that state of affairs, that at any rate they will want their commercial policy arranged so that the British exports shall come into Canada on the same terms as our exports go into England, so that the return cargoes will be distributed among the people instead of being transferred into the pockets of the speculators. Now take the revenue of the Canadian Pacific Railway last year it is upwards of twenty-four million dollars and its net revenue or profits is ten million dollars, this revenue pays no taxes. It is a revenue equal to the income of 15,000 farmers all of whom have to pay their taxes, while this large income is untaxed, the road bed and rolling stock is untaxed, the lands are untaxed, the rails are untaxed and the net income derived from its earnings is untaxed, and the remittance of this income absorbs the exports produced by labour which is heavily taxed; take off the protective duties and labour will be relieved from a portion of the burden in proportion to its exporting power. It is open to any one to refute my position, and I should like to hear a clearer explanation of this matter. Take one particular article, that is, the article of iron which we import from Great Britain. We have put on a duty and given a bonus to increase the manufacture of iron in Canada, and what has been the result of the bonus? It is that we have reached a great production of iron in Canada of 36,000 tons. Here are the mineral returns.

Hon. Mr. McCALLUM—That is a beginning.

Hon. Mr. BOULTON—That is a beginning, as you say, but a beginning that has been going on for ten years, and that like the crab is crawling backwards 32 per cent of our mineral production is coal, twelve per cent gold, nine per cent silver and one-half of one per cent is iron produced in Canada out of the $22,000,000 of mineral production. For the sake of producing and establishing an industry which produces but one-half of one per cent of our mineral productions in Canada, we tax the farmers of Canada and the people upon $10,000,000 of the import of iron manufactured goods. Is that justice to labour and to the country that we tax $10,000,000 worth of the absolute necessities of our agricultural interests? What for? To encourage the production of one-half of one per cent of our mineral resources in the shape of iron. That is only one instance, and I could go on and run the gamut of lots of other instances just exactly in the same way.

Hon. Mr. McCALLUM—You are including the bounties?

Hon. Mr. BOULTON—The duty has been reduced by the present government to

$2.50 a ton, but the bonus has been increased to $3.00 a ton. The late government, I say it to their honour, imposed $4 a ton to encourage the production of iron, but they gave nothing for the production if it was made out of iron ore in the United States. Notwithstanding the fact that a bounty of $3 a ton is paid upon iron produced from ore from the United States as well as from iron ore produced in Canada, the whole result of the protectionist effort, which this government has not relieved in the slightest degree, but increased, by increasing the bonus, is that we are taxing the requirements of agricultural labour to the extent of $10,000,000 a year for the benefit of the small amount of Canada production that I have spoken of to-day. What have we to pay for a binder in the North-west Territories? $150. Let iron and iron manufactures come in free and let the Massey-Harris and other companies hunt their living in the markets abroad, which they are quite capable of doing and which they are doing more and more every day, make then hunt their living abroad, and then we will be able to buy a binder, a harrow and a plough of the same money.

Hon. Mr. OGILVIE—Hear, hear.

Hon. Mr. BOULTON—The hon. gentleman laughs.

Hon. Mr. OGILVIE—I do laugh; it is so absurd.

Hon. Mr. BOULTON—The hon. gentleman is interested in maintaining that policy, but it is my duty to fight that the people amongst whom I live who labour and work and have to buy these machines shall not be taxed unduly, so that $30,000,000 of the exports of the agriculturists of Canada shall not be absorbed in speculation and the exaction of money by the government which restricts their power to produce. The returns are here for the six months ending the 31st December last—January trade returns show the same condition 85 per cent increase in exports—imports only 7 per cent:

	1897.	1896.
Imports	$ 62,701,000	$ 58,102,000
Dutiable	34,350,000	31,989,000
Duty collected	10,341,000	9,683,000
Free goods	25,613,000	21,634,000
Coin and bullion	2,732,000	4,478,000

The exports during the same period were:

	1897.	1896.
Minerals	$ 7,656,000	$ 5,314,000
Fish	7,100,000	7,230,000
Animals and produce	32,467,000	25,950,000
Forest	19,767,000	18,762,000
Agricultural products	26,771,000	14,247,000
Manufactures	5,736,000	5,132,000
Miscellaneous	174,000	248,000
Total	$ 99,673,000	76,886,000
Produce of Canada	89,779,000	69,911,000
Coin and bullion	987,000	3,212,000

I saw this in the public press, and I was so astounded at the fact here exhibited that I went and verified the figures at the Department of Trade and Commerce to be sure they were correct.

Hon. Mr. McCALLUM—What is the excess?

Hon. Mr. BOULTON—The difference between $62,000,000 and $99,000,000 in six months. A portion of these figures are foreign trade, but I figured the difference between the articles imported for consumption and the articles exported the produce of Canada, and the difference is $30,000,000; taking the whole trade, it is $37,000,000 more export than imports. Those are facts that I only present for the consideration of this hon. House, and I consider that it is ample justification of the warning I felt it necessary to give some six or seven years ago, when I saw how the interests of the people of our great North-west Territories which are essentially agricultural, were being pressed down by some cause or causes which we could not quite arrive at, and that, as hon. gentlemen know, although a Conservative I withdrew myself from the party and took an independent stand so that I might have a free hand in discussing this question which you have patiently listened to time and again on the floor of this chamber, and for which I have to thank you. I think I have brought such an array of facts before this hon. House that they will see that it is worth their while to open their minds and put on their thinking caps, and argue for themselves; it cannot be good for twenty years to have been importing more than we exported, and then to export $30,000,000 more than we import. If it is good for England to import 40 per cent more than she exports and still be the wealthiest nation in the

world with the most redundant revenue and the enormous powers of improvement that she possesses, the reverse condition cannot be good for Canada. The United States, I will acknowledge, is working on the same policy as the people of Canada are: they export $300,000,000 more than they import; but if the people of the United States were exporting at the same rate as we have done for the past six months, they would be exporting $850,000,000 more than they import, which, I think, would be figures sufficiently high to alarm even that country that appears to be so thoroughly wedded to protection. I do not think that I shall trespass on the patience of the House any more by discussing the trade question further. I should like, before I close, to move an amendment to the address, and I do not know whether it would be wise to prolong the discussion. The address says:

> I am glad to know that the trade and commerce of the Dominion and more especially the improvement in value of our principal exports have increased in value during the past eighteen months.

I wish to add the words:

> But I regret that the importations into Canada in return for these exportations have not kept pace with the agricultural exportations of the country.

Hon. Mr. MILLS—If the excess has gone towards the payment of indebtedness abroad, the hon. gentleman ought not to regret that.

Hon. Mr. BOULTON—No, but if it has gone to pay the speculative Canadian Pacific Railway or to other stocks, then, I do regret it, and what is more, the hon. gentleman knows that the burden of paying the country's debts should not be imposed on the necessaries of the people. If I move that amendment he will be able to explain exactly where it is. There is one thing to which I should like to call the attention of hon. gentlemen which I omitted, and that is with regard to the Mounted Police, that the government have found it necessary to withdraw a very large number of the Mounted Police in order to assist in keeping law and order in the Yukon region. Any expenditure they may find it necessary to make in that direction I think will be thoroughly supported by the country so long as it is continued on sound economic principles. I want to see the labour of the Mounted Police expended entirely within Canadian bounds and for the benefit of Canada; at the same time, I wish to call attention to complaints which have reached us time and again in the North-west Territories that the police are being drawn off from their legitimate duty, which they have been in the habit of performing for a number of years in that country, keeping down the improper use of intoxicating liquor and others there and also the general duties that they have performed. I hope that the government will consider that the burden of maintaining the force in the Yukon district should be quite apart from the necessities that may hereafter arise in the maintenance of the protection which has contributed so materially to the success of our settlement in the North-west. If that protection should be withdrawn, it would be, to a certain extent, disastrous to the interests which are springing up and which require the protection that the government has so far afforded. There is one thing before I conclude, I should like to say upon the question that is not referred to in the speech, and very properly, because it is, to a certain extent, a dead issue in its present form; but what I want to say is, when I was in England I took an opportunity of visiting one of the public schools there in one of the poorer districts, in the Borough Road, in order that I might see what they did and how they managed, and everything that I saw there pleased me exceedingly. It was a magnificent school, capable of holding about 1,500 children. The building was three stories high, each story an exact counterpart of the other, I was shown over the whole building and the girls and the boys were kept entirely separate. The girls had their play ground on the top of the building; the boys in the centre of the building, and the kindergarten children had the other end of the building.

Then I went into the class rooms. In one they were having their morning lesson. It was just 9.30 a.m, and the curriculum that governed the whole of the schools—that is what is called the board schools, we call them national schools—the first half hour of every day, after breakfast, was teaching the Bible. Every day year in and year out, as long as the child is there, he is taught the Bible without any sectarian or religious teaching of any kind of description. I asked what the children knew. The whole class stood up and repeated the chapter they were then engaged in learning correctly from end to end. That struck me as being something

remarkable and I felt that I should take the first opportunity of giving my views upon that. What I find in the province of Manitoba, since the school agitation, is that the teaching of the Bible has practically ceased in our public shools, a position that I cannot agree with at all. The Bible, I believe, is the foundation of the nation's character and individual's character Some like to teach it and explain it in accordance with their religious ideas; other object to the use of the Bible as a text book at all; that may be all right, but at any rate for the nation to entirely ignore the Bible in its national institutions where the education of the children is concerned is wrong. The principle in England is, there is a system of voluntary schools and a system of board schools. The voluntary schools are supported by those who wish to give their children a training in a particular line. The board schools have to submit to the curriculum provided by the government. The education is excellent and the training is excellent in the board schools and it has to be up to a certain standard in the voluntary schools. The government gives a parliamentary grant to the board schools, which are also supported by rates, and, in addition to rates, the government gives a grant. The voluntary schools are supported by voluntary subscriptions and fees, to which the government also adds a grant, so that those who approve of these schools are supported to a certain extent, in keeping their children in lines in which they think they ought to be taught, while those who prefer to send their children to the board schools where the education is excellent, are supported by the rates and by government grants. They are free schools, with the rates and the parliamentary grant. I should like to give an idea of the amount that the British government grants in the way of supporting education. Taking the year 1895, it was $35,000,000. The total cost of education is $55,000,000. The government grant is one pound eighteen shillings per head, and the rate is two pounds five shillings and five pence. The number of children that are being taught is 5,000,000. They have increased from two and a half millions in 1870, when this law was introduced by Sir Edward Foster, up to five millions to-day. In 30 years the increase of school population in England has come up to five millions daily attendance within a small fraction of the total. When such a system produces that result, and the total population of England are educated either at these boards schools or at these voluntary schools, and the system works smoothly and does not operate injuriously in any shape or form, it must be effective. The only fight they have had has been over an attempt to introduce into board schools not only the teaching of the Bible but religious teaching. However, the people are determined not to allow religious teaching to enter into the national schools and make it a bone of contention. Those who desire to educate their children in the way I speak of have the voluntary system, which is very largely assisted by parliamentary grants. I only give these facts and figures for public consideration and I feel myself that, while there is a difference between denominations as to the methods which should be adopted in teaching children, out of which arose the troublesome school question which, I am happy to say, has been cleared off the political slate as it existed, still there is continuously an effort being made to do something else than what we are called upon to do. The true position for the Canadian people to take is to make the Bible, where these difficulties do not present themselves, a part of the national education of children, and it would not be at all out of place if the parliament of Canada, out of its revenues, when there is a redundancy of revenue, were to assist the voluntary schools in order to remove the political obstacles that appear to be perpetually cropping up in our educational system. I take pleasure in explaining the interest it afforded me in visiting the schools in England for the purpose of finding out the facts I have given to you. I will not impose any more upon your time. I thank you very much for the patient hearing you have given me, but the subjects, you will acknowledge, are exceedingly important. I shall move the amendment that I spoke of.

Hon. Mr. McCALLUM—Move it to-morrow.

Hon. Mr. BOULTON—Will it be in my power. (Cries of now, now.) I move my resolution expressing regret that the imports of this country have not kept pace with the exports.

Hon. Mr. MASSON—What has that to do with the motion before the chair? We are not going to amend the Governor General's speech. The motion before the House is just to declare that we thank His Excellency for the speech he has made. It is to avoid discussion on particular words of the address that can be dealt with at a different period. The motion of the hon. gentleman cannot enter anywhere into this resolution. It must be at the close of the Governor General's speech, and that is not before the chair. The hon. gentleman cannot move such an amendment as that.

Hon. Mr. BOULTON—I can move an amendment to the address.

Hon. Mr. MASSON—We have nothing to do with the speech from the Throne, but merely with the address. In old times it used to be, "We thank your Excellency," prefacing each paragraph of the speech. You could have amended that but not this motion.

Hon. Mr. McCALLUM—We have listened to an interesting speech from the hon. gentleman from Shell River. At this stage of the evening I would move the adjournment of the debate until to-morrow.

Hon. Mr. MILLS—Has my hon. friend finished speaking?

Hon. Mr. BOULTON—I give notice that I shall move the amendment to-morrow.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman cannot, after having spoken, move any amendment. If he completes his speech with an amendment he is in order, but he cannot move it at a future time.

Hon. Mr. MILLS—And the amendment must be germane to the motion before the House.

Hon. Mr. BOULTON—I move the adjournment of the debate.

Hon. Mr. MILLS—The hon. gentleman had better finish his speech. We can meet after eight o'clock, if necessary.

Hon. Mr. POWER—The hon. gentleman from Shell River has put us under an obligation for the speech he has made, but after speaking two hours I think he, being opposed to monoply as he is, ought to feel that he has done enough for us and give some one else a chance.

Hon. Mr. PROWSE—I think the hon. gentleman from Shell River has really, in substance, finished his speech, and he merely moves the adjournment of the debate to give him an opportunity to prepare his amendment.

Hon Mr. BOULTON—This is all.

Hon. Mr. McCALLUM—I move the adjournment of the debate.

Hon. Mr. BOULTON—I move the adjournment of the debate for the purpose of preparing this amendment, and nothing else.

Hon. Mr. SCOTT—It will only be ruled out of order, because it is not germane to the address.

Hon. Mr. POWER—I do not think we ought to try to take a technical advantage of the hon. gentleman. If he has an amendment that he wishes to move, we should not object to it unless he intends to talk two hours longer.

Hon. Sir MACKENZIE BOWELL—I object to that course, because you are departing from well established rules. I differ from the opinion expressed by my hon. friend the Secretary of State with reference to our right to amend the address. It is not only parliamentary, but it has been the practice in the House of Commons and also in this House. You can move an amendment to the address, but it must be germane to the subject before the House, and the proper course for the hon. gentleman to pursue would be, taking the words of the answer to the speech, while we are thanking His Excellency for the address he has presented, to express regret that a certain thing has not been done. If that were passed in the House of Commons, it would be a vote of want of confidence. It would be utterly useless here, even if we passed it by a majority. If we could depose these gentlemen from their seats by a motion of that sort, there might be something in it. The hon. gentleman from Shell River has expressed his views, and they are on record

just as well as if he had moved a dozen amendments, and he should be satisfied.

Hon. Mr. MASSON—He may add that to this motion but he cannot tack that to the paragraph in the speech from the Throne, because it is not before us.

Hon. Sir MACKENZIE BOWELL—Withdraw.

Hon. Mr. BOULTON—You generally induce me to withdraw, but some day I hope to force upon you a discussion of the real points at issue.

The amendment was withdrawn.

Hon. Mr. McCALLUM moved the adjournment of the debate.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 10th February, 1898.

The Speaker took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE FAST ATLANTIC STEAMSHIP LINE.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—Before the Orders of the Day are called, I should like to call the attention of the Minister of Justice to a telegram from Quebec, dated 7th February, which appeared in the Montreal *Star*, which states :

It is rumoured that a cable has just been received that the Messrs. Peterson have succeeded in their negotiations for assuring the success of a fast Atlantic steamship.

I ask the hon. gentleman whether the government has any information upon that subject, and whether the statement made in this telegraphic despatch is correct. It is a very important matter and the country should know.

Hon. Mr. MILLS—I may state to my hon. friend that if such information has been received it must have been to-day, and I have not heard of it from the minister, but I will tell my hon. friend that I know that two or three days ago Mr. Peterson thought he was about succeeding in carrying out his intentions.

Hon. Sir MACKENZIE BOWELL—Did he telegraph his thoughts ?

MR. OGILVIE'S REPORT.

INQUIRY.

Hon. Mr. MACDONALD (B. C.)—I beg to ask the hon. Minister of Justice a question with reference to the report of Mr. Ogilvie, who has been up in the Klondike country for two or three years. He is a servant of the government and of the country ; how comes it that his report is published in another place and is placed on the market for sale, and not put into the hands of members of parliament ? I think we are entitled to that report as a report of a pub ic servant. We should not be compelled to buy it, nor should it be placed in the market in that way.

Hon. Mr. MILLS—My hon. friend has not given notice of his question, but I will say to him that that report will be in the hands of members of parliament almost immediately. I think there were 15,000 copies printed for the use of the government, and as soon as they reach the hands of the government, I have no doubt they will be distributed amongst the members.

THE LIQUOR TRAFFIC IN THE YUKON COUNTRY.

INQUIRY.

Hon. Mr. PERLEY—Before the Orders of the Day are called, I should like to ask the hon. leader of the government if he has seen in the *Evening Journal* of yesterday, the answer which the hon. leader of the government gave to the temperance delegation respecting the sale of liquor in the Yukon country. I might say that on Tuesday of this week a temperance delegation, or

body of temperance men, met in the tower room for the purpose of taking into consideration the supposed conditions to be attached to the vote on the plebiscite question, and that a committee was appointed to wait upon his honour the leader of the government and, among other things, they were to protest before him against any liquor being allowed to be sold in the Yukon country, and his honour, the leader of the government answered him :

> As to liquor permits, so far, there was no sale of liquor in the Yukon.

The question I want to know is this : if the government is aware that the North-west government did, in the latter part of January send a member of the government and an official to the Yukon country for the purpose of establishing and regulating the sale of liquor in that country. If the government is aware of that fact, then I think it is rather an evasive and improper answer to be given to that committee. I would like to know also if the government of the North-west Territories has the power to control and regulate the sale of liquor in that country, or whether the power is vested in the Federal government at Ottawa ?

Hon. Mr. MILLS—I may say to the hon. gentleman that I do not read all the newspapers, that I have not time, that the matters to which my hon. friend has referred have not come under my attention and if he had put his notice upon the paper in the regular way I would have been prepared to give him a more satisfactory answer than I can under the circumstances. The hon. gentleman knows that as far as the North-west Territories government is concerned there were no specific limitations mentioned in the bill creating that government and legislature and giving them jurisdiction over that territory. I cannot say—the hon. gentleman would know better than I do—what that government has undertaken to accomplish. I can only tell my hon. friend that the government are preparing measures to submit to parliament to define the limits of the government of the North-west Territories and to provide for the government of the Yukon country. My hon. friend knows that those territories are not provinces, that we expect them to be settled in the course of time, that during the progress of settlement the provinces are likely to be barred out of the territory now very extensive and embraced, for the moment, under one government. We shall submit to this House and to the House of Commons a measure relating to the government of the Yukon country and my hon. friend will see precisely what the provisions of that bill are. With regard to permits, of course, the hon gentleman knows that that subject is not under the jurisdiction of my department, and I can only answer questions relating to other departments of which I have had notice, and if my hon. friend wants a more definite answer than I have given him—and I would give him a full answer if I had the power to do so—he will have to put a notice on the paper, and then I will give him all the information I can obtain.

Hon. Mr. BOULTON—I would take the opportunity of suggesting to the government that it would be a very wise thing now to institute the same system in the development of the Yukon territory as was instituted in the development of the North-west Territories, and that for the time being at any rate that the sale of liquor should be prohibited except under some restricted system.

Hon. Sir MACKENZIE BOWELL—I might be permitted to add, unlike the Minister of Justice, I have read that interview in the *Citizen*, in the Montreal *Witness*, in the Toronto papers and also in the *Journal*, and it is reported a little differently in the different papers, and slightly different from that read by my hon. friend from the west. The Prime Minister gave a somewhat similar answer to the deputations to that just given by the Minister of Justice, that the matter was under their consideration. The only inference you can draw from his reply is that they have not yet decided as to what the powers of the government of the North-west Territories were ; but I saw this morning an answer to a letter sent by the secretary representing the North-west government in answer to a request as to whether they would grant a permit for the taking of liquor into and selling of liquor in the Yukon territory. The answer was that upon a regular application being made to the administrator, who I believe is the premier of that province just now, I am not sure——

Hon. Mr. PERLEY—Mr. Haultain.

Hon. Sir MACKENZIE BOWELL—Mr. Haultain, that upon an application being made to him and a fee of one dollar accompanying that application, for every gallon of liquor to be taken into the territories, the permit will be granted. The gentleman came to me and asked my advice about the matter as to whether I thought, if he did that, the government here would annul any permit that would be granted to him. I frankly say, that I told him that under the circumstances the authority had been assumed by the North-west Territories, and if he obtained a permit from them, I thought he would be quite justified in going on with his trading operations and take chances as to the future —that if it was annulled by the Dominion government, they certainly would have to refund the money which was given them. Whether that has been brought under the notice of my hon. friend or the Department of the Interior, of course, I do not know. It is quite evident it must be referred to the Justice Department in order to ascertain really what the powers are that have been granted to the North-west government by the Act of the Dominion Parliament, and my hon. friend, no doubt, will look into that, and then he will be able to give the gentleman who asks the question, more clear and definite information.

Hon. Mr. MILLS—My hon. friend knows that the powers of the government of the North-west Territories and the legislature have not been increased for some years. They are now what they have been and they are not exercising any new power.

Hon. Sir MACKENZIE BOWELL—I did not say they were.

Hon. Mr. MILLS—No, and so far as the Yukon country is concerned, I told my hon. friend we intend to legislate on that, and until we do legislate the government of that country is, theoretically at all events, under the North-west Territories.

Hon. Mr. SCOTT—I think I may add to what has been said by the Minister of Justice that it is quite unlikely that any permits are being issued now. I know that about three weeks ago I sent a telegram to Mr. Richardson stating what the desire of this government was, that it was their desire not to issue any licenses. About ten days ago I received a telegram from him asking whether that applied to all licenses where the license was simply a personal one for a small quantity of liquor, and my answer to him was that it was to apply to all licenses and it was the desire of this government, for the present at all events, that no permits should be granted by the administrator. I have no doubt he is governing himself accordingly.

Hon. Mr. PERLEY—About ten days ago a member of the government, who is now on his way to the Yukon, and Mr. Victor Dodds, an official of the executive staff there, who had charge of the issuing of the liquor licenses in the North-west Territories, has gone with him to establish and regulate the matter in the Yukon.

Hon. Mr. SCOTT—Of course we have no control at present until power is obtained by legislation. I suppose under the general powers possessed by the North-west government, they have the control at present, but knowing it was our desire that no permits should be issued for the present and that it was intended to take the Yukon district out of the North-west Territories, I assumed they would conform.

Hon. Mr. PERLEY—I think it very improper on their part to send a man as they have.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day having been called,

Resuming the further adjourned debate on the consideration of His Excellency the Governor General's speech on the opening of the Third Session of the Eighth Parliament.

Hon. Mr. McCALLUM said:—I can assure the House that I will detain you but a very short time. I am not going to make a very long speech, but before I shall say anything about the speech from the Throne I may say there have been some changes in this House since last I had the pleasure of addressing it. I see that we have now a new leader in this House, the Minister of Justice. I have no doubt he will discharge his duty satisfactorily to his party, and I hope to the country, and to the Senate. I have known him for a long time, and I am glad to see him here. I am very glad to see him leading the government, and holding

the position in this House that he occupies to-day. But this is an age of improvement, an age of progress. That hon. gentleman's opinion was not always very favourable to the Senate, I must say, and I hope that he finds himself comfortable here to-day. I may quote from some former speeches of my hon. friend to show how times change, and what we say to day, may be quoted a long time afterwards. I hold here in my hand the Commons Hansard of 1875. My hon. friend, speaking in the House of Commons about the constitution of the Senate, and who was likely to be found in the upper chamber, said :

> Is it the artisan, the agriculturist, the lawyer of good standing? No, you get none of these; you find a few wealthy merchants and retired bankers and defeated politicians, and when you go behind this last there is nothing.

That was his opinion, but he went even farther. I hope that he will find something more than he then predicted he would find there :

> It was said by a gentleman who, when appointed to the Senate, found himself among gentlemen very much his senior in years, that he expected to be with those who lived two or three generations ago, but to his surprise he found himself with Abraham, Isaac and Jacob when he took his seat in that chamber.

Hon. Mr. MILLS—In the kingdom of Heaven.

Hon. Mr. McCALLUM—Does he find that here to-day? He said even worse of this House—something more surprising than that. He said that the Senate was a "Magdalen asylum for political prostitutes and broken down politicians retained by the government." Well I hope my hon. friend may live long to enjoy the position he is occupying here. I do not say that the hon. gentleman meant that earnestly. I do not quote his former utterances to attack him, but to show what a change has taken place in his opinion of this House. I know this, that my hon. friend was always opposed to the composition of the Senate, the mode of appointment; that he was always in favour of having the Senate appointed by the local legislatures. I have always disagreed with him in that, and if we cross the line and see what goes on in the United States in the appointment of senators, I think it will be admitted that our mode is preferable to theirs. I do not mean to say—far from it—that he is a broken down politician, although he got defeated in his own county at the last elections. That has happened to us all, and I do not intend to say any more about it. But I am glad to see him in the position he occupies here, and I hope he will discharge his duties satisfactorily and may live long to enjoy his position and let bygones be bygones—brush them away and let them go. He knows better to-day. He praised the Senate the other day; and he knows that what he said formerly was said under a wrong impression. I am willing to let that go and say no more about it.

I may have to deal somewhat with the speeches that have been made here. I must pay a compliment, before I come to discuss this question, to my hon. friend the member for Shell River. He made quite a speech. One half of it I approved of entirely; the other half I disagreed with altogether, as my hon. friend knows. He has been very persistent and very consistent in advocating free trade on all occasions. He ought to feel encouraged that he has made some converts, among them the prime minister of the country. The hon. member and the premier were both in England at the Jubilee ceremonies, and the hon. senator the gentleman who ought to have received the Cobden medal, not the premier, because our colleague made a convert. It must have been a quick conversion. If we look to the premier's speech at London in the last election, we find he was in favour of preferential trade. He showed the farmers there how much better off they would be if they could get so much more for their butter and cheese and products generally. How did he get converted all at once to free trade? The moment he put his foot on British soil at Liverpool, this conversion occurred. There is only one conversion more remarkable, that is the one that took place on the road to Damascus. My hon. friend from Shell River has given us the same speech, from his standpoint, on free trade more than once, but he must know this, or has to learn it, that people do not get rich by what they buy. They have to get rich by what they produce and sell, and instead of my hon. friend regretting that the exports of this country exceed the imports, he should regard it is a matter of congratulation to the people of this country that we have surplus products to sell. No people on

the face of God's footstool are better fed and clad than the Canadian people. We supplied ourselves and as our exports are so much more than our imports we should be satisfied that we are on the fair road to prosperity. When my hon. friend speaks of Great Britain, with the balance of trade against her, getting rich all the time, he must remember that the mother country has been rich from time immemorial. Great Britain is the banker of the world, with money loaned to all the nations of the world. There is where the imports of Great Britain come in—the interest on those loans. They do not feel the effect of the balance of trade being against them. So far as we are concerned, it is the labour of the people who produce that we have to rely upon. We have to look after them and see that they get fair play. I do not want to encourage imports from foreign countries.

Hon. Mr. BOULTON—I should like to ask the hon. gentleman, was not the country prosperous during the period the Conservative government was in power, when every year they were in power they were importing a great deal more than they exported? How do you account for that?

Hon. Mr. McCALLUM—The hon. gentleman says the country was prosperous.

Hon. Mr. BOULTON—But they were importing more than they exported; how do you account for that prosperity?

Hon. Mr. McCALLUM—They were building railways and other public works with borrowed capital. The people of Great Britain have money loaned all over the world, while we are borrowers. When we import shoddy and silks and satin from Great Britain while our men are idle, it is a poor lookout for the country. It is all very well to say "encourage importations into this country," but we should not import more than we are able to pay for. I say, import as little as you can; manufacture and produce everything you want in this country so far as it can be done and keep people comfortable; pay a good day's wage for a good day's work, that is the true policy for this country. The people of the Dominion are in a comfortable condition, and have only exported what they do not need for their own use. The crofters and the tenants in Ireland, many of them, have to sell the pigs that they should consume in their families in order to pay the rent. It is not so in Canada. We are a prosperous people, and it should be the duty of the government not to encourage importations into this country, but to encourage the production of what we require in our own land. It is a blessing for this country to-day that our exports far exceed our imports, and I hope it will always continue to be so. My hon. friend who moved this resolution now before the House, said that the country is prosperous and that the government ought to have credit for producing that prosperity. I would ask my hon. friend what have the government of this country done to deserve credit for the increased exports of the Dominion. Have they made even two blades of grass grow where only one grew before? They say the man who does that is a benefactor to his country. Can they point to one single instance where they helped the people to increase the production of the country in any degree? Before I sit down I shall show where they have hindered the productions of this country; that in every instance where they departed from the policy of their predecessors, the country was a sufferer by it. They stole the Conservative clothes, and whenever they used their own the country has suffered. I believe we should manufacture and produce everything in this country that we require ourselves, as far as possible. They believe in encouraging foreign production in preference to our own, and the hon. gentleman says they ought to have credit for that policy. When my hon. friend spoke of the Yukon Railway, I thought at first he was going to oppose the whole policy. He said he did not like that at all, because he remembers the speeches of the party leaders before they got into power, in which they contended that all public contracts should be let by tender. But before he was through he swallowed it all. I am not ready to accept or oppose the contract, because I do not know what it is. The leader of the House said the other day, if we knew as much about this question as he does, we would all vote for it. We asked him to inform us. He said that would never do, because there was some foreign correspondence about it. I should like to know what secret there is about 150 miles of tram road in British territory. The

government want us to take it on trust without telling us all about it. I do not know what I may do yet, but as it strikes me now I am not favourable to it. In speaking of the hon. prime minister's visit to England my hon. friend said further that all the people of Canada—he does not except any—approved of his actions and conduct in England. There is one who does not anyway, and that is the individual who is now addressing you. I speak for myself. The premier is a very fine spoken man. As far as appearance and speeches and manners are concerned, I have no doubt he did his part well, but he went from here, as far as we know, and as far as his speeches show and as far as we understood, to try and get preferential trade with Great Britain for this country, and he came back with the Cobden medal. I do not approve of his course in that respect. The hon. Minister of Justice said that Sir Joseph Chamberlain could not maintain his position if he gave us that preference. How does he know that? The Colonial Secretary generally holds any position he takes.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. McCALLUM—I know for years it has been the whole aim of the Conservative party in this country to get preferential treatment in the British market. We would have given anything in reason for it, but just as we were about to secure it, the premier of the Dominion jumped the stile and said, "We will not have it." Free trade is best for England and it is best for Canada also. He comes back here now with the Cobden medal, which should have been given to the hon. gentleman from Shell River (Mr. Boulton) because the premier is in fact, what he calls a revenue tariff man. I do not quite understand what he means by that. We have not had more than a revenue tariff for the last twenty years in this country. There is a great difference between a revenue tariff and a tariff for revenue only. If you impose a tariff for revenue only, you impose it where you get most money, but the object of the government should be to get a revenue and to encourage production in this country. You may call that incidental protection, if you like, or full protection. I am satisfied that is the true position for this country to take—to make and produce what we can for ourselves. I have said that wherever the government departed from the policy of their predecessors, they have gone astray. That is a pretty serious charge. I should like my hon. friend the Minister of Justice, who used to be the member for Bothwell in the House of Commons, and comes from a county that used to be a rich county, to explain how he bought corn at 10 cents a bushel. I understood him to say that it was corn in the cob. I want an explanation of that. What was the cause of its being sold at 10 cents a bushel. Was it damaged corn?

Hon. Mr. MILLS—No.

Hon. Mr. McCALLUM—Will my hon. friend tell me how it came to be sold at ten cents a bushel?

Hon. Mr. MILLS—I spoke about corn being shipped into Windsor for sale.

Hon. Mr. BOULTON—In the cob?

Hon. Mr. MILLS—Yes.

Hon. Mr. BOULTON—At ten cents a bushel?

Hon. Mr. MILLS—Yes, corn from the western states. My hon. friend from Essex (Mr. Casgrain), I dare say, knows the facts better than I do.

Hon. Mr. CASGRAIN—I know the farmers bring it there in the cob. It is taken to the elevator and there shelled. It comes from the farmers, not from the States.

Hon. Mr. McCALLUM—I do not care whether it is grown in Canada or the United States, it does not make any difference to me. It only shows that when the government put corn on the free list they brought the price down to ten cents a bushel. That is clear from the language of the Minister of Justice, that is what he told me.

Hon. Mr. SCOTT—That is corn in the cob.

Hon. Mr. McCALLUM—Yes, corn in the cob. A bushel of corn in the cob is 72 lbs. A bushel of shelled corn is 56 lbs. We know that, and the result of the present government departing from the policy of their predecessors is that the farmers all along the Erie shore, even from Sarnia to Fort Erie, and for fifty miles back in the country, have to sell their corn for ten cents a bushel.

Hon. Mr. MILLS—And in the year before, 1895, it was the same.

Hon. Mr. McCALLUM—The hon. gentleman can qualify it as much as he likes.

Hon. Sir MACKENZIE BOWELL—There is no qualification to it.

Hon. Mr. McCALLUM—That is one respect in which they departed from the policy of their predecessors. I suppose that is where they helped the farmer, and should have credit for it. My hon. friend, the mover of the address, says they should have credit for the help they give the people of the country. What help have they given them? None. The Minister of Trade and Commerce, speaking in Toronto, said: "We do not claim that we have been the means of raising wheat to a dollar a bushel, but it is coincident." I have a good memory. I remember several coincidences. I remember when the great Reform party was in power in the two provinces of Canada before confederation. I know we got the weevil in the wheat. I know that is a coincidence. We did not blame them for it.

Hon. Mr. MILLS—Oh, yes, you did.

Hon. Mr. McCALLUM—I know that when they came to power in 1873 we got the potato bug and we have it yet. That is another coincidence. Last, but not least, we have the San Jose scale, and that is coincident too. But I do not blame them for it, because they are not responsible. They are just as responsible for these things as they are for having contributed to the prosperity of the country. What have they done to bring prosperity to the country? They have done nothing. They have increased the expenditure of the country from the time they came into power. They have violated all their pledges to the people, except in two instances, and those two instances have been ruinous to the country, and the people of this country to-day ought to return thanks that they did not carry out their pledges, because if they had they would have ruined the whole Dominion. What were their promises? They were going to reduce public expenditure. They were going to reduce the debt of the country. In place of that they are increasing the expenditure largely and increasing the debt of the country. My hon. friend from Shell River (Mr. Boulton) told us last year that the increase was three millions and a half. I have proved one instance in regard to corn.

Hon. Mr. BOULTON—I would like to ask who it is that uses the corn.

Hon. Mr. SCOTT—Farmers.

Hon. Mr. McCALLUM—Distillers used a good deal of it formerly, but they use a great deal of imported corn now, because we have a duty on corn coming in for use in the distilleries and the farmers in some parts of the country buy it and mix it with their own and you cannot separate the home from the foreign grown grain. Take the counties along Lake Erie, they raise all the corn required in this country. The government have also put binder twine on the free list. I am an agriculturist and I have a good deal of farm land, and I will buy twine no cheaper this year because it has been put on the free list. If any one will think for a moment he will see that the harvest in the United States comes on before ours, and the United States manufacturers will supply that market. They will come here with what they have left—any twine that is manufactured in Canada they will put on this market and so we ought to have protection. The 12½ protection has not been too much. It would not cost the farmers any more in the end. And what has been the result. There are eighty men thrown idle at the city of Brantford. They cannot get a day's work, and I see a meeting was held by some of the bankers of this country and some of the people of this country and a delegation was appointed who waited upon this government trying to get them to reimpose the duty on twine. One man a banker, says: "As the matter now stands I cannot supply the money to go on," and so the people were idle. There are two instances showing that wherever the government departed from the policy of their predecessors they have gone astray. They may be going to do a great deal for us in the future. The promises are good but the practice is nil. As far as the railway is concerned, I shall not say very much about it. I will wait until I get that information which will compel me to support the Minister of Justice, because he has told us that if we knew all that he knows we would support him unreservedly. The only valid defence of this private contract is urgency. Why, have

not they had a whole year to make their preparations? Last summer, when we left here, we knew pretty well what was in that country, and knew very nearly as much about it as we do to-day. But after parliament rose what did they do? They went through the country, decked beautifully in uniform, showing their titles. They went to Washington and other places, and now they come to parliament, and say they have made arrangements to build this road, and that they must observe secrecy about it. That will not satisfy me. Because if I were to support the Minister of Justice in that, I could not show my face before the people of this country. I always want to explain whatever I have done, and whatever position I have taken. They may do wonders, but I question it very much. They have had plenty of time, if they had chosen to apply themselves to it, and they are getting in a hurry all at once now. I listened to the speech of my hon. friend from Shell River yesterday, and I do not often agree—scarcely ever agree—with what he says, but I agreed with every word he said on this railway question, and disagreed with every word he said on everything else. I do not know very much about railway matters, particularly in the mountains. We will have to wait in order to see what this arrangement is, but we may have something more to say about this bill when it is brought down. I do not say what my course will be, but I feel with the information before us, that the Senate, no matter what the consequences may be, should reject it. Why should we allow these people to go back on their pledges? Why did they not do as they promised the people of this country? I say they have gone back on their pledges because they could not carry them out and it has been a blessing to the country that they could not. In this one case it will be a benefit to the country if we insist that they shall carry out their pledges. They got a verdict from the people on false pretenses and one of the false pretenses is that they approved of preferential trade with England; another was a promise of economy in all the public service; another was that all public contracts should be let by tender to the lowest bidder, and here they are swallowing their pledges one after the other, and they simply smile when they are brought to task for it. These gentlemen want credit for the prosperity of the country. I should like to know what they have done to give prosperity to the country. I have shown that they have increased the debt and destroyed the industries of the people of the town of Brantford and destroyed the agricultural interests of this country by putting corn on the free list.

Hon. Mr. PROWSE—They passed the Alien Labour law.

Hon. Mr. McCALLUM—I ask what have they done? Have they planted? Have they watered? Have they sowed? Have they harrowed? Have they weaved? Have they spun? No, sir, they have been running through this country revelling at the people's expense, and they have not done anything at all. They did not even attend to that tram railway over in the Yukon country, and they tell us now we should thank them for what they have done. I believe I have the reputation of telling people what I think of them. I prefer to tell them what I think before their face and not behind their back. I hope I shall always retain that courage, and all I can say is that I wish them well, but I hope their conduct in the future will be more acceptable to the people of this country than it has been in the past.

Hon. Mr. KIRCHHOFFER—I am forced to take part in this debate because of a reply which I got a day or two since to a question which I put to the hon. leader of the government, that gentleman who, I understand, is familiarly known as the sage of Bothwell. How he came to acquire this cognomen, I do not know, except from the fact that he is a sage and that he comes from Bothwell. What a sage is, I am not prepared to say, but I suppose it is a gentleman who looks very wise and shakes his head wisely. I am not an iconoclast and I would be sorry to shatter the idol of the people of Bothwell but I would remind that hon. gentleman of a Latin quotation which his classical education no doubt will enable him to understand—*nemo mortalium omnibus horis sapit*, which being translated is, no mortal man, not even a sage, can be wise at all times. Now the truth of that adage was very well exemplified the other afternoon. If the hon. gentleman had these grave state secrets which he alluded to so mysteriously and did not wish to raise any question about them, he should have been wise enough

not to have alluded to them. Having alluded to them, and being questioned, he should have adopted the plan not of setting down questioner by a caustic and, I think, rather rude reply, but the ordinary and usual diplomatic, parliamentary and sufficiently evasive mode which is usually adopted in dealing with those questions. By the time the hon. gentleman has occupied a little longer the position into which he has been pitchforked over the head of my friend the Secretary of State, he may be more parliamentary, more diplomatic and perhaps less discourteous, in trying to answer questions which are put to him upon subjects to which he has alluded. Now, when the hon. gentleman informed me that if I was not satisfied with the explanation that he had given with reference to the matter, I would be the only one in this House who would not be so, he may have thought he was perfectly correct. I choose to differ from him. I dare say that the explanation he gave was satisfactory to the gentlemen of his own party who sit around him, and who no doubt have been supplied with interior and private information which has been denied to us. Probably the hon. gentleman thinks that I belong to that number who rush in where angels fear to tread, or I would not have put this question to him; but as the question was put, and as the hon. gentleman did not see fit to reply to it, I think he will find that a great number of people, not only members of this House, but outside, in the press and the country at large, will be very anxious to know what are these very grave international complications to which he alluded. I understand the hon. gentleman himself has been hauled over the coals by members of his own party for bringing up and courting questions on this subject by alluding to matters which he could not afterwards give an explanation of. I think the hon. gentleman will find these questions, when they are brought up, very much like the ghost of Banquo they "will not down." and the explanation will have to be given, and that right soon.

I should like, while upon my feet, to say a few words about this railway contract, one of the most important matters of discussion which will come before parliament this session. I want to say personally that I am in favour of a railway being built which will be an all-Canadian route and which will provide us with the road that is so necessary to reach that country, but we have no proof that this road is an all-Canadian route; we are told to the contrary by the leader of the government and others; nor have we any guarantee that this road when built may not at any period be handed over to a foreign corporation or even to a foreign government, so as to pass entirely out of the control of the people of this country or of the contractors or anybody else in Canada. Now as this contract stands before the House, I may say that whether I am in accord or not with any other member of the conservative party I am opposed to it. I am opposed to it on various grounds. One is that the giving of this contract has violated every principle to which we have been for the past eighteen years educated by the liberal party, who have been always declaring that the giving of these contracts should be governed by public tender and awarded to the lowest party who offered. That has been the cardinal principle laid down; and I say that when at the inception of their rule in this country they violate that principle, it is right that we should condemn them. They say that it was necesary to do this, that haste made it necessary, that in order to save time they were obliged to take this course. Well, whose fault is that, whose fault is it that the position of the country and the government is as it is now with regard to this matter? If instead of their starring it in England and the continent last year, if instead of their looking after their jubilee honours and their decorations and their osculatory efforts to the Pontiff of Rome, and all those other matters on which they spent their time, they had been engaged then, as they are now, in trying to ascertain what the wants of the people in that country are, they would have been in a position to meet parliament, not with a crude and undigested measure like that brought down, but one which would give some information with regard to the subject matter which they had before them. Now, they bring down this contract, and the gentleman who introduced it has no information to give the House or the people of this country when questions are put, no estimates, no engineers' reports, nothing which would place the government in a position to give information which would certainly be sought for by the members who heard it introduced. They have no information whatever, not even the simplest that would be asked for by an indi-

vidual, who was going to take up the most ordinary business transaction. I am opposed to it on other grounds—on account of the monopoly clause. Some people think that all right. I think the monopoly clause ought to condemn the transaction *in toto*. But more than that, I am opposed to the arrangement on account of the extraordinary and extravagant grant of land which has been given to Mr. Mackenzie and Mr. Mann. It has been arrogantly proposed to compare this road with the Canadian Pacific Railway with their four thousand miles of railway, a road which is not only a commercial but a political and military necessity, and which has been the means of binding together and making Canada the great country which she now is, and they compare with it this miserable little one hundred and fifty miles of tramway, and because large concessions were given to the former these should be given similar concessions with our eyes shut with regard to the latter. Now, it seems to me a most extraordinary thing that such a bargain should be made. I am satisfied that no contractors in the world could have come to the government and made a demand such as this contract shows. It must have been given by the government themselves, who put forward these enormous concessions and gave Messrs. Mackenzie & Mann such a contract with such concessions, as no one would think of asking, and which never has been done in any country before except in the case of the Panama Canal and some other matters which contained enormous provisions of this nature. They gave such exceptional advantages to Mackenzie & Mann that it seems to me they could not have demanded them, they are so different to what they do give to any other settlers who go into that country. Usually in granting lands of the Crown the government reserves the right of precious metals that are discovered thereon. To Messrs. Mackenzie & Mann they give not only the precious metals but all the baser metals. In their usual dealings, the settlers in the country find it very difficult to get the ownership of the land themselves, but Messrs. Mackenzie & Mann are given the full ownership of the land. From the ordinary miner the Crown exacts a royalty of ten per cent; from these great capitalists they exact a royalty of only one per cent. I wonder if any of you have ever taken into consideration the extraordinary area that is covered by the land grant to this company, an area of land between seventy and eighty miles long and the same in width. Contrast it with the area of some of the kingdoms of this world. This area of land is two and a half times the size of Prince Edward Island; it is nearly one-third the size of Vancouver Island; it is three-quarters the size of the principality of Wales; it is one and a quarter times as large as the colony of Jamaica; it bears comparison in area with many a European kingdom; it is one-half the area of the kingdom of Belgium; one-half the size of the kingdom of Holland; and it is one-third the size of the republic of Switzerland; it is about equal in area to the kingdom of Saxony, and it exceeds in area many of the important Grand Duchies of the German Empire and this vast domain which many a crowned head in Europe would envy, it is being handed over to these contractors as "boot," as a bonus in addition to extraordinary concessions which, of themselves alone, would make the contract a most favourable assset. There is an effort being made to belittle the value of the concessions given by this contract. I know that not only supporters of the government, but members of the government themselves, are going about and saying, "Why, it is perfectly startling the risk which these gentlemen run in taking hold of this contract without knowing more than they do about the country and what it contains," and they shake their heads like sages, because, I suppose, there are other sages in the government besides the one we have here, and say, "We would not like to be in the contract with Mackenzie & Mann." Would they not? I think there are very few of them that would not like to have a chance in it. If these gentlemen have any *arrière pensée* about the way they could realize at once on the concessions they have in that contract, I can put them on the track of a way of doing it without risk to themselves. They are entitled to nearly 4,000,000 acres of land. They do not take them broadcast nor necessarily along the line of railway, but they are allowed to select them by their own engineers and prospectors, and they have six years within which to take them and have them located. All they have to do is to take 3,000,000 acres of these lands, as soon as they are entitled to them, get out their maps, place them simultaneously in the cities and

markets of the world, not at a high price, but at, say, $10 an acre. I would undertake to say that companies will be formed, syndicates formed while this Klondike boom is on, and men, women and children will want to have a stake, however small, in that great gold bearing region. With the land disposed of at that rate they would have $30,000,000 cash out of which they could pay the $3,000,000, or whatever this railway is to cost. Allowing them one or two million —one or two millions does not matter much in dealing with large figures for their expenses, and for the lubrication necessary to get this contract through—and they would have what is left? $25,000,000 in cash, and they would have one million acres of land more to select from, taking the very best in the country, and it might be of fabulous value; and they would have besides, the railway and its concessions and monopoly, out of which to make more than the thing is worth many times over. Take the words of Mr. Mann himself, while addressing the people of Vancouver or Victoria, in which he estimated that from 250,000 to 300,000 tons of freight would be carried over that road this year. See what the freight on that line would be worth? Enough to build the road over and over again. I should be sorry to throw out of the hands of Mr. Mann, (he is a friend of mine) such a chance to make a large fortune as he has here. I saw a quotation from Pope the other day in one of the local papers, in which it said, "the proper study of mankind is Mann." In view of the extraordinary concessions, which have been given to this gentleman, and which are supposed to place him in such a high financial position, I would suggest another quotation from Pope—"Mann never is but always to be blessed."

Hon. Mr. MACDONALD (B.C.)—I desire to say a few words on this important subject. My intention is to say very little at this stage of public business, and to follow the example of the mover of the address confine my remarks chiefly to the Stikine-Teslin Railway contract. With regard to the trade policy of the government, the leader of the opposition (Sir Mackenzie Bowell) has shown in a manner which cannot be controverted or denied, how divergent the crystallized acts of the government are from the protestations and assertions of its individual members when in opposition, free from the cares of state for 18 years when their words did not carry responsibility. There were three very important planks in the trade platform of the Liberal leaders—Commercial Union with the United States—which would shut British Commerce entirely out of Canada. Unrestricted reciprocity with the United States which would also have shut out British commerce. Free trade as in Great Britain. If the two first plans, or either of them, had been adopted by the country, where would British connexion be to-day? Dead and gone, and the United States in the ascendency dictating our policy.

The parties which held these ideas came into power, and with the responsibility of State affairs on its shoulders, did its leaders attempt to give effect to any of its previous opinions? No, they did nothing of the kind. What did they do? They paid the conservative government and party the highest compliment they could possibly pay, by adopting their trade policy and making it their own. I am quite satisfied with that line of action, and so is the country. The conservative policy was a wise one, and the Liberal government displayed a good deal of wisdom in adopting it. Before going into the most important question before us, I have a few words to say to the hon. gentleman from Shell River, who always gives us very interesting speeches on trade questions. The only fault I have to find with him is that he soars too high in ethics and the science of political economy.

Hon. Mr. BOULTON—If you had to pay 45 cents for coal oil and $150 for a binder, you would view the trade question as I do.

Hon. Mr. MACDONALD (B.C.)—If the hon. gentleman came down to practical questions we could understand him, and his opinions and speech would be of great benefit to the country. The hon. gentleman is supposed to take up the cudgels for the farmers, but he will have to perform many surgical operations before he can get the idea into their heads that the more they sell and the less they buy, the poorer they will be. Supposing the hon. gentleman had, to-morrow, a credit in London of $1,000 as the proceeds of the sale of his wheat and cattle, and were to import $1,000 of goods that he did not require and no one else required, just for the

sake of increasing the importation, he would increase the volume of the imports, but which would be best for him and for the country, to put that money in the bank or in some useful investment, or import goods that he did not want? I think it would be better for him and for the country to have the money than the goods he could not use or did not require.

Hon. Mr. BOULTON—Could I eat the money?

Hon. Mr. MACDONALD—Our policy in this country should be manufacture for ourselves and keep foreign goods out of the country as far as possible. My hon. friend asked the hon. gentleman from Monck a short time ago how it happened that the country was prosperous when we imported more than we exported. By that the hon. gentleman admitted that the protectionist policy which the country had pursued for 18 years was the proper policy for Canada, because the country was prosperous, but it upsets, to some extent, his free trade theory. I have another crow to pick with the hon. gentleman. Speaking yesterday he referred to British Columbia as though it were no part of Canada and complained that the government were trying to build up and enrich British Columbia as though it were doing so in a foreign country.

Hon. Mr. BOULTON—I rose to explain that this road was passing through the province of British Columbia which owned its own lands and mines, and that the government was taking the land and mines of the North-west Territories to pay for the construction of a road in the province of British Columbia.

Hon. Mr. MACDONALD (B.C.)—British Columbia never asked for that road.

Hon. Mr. BOULTON—If British Columbia does not want it, that is another thing.

Hon. Mr. MACDONALD (B.C.)—British Columbia never asked for a grant to the Crow's Nest Pass, and that is to-day of more benefit to this part of Canada and the North-west Territories than it is to British Columbia. All the labourers and supplies for it are going from this part of Canada. After it is built it will help to bring in supplies from the east to that mountainous country. It will be as much or of more benefit to this part of the Dominion than to British Columbia. But we are glad to see the road built. The province aided it by a grant of land, and did its duty in that respect. With regard to the Teslin and Stikine Railway, hon. gentlemen may not all know that this road is entirely in British Columbia. I do not know what steps the Dominion government have taken to get British Columbia to acquiesce in this road being built. They have given out a contract for a railway in British Columbia without a survey, and, I believe, without an application to British Columbia. The south end of Teslin Lake, where this road ends, is well within the territory of that province. I know there has been a local charter for a line over that route, but whether the government have taken up that, or the contractors have taken it up, I do not know.

Hon. Mr. SCOTT—I understood—I do not know whether I am right or not—that Mackenzie & Mann had secured that charter.

Hon. Mr. MACDONALD (B.C.)—If so, it is a different matter. I fully acknowledge the necessity of getting communication with that Klondike country as soon as possible, and am willing to give the government credit for what they have endeavoured to do in getting that route opened, but I wish they had adopted other measures. I speak more in sorrow than in anger when I refer to this question. When I heard of this land grant I could not believe it. Here is a country to which the attention of the whole world is attracted by its enormous wealth. It is not like ordinary farming land; this is a country as to which large expectations are held, not in Canada alone, but throughout the world. The government must have known that. They had the report of their engineers. They knew what was being done and surely they ought to have kept that rich heritage for this country. I cannot speak for this House, but I do not think they can possibly make up their minds to hand over that heritage to any company. It must belong to the people of Canada for ever. That is my view of the matter. I have no hesitation in saying that 5,000 acres in the Klondike country would be a vast grant, a grant with vast possibilities.

Hon. Mr. SCOTT—Per mile?

Hon. Mr. MACDONALD (B. C.)—In fact 500 acres of that country would be a vast thing. This company have the power to lay out their own base lines and select their own land grant on the banks of the rivers. There is no restriction placed on them.

Hon. Mr. MILLS—Every line must be 24 miles in length.

Hon. Mr. MACDONALD (B.C.)—Then, again, who is to administer that country? Who is to preserve law and order in this vast territory where the company have sovereignty and royalty? They are actually kings of that country. The royalty in the minerals and the lordship of the ground. In British Columbia if we sell a farm, anybody can go in and take up mines on it and you cannot mine on your own farm without taking out a license. Why is this rich country thrown away without any restriction in the public interest? Suppose to-morrow this company select so many thousand acres and after the selection is made, four or five hundred miners go in and are found working there, are the company going to turn these men out? It is impossible? It would take all the mounted police of the country to do so. They will not give up their mines if they are worth holding. There is great danger of conflicts as well as throwing away our heritage. If the land were safeguarded to the public I would not mind—if the company were bound to sell this land at the same price as contiguous government land; if miners were allowed to take up mines on the same terms as the government give, and a royalty were exacted, by the contrators, would not a royalty pay them in addition to the tolls on passengers and freight carried by the railway? If the government advertised to give the freight rates and tolls on that road to the company building it, I believe it would be built free of money or land. There will be enormous traffic on the line, which will recompense the company for building it. But, if in addition to that, the contractors could collect a royalty, and pay the government a portion for administering the country and preserving law and order, it would be a splendid bargain.

Hon. Mr. MILLS—Supposing 100,000 people go into that territory during the coming season, does the hon. gentleman say it is of no consequence to have immediate communication?

Hon. Mr. MACDONALD (B.C.)—At a meeting in Victoria the other day, the people said that we would sooner lose all our trade and prospects than allow ourselves to be trampled on in this way by the United States government. What the government can do is this, they can stop all traffic at the Canadian boundary. If the United States authorities meet us with hostile regulations on the sea coast, we can do the same on our frontier.

Hon. Mr. MILLS—Supposing the Americans were going in by Dyea and Skagway, how can you stop them at the boundary?

Hon. Mr. MACDONALD (B.C.)—They could be stopped, surely.

Hon. Mr. MILLS—You would require to have some one there to do it.

Hon. Mr. MACDONALD (B.C.)—It would become an international question then. If Canada cannot carry out her own laws and regulations, she had better give up the country.

Hon. Mr. MILLS—My hon. friend makes a proposition which would practically have the effect of giving up the territory to adventurers from San Francisco and Seattle.

Hon. Sir MACKENZIE BOWELL—What has that to do with the improvidence of this bargain?

Hon. Mr MACDONALD (B.C.)—I think I have said enough to show that I am entirely opposed to giving this land grant and, as I say, I do not mind that if it is safeguarded. About the monopoly clause, I am opposed to that also, but I would favour giving the company control of a zone of 10 miles on each side of its line for its full length, within which no railway should be built by any other company for five years. I would allow other railways to intersect it, but that is all. But to prevent, as the contract does, the building of any other railway in there for ten years together, I say it is monstrous. I read it that way. I have only glanced at the contract in a very cursory manner. The leader of the opposition had it here, and I was not able to read it carefully but that is what I understand by it. At all events, to the principle of monopoly, this House I think, will be strongly opposed. I have an alternative scheme for the

government's consideration. I believe if they were to ask the country for two or three millions of money to build that road they would say "yes take the money, build the road, keep the country to yourselves, do not throw away the mining country, it is your heritage, do not part with it." There would not have been the least trouble in this House or the other House. We know that the government of Russia carries on as a government work enormous mining operations in Siberia and other parts of the country by convict labour. Why cannot this government do the same thing? Remove the penitentiaries up to the Klondike country, and mine there as government work. Pay off the debt of the country with it. It is a feasible scheme. Why cannot it be done? There is a capital place for convicts up there. They would be very happy. Make them work and earn their living. I believe that scheme to be feasible, and one that would pay off the national debt of this country in a few years. But whatever is done this heritage, this three million seven hundred thousand acres of land must be kept for the Dominion of Canada and its people.

Hon. Mr. SCOTT—Before proceeding to discuss the principal points that have been touched on in this debate, I wish to offer my congratulations to the mover and seconder for the clear and able statements which they have made in discussing the answer to the speech. The two principal points that have been made, or endeavoured to be made, against the government are in reference to this Yukon contract and to the giving away of what is called preferential trade. In reference to the Yukon contract, which seems to be the *pièce de résistance*, there is a very large amount of misconception, and if hon. gentlemen were right and all that they assume were true, there would no doubt be a severe indictment against the administration, but I think I can explain away very many of the objections that have been urged against this contract. In the first place, hon. gentlemen will recollect that at the time we separated last year, in the month of June, no one had any idea that there was such wealth in the Yukon district as has been announced in the last few months of last year.

Hon. Sir MACKENZIE BOWELL—You must have been asleep.

Hon. Mr. SCOTT—I was not asleep. It was reported that gold was found, but it was not found in any such quantities as was reported in the months of October and November.

Hon. Sir MACKENZIE BOWELL—I beg your pardon.

Hon. Mr. SCOTT—That is my recollection of it.

Hon. Sir MACKENZIE BOWELL—We had specimens of it in the city in which I reside.

Hon. Mr. SCOTT—Yes, we had specimens' some found on the west side of the hundred and forty-first meridian, and some on the east side, but no announcement that gold had been found in large quantities. The question of subsidizing a railway into that country was never dreamt of until about the end of the year or the beginning of the present year. Its necessity was not pressed upon the government. There were two charters obtained last session. The British-American Yukon Company, with a great flourish of trumpets, obtained a charter and were going at once to build a railway, and there was another charter to a company to build by Takul Inlet not very far from Juneau. We heard that the British Company was composed of great capitalists, that they intended building a railroad across the of White Pass. Some expenditure I believe was gone into. A preliminary survey was made, but beyond that nothing further was done. Subsequently it was reported—I do not know with what truth—that the charter was for sale. They found the difficulties so insuperable that they did not propose to go on with it. With regard to the company who were going to build the road by Taku, no action whatever was taken. It was quite open to those parties to make a proposition to the government if they felt they could not go on and complete the road without a subsidy, but they have made no proposal, and from time to time it was announced that a line would be constructed across the United States frontier to the Lynn Canal. That was found to be the shortest way to get into the country. One route is by the Yukon, which would be over four thousand miles from Victoria, and which may be described as an impossible and

impracticable route except for a couple of months in the year: it involves transhipment at St. Michael's and a tedious voyage up the river of from thirty to forty days before reaching even the Canadian boundary. With all the attraction in the United States Alaska, only four small vessels succeeded in going up the Yukon last year. There was a comparatively small population last year, yet we know very well, from the reports recently received, that they are threatened with starvation, although two large wealthy companies endeavoured by every means in their power to force in supplies last year, the Alaska Company and the Yukon Company. Both Companies have their establishments at Circle City, Dawson and other ports. Yet the difficulties of getting in through that route were so great that even they failed to provide facilities for getting in the food that was necessary for the limited population that was in the Yukon territory. Those of us who have been reading the newspapers know of the difficulties from the head of the Lynn Canal. The Lynn Canal seems to be the shortest route to that country. The Lynn Canal is about 700 miles from Victoria. To pass into the British territory you have to cross a fringe of land which belongs to the United States. As hon. gentlemen know, the boundary line there is a subject of dispute, and very wide dispute, between the two countries. Hon. gentlemen who are desirous of seing the two boundary lines at that point can consult the map, and they will then observe the very wide difference of opinion that prevails in reference to the location of the boundary line along that coast. According to our contention, and according to our reading of the treaty of St. Petersburg, the United States territory running from Mount St. Elias southward is simply a fringe of the coast, as indicated by that white line on the map. In the treaty of St. Petersburg that fringe of coast was reserved for the Russian fishermen. It was not intended that they were to occupy the interior of the country from St. Elias southward. It was for their convenience; to land on the coast and dry their fish. The country, of course, has been from time immemorial practically an unknown territory. The Hudson Bay Company, and the North-west Company did not penetrate westward to the Pacific Coast, so that it has practically been an unknown land, and when Russia sold Alaska to the United States in 1866, the United States authorities encroached upon this land at various points, wherever there were inlets, and established posts. They practically took possession of interior sections of the country which did not belong to them. The reading of the treaty provided that from Mount St. Elias southward the line of demarkation between the two countries should be governed by the ridge of mountains that runs along the coast, but in no case was the line to go further back than ten marine leagues

Hon. Mr. BOULTON—From what?

Hon. Mr. SCOTT—From the windings of the coast. The words are "the windings of the coast." The interpretation put upon that by the United States authorities has been that wherever there is an inlet it is a winding of the coast, and there are a great many inlets along that coast. I suppose the Lynn Canal runs up thirty-five or forty miles. According to their contention t at is regarded as one of the windings of the coast. They say there is no well defined mountain land or height of land to the westward of it, and that consequently ten marine leagues must be counted from the head of the Lynn Canal. That would throw their boundary very much further into what we claim is Canadian territory.

Hon. Mr. MACDONALD (B.C.)—I thought Mr. Ogilvie and the gentleman from the United States who were surveying two or three years ago had almost agreed within two or three feet.

Hon. Mr. SCOTT—That is on the 141st meridian. Under the treaty the fringe of coast extends up to the 141st meridian. The 141st meridian is believed to intersect the apex of Mount St. Elias, and for convenience it was arranged between the two countries that the apex of Mount St. Elias should be the starting point until the meridian was intersected. In 1885, when Mr. Ogilvie was despatched to that country with instructions to locate the line, no arrangement had been made with the United States. I do not go over the succeeding years, but subsequently negotiations were entered upon with the United States, and they appointed a commission. They sent officers who were to ascertain the true meridian, the 141st degree west longitude, at prominent points: that is where it intersected the rivers, where it in-

tersected the Yukon and the Porcupine, and Forty Mile Creek, and other prominent points. Mr. Ogilvie during the last two or three years—I believe since 1895—was engaged in that service, and the United States commission also attended there. The honourable gentleman from Victoria is quite right in saying that there was but a slight difference between Mr. Ogilvie and the United States engineers at the Yukon River. Practically there can be no dispute about that, as I understand. The difference would be only a few feet. The line has been cut for a considerable distance on each side of the river. It has not been cut through ; it was not considered necessary, because it would probably involve a very large sum. So that in reference to that portion of the line of demarcation between the two countries, there ultimately will be no difficulty. It is a matter purely of mathematical demonstration as to the location of the 141st meridian, and therefore there will be no dispute on that subject, but as to the boundary along the coast, there necessarily must be a reference to an independent tribunal to define the words of the treaty to which I have adverted—that is the treaty made between Russia and Great Britain in 1885—because it is open to a very wide interpretation as to what is the meaning of the range of mountains along the coast, and what is the meaning of the windings of the coast from which, in the absence of a range of mountains the ten marine leagues are to be calculated. No doubt under the best arrangements and most friendly feeling between the two countries where there are ambiguous words in a treaty, there can be no fairer way of deciding an important question of that kind than by such a reference. That it is a very important question to Canada, no one at the present moment can deny. Our approach to our own country, practically, at the present, must be through this United States strip of territory. It would take a very long time to reach it if you were to ascend north from British Columbia. There are, as far as I am advised, at present no ocean ports below the end of this range of territory. As my hon. friend from Victoria stated, the line starts from the southern point of the Prince of Wales Island, which island then belonged to Russia and now to the United States, and the line, according to our reading of the language of the treaty, went north through the channel to the east of the Prince of Wales Island. According to the United States reading, although it is a departure from the language of the treaty, to carry out their contention the line would have to come practically east or rather south of east in order to reach what is called Portland Canal. The whole difficulty arises from the fact that there was not a Portland Canal at that time. There was, in the opinion of those who have given a great deal of study to the question, also a channel considerably to the north of it known as the Portland Channel. That name unfortunately was dropped after the treaty of St. Petersburg. Of course very little attention was given to that country for more than half a century. In the meantime, the United States construed Portland Canal to mean Portland Channel, and they adopted a line running to Portland Canal. To reach Portland Canal, as I have said, you must proceed south of east, and then as the treaty says the dividing line is north to the head of Portland channel to the 56th degree of north latitude. From the 56th degree of north latitude it is governed entirely by the other words of the treaty which provide that the range of mountains along the coast shall be the boundary line, subject only to the condition that where the range of mountains was further off, the ten marine leagues should be the absolute limit of the Russian territory. Honourable gentlemen will understand that in order to readily get into that country it was necessary to pass through the United States boundary. As the hon. gentleman from Victoria knows, in November and December, when crowds of people were attracted by the rumors of gold in the Yukon, the people of Seattle and Portland, and San Francisco put a pressure, no doubt, upon their representatives to insist upon terms and conditions for crossing their territory, which became exceedingly oppressive and onerous. It became a matter of negotiation, and here I may say that my hon. friend the Minister of Justice, in answering the question of the hon. senator from Brandon, (Mr. Kirchhoffer) was I think guilty of no discourtesy, and I am quite sorry if my hon. friend has so misconstrued it. He stated that there were a number of subjects connected with this that could not be made public. He must recognize that where two powers are discussing a delicate subject of this kind it does not help the ultimate arrangement

of it if all the details should be given to the public. It is very well known—and my hon. friend from Victoria particularly knows—the serious embarrassment that was thrown in the way of Canadians and of all foreigners who had purchased their goods in Canada, who sought to cross that fringe of country. It was practically taking away from Canada her trade, if persons were compelled to pay the duty to the United States after having purchased the goods in Canada although they were simply transporting their outfit across a few miles of territory. That was the condition, and so a short time before parliament met matters had reached that delicate point when we felt that if we were going to secure any portion of the trade of that country in the year 1898, it was absolutely necessary that no longer should there be any delay in the construction of some line of railway which would enable persons to go in through British territory. There was no other route possible available, except the Stikine. The Edmonton route has been spoken of. To build a line by that route, even to the waters that are reached by the route over which the contract has been given, would have involved probably a year and a half, or two years. We believe a very large number of people are going into that country this year. Unless there is some better avenue by which food can be transferred to Dawson, it will be simply impossible for one-tenth of the number who propose going there to get in.

Hon. Mr. BOULTON—Would it not be better to keep them out?

Hon. Mr. SCOTT—My hon. friend may be quite right, but we would get the benefit of any increase of population in that country. There is no doubt that a considerable number of those who go in, will buy their supplies in Canada. They will afford traffic to our railways. Already the merchants at Montreal, Toronto, Victoria and other points, as we see by the press, are reaping enormous benefits from fitting out expeditions for that country. Merchants are making special arrangements to put up kits for the trip and we feel the benefit of it. That has been done for a large number of people from England and other European points, and the woollen mills in Canada are working night and day turning out goods a large proportion of which are destined for the Yukon country. It meant simply a sacrifice of all those interests unless some better way was secured for obtaining access to that country than existed at that time. Speaking of the Edmonton route, to which some hon. member referred a day or two ago, I may say on 4th September last, with a view of ascertaining whether that Edmonton route was a feasible route—I wish the hon. gentleman from Shell River (Mr. Boulton) to listen to this particularly—an expedition started from Edmonton, consisting of a body of mounted police, with engineers, to take observations and report on the character of the country. On the 10th December, three months after, they had only travelled about 600 miles. I asked Mr. White to-day where he last heard of them, and he said the last he heard of them, was at Fort Graham. They had all the support they needed. They had their horses and dogs all the paraphernalia necessary for an outfit in order to go through that country with despatch, yet they got no further than Fort Graham on the 10th December. We know very well that persons who left on the Pacific coast in October have gone as far as Skagway and Dyea, and many of them are in camp between Skagway and Dyea, or else between those places and some of the waters in the interior, and unable to get on. We know, as a matter of fact, that it has cost sixty cents to a dollar a pound to transport the food supplies and stores north of the Lynn Canal, and many persons after they had paid that high rate to get across that Pass found they could not get any further and remained there. There are thousands of people who are now between the Lynn Canal and the inland waters in the Canadian territory, unable to get on. Surely no person could be better equipped than Major Walsh, with all the power of the government behind him in order to assist him to get into that country rapidly, because it was of the highest importance he should get in rapidly, but it was impossible, the physical obstacles were so serious. Judging by the existing condition of things in the older provinces of Canada, no one can comprehend what the obstacles are, and in the face of those difficulties and of the necessity in the interests of the people of this country that food supply should go in there this year,—because if 50,000 people go up there this year and 25,000 remain, how are those 25,000 to be fed next winter—will it not be discreditable to this country, with the knowledge that the

congress of the United States, in view of the reports made to them that miners were starving in that country and that there would be great loss of life, voted $200,000 in order to purchase food to be sent to that country, chiefly for United States miners? There is no incident in history that can at all compare with that. That of itself furnishes the best possible proof of the absolute necessity for prompt action being taken.

Hon. Mr. BOULTON—Is Major Walsh on the line of this proposed railway?

Hon. Mr. SCOTT—No, he is down very much further according to last accounts.

Hon. Mr. BOULTON—Will the railway remove the obstacles which are stopping him?

Hon. Mr. SCOTT—No; what this railway will do will be to enable the stores that are brought up to Glenora to be moved on to waters that will carry the stores down to Dawson. That is what this 150 miles of railroad will do. It will remove unlimited amounts of stores for that 150 miles, which was the difficult portion to be got over. I understand four steamers are now being built in the city of Toronto, in connection with this railway project, for the purpose of enabling them to carry stores from the mouth of the Stikine up to Glenora.

Hon. Mr. BOULTON—Is not Major Walsh at the waters that these steamers are to navigate upon?

Hon. Mr. SCOTT—No, he is much further down.

Hon. Mr. BOULTON—He has to pass that route. On the road to Dawson the supplies have to pass the same difficulties he is contending against.

Hon. Mr. SCOTT—Yes, but there is this peculiarity about it, that the upper waters of the Yukon and the tributaries of the Yukon are open and free from ice about six weeks earlier than the ice leaves the Yukon opposite Dawson. The ice does not get out of the Yukon River towards its mouth until the month of June. The first steamers that will ascend the Yukon will not reach the international boundry before the month of July, and if the people who are threatened with starvation at Dawson and Circle City and other points, were relying on the Yukon vessels to relieve them, they would be for two months without food, because steamers on the Yukon would not reach Dawson before the month of July, but reaching Dawson from the south, I am advised that towards the end of May the ice breaks up on the upper waters and the boats will go down with the ice. Some hon. gentlemen suppose that in that country it is possible to travel in winter. Any hon. gentlemen who were present at Mr. Ogilvie's lecture last night, will have had that view removed from their mind. According to the pictures that he showed us, which were absolute photographs—they were thrown by limelight on canvas—it was impossible to travel on the ice. He cited as an instance where a party wishing to make great speed, took three days to make nine miles. He said it was impossible to travel along the banks and on the river the ice had been thrown up in sections, and in that way you had simply to cut a trail through the ice before you could secure a passage. So that hon. gentlemen will see that the only way to get relief into that country was the course taken by the government. Hon. gentlemen are quite right in saying that the policy of the government, has been that no contracts, particularly of this magnitude, should be given out without public tender, and it was a great wrench when we had to ignore that principle, but we felt in the public interest there was no alternative for it. There were very few contractors in this country that had the plant and the capacity and the ability to undertake that work and put it through in so a short time. To build 150 miles of road in Ontario, or in some of the other provinces, with money and with materials ready at hand would be a very easy matter; but to built 150 miles of railway up in that country, and to encounter the difficulties that I have, in some measure, described in order to get your materials there is a very serious matter indeed. In addition to that they undertook to make a winter route along the Stikine River within six weeks. That winter route would be open to everybody to come in. Persons can leave now and be sure of access up to Glenora on the winter road.

Hon. Mr. BOULTON—Without interference by the United States authorities.

Hon. Mr. SCOTT—Oh, yes. In speaking of the treaty with Russia, I should have mentioned one of the other features of it

which is quite important. In the original treaty between Great Britain and Russia, in 1825, there was an express stipulation for all time to come, the words are "for ever" —that all the streams crossing Russian territory were to be free and open on equal terms to the people of both Russia and Great Britain. It was not simply the privilege of using the rivers for commercial purposes, it was an absolute right or equal interest in those rivers that Russia then had, and that was the position of matters down to 1866. Why it was that Great Britain or Canada made no protest at that time when the United States purchased Alaska with this provision which was guaranteed by Russia, and which was a part of a solemn treaty, and why it was not made also a part of the treaty between the United States and Russia when the sale took place, I am unable to explain. I know not who was to blame for it, or why attention was not called to it. Subsequently, in 1871, in the Treaty of Washington, provision was made that Canada should have the right of navigation for commercial purposes of the Yukon and the Porcupine and the Stikine, but hon. gentlemen will notice that that is a very much more limited interpretation of the terms of the original treaty than the language of the treaty itself. I do not know who is to blame, if any one is to blame, for all this omission, but there is the fact. The original treaty is clear and plain which gave us an equal interest in those rivers. Our interest now is somewhat restricted. We use those rivers simply for commercial purposes, as the United States use the St. Lawrence. As I said before, there were two companies incorporated to build railways from the coast: neither of those companies made any overtures or proposals to go on with the work. A gentleman representing a very wealthy English syndicate, Mr. Kersey, who had sent persons up into the section between the Stikine and Teslin Lake in order to examine the country with a view of building a railway, announced that this company were going to put steamers on the Stikine and on the waterways between the Stikine and Dawson and the Yukon River. After getting his reports, I understand he went to England a few months ago to confer with the people whom he represented. He returned to this country four weeks ago but made no direct proposition to the government. He did express, unofficially a desire to secure the contract for the building of a railway, but he said that the company, in addition to any land grant, would require a money subsidy. We did not feel that it would be advisable or prudent to give a money subsidy. We know how uncertain mining interests are. For the present, while marvellous wealth has been found to exist in the Klondike and in Bonanza Creek, and in three or four other creeks in that region, there was no certainty that that extended over the whole territory, and therefore we hesitated about giving a money subsidy. We probably should have been censured, if we had done so, by the very gentlemen who say "Oh it would be much better to give a money subsidy than the land." We said "if this railway can be built without putting the people of Canada to any great expense it should be built." A land subsidy does not involve taxing the people. Hon. gentlemen regard it now as a valuable heritage. Two years ago they did not regard it as of any value, because it has no value unless it has a mineral value. It is simply bare rocks that have no possible value except for the minerals beneath the surface, and therefore we felt that if the road could be built and the country opened up by a land subsidy we should be amply justified in granting it. There were no contractors—I say it without any hesitation—that were superior to those men. They knew something about the country and knew where to lay their hands on bodies of men and plant. They were prepared to do the work and do it instantly, and put up a forfeit of a quarter of a million if they did not. There were not many men in Canada who would undertake to do that. They wanted a large land subsidy and a money subsidy as well, but we said "it cannot be done; we will not give you a money subsidy, we will not take the peoples money to develop that place yet; it is too uncertain a a thing." It may be a good thing and we hope it will for the country but we cannot at present draw any such conclusion.

Hon. Mr. BOULTON—Why did you not take the land from the province of British Columbia?

Hon. Mr. SCOTT—We would have to confer with the province of British Columbia first. British Columbia has offered

large quantities of land for a road built through this belt. The Crow's Nest Pass Company had a charter since 1884. It was known it was going through 250,000 acres of coal land, and yet you could not get a dollar on that charter. It was talked about year after year, and finally taken up by the C. P. R. Company.

Hon. Mr. MACDONALD (B. C.)—Where ?

Hon. Mr. SCOTT—In British Columbia, and my hon. friend from Victoria will set me right if I am wrong, the last time I looked it up there were several charters leading in different directions to which a subsidy of 20,000 acres per mile was attached. No doubt about that at all ; and, therefore, there was nothing extraordinary about our giving a subsidy in that way. Now as to the crucial point, which is the land, hon. gentlemen have said we have allowed this company to select the lands as they please. I deny it at the very outset. I say if we had allowed this company to select their lands as they pleased they probably would have undertaken to build the road for 100,000 acres.

Hon. Mr. MACDONALD (B.C.)—Has the hon. gentleman the contract in his hand ? If so, will he please read the clauses referring to it.

Hon. Mr. SCOTT—Where the gold has been found in that country, as probably hon. gentlemen know, is in creeks with very little water, creeks that are practically dried up ; they are called gulches. The mining licenses have been issued across those gulches : they are usually a couple of hundred feet wide, the limit of width I think is 250 feet, and the precious metal is found in that narrow space. Hon. gentlemen will see by the plan on the Table, that if the contractors want to take up blocks of land along a gulch, they place a stake at one end of the gulch, and at a distance of 24 miles in the direction of the gulch they place another stake ; a straight line is then run from one point to the other.

Hon. Mr. MACDONALD (B.C.)—Who selects the gulches ?

Hon. Mr. SCOTT—They have the right to go and select anywhere ; they then take a block of land extending three miles on either side of this centre line. That makes a block of land six miles one way by three miles the other, the government reserving the alternate block. For instance : they run out 24 miles, that would consist of eight blocks. The contractors would take blocks 1, 3, 5 and 7 ; the reserve would be 2, 4, 6 and 8, which would be open to free miners, or to such an arrangement as the government might please.

Hon. Mr. BOULTON—Have not they the right to take an even numbered block on each side of their odd numbers ?

Hon. Mr. SCOTT—No ; where they have the odd numbered block they can extend their block out to three ; then the government would be retaining the corresponding blocks on each side, so it is practically carrying out the alternate system. That block of land represents 46,000 acres that those gentlemen would get ; the whole valuable part of that block would probably be about eighty to one hundred acres, the rest is not worth looking at ; it consists of mountains of rocks, and gold is not found in the mountains. There may be quartz mines, but that does not extend everywhere. At present the gold is found in the little creeks along the gulches, so that eighty to one hundred acres is all the value there would be in the 46,000 acres. When you boil it down it amounts to very little, that is, as far as the gulches are concerned. Now I will answer my hon. friend from Shell River (Mr. Boulton) who said we were giving to these men one-half the country. The extent of the gold zone there, as stated by Mr. Ogilvie, consists of a belt 500 by 300 miles. He estimates it at 125,000 square miles. It is rather more than that.

Hon. Mr. BOULTON—Is not a portion of that in British Columbia ?

Hon. Mr. SCOTT—No, that is outside—all north of the 60th parallel. Now, that represents, working it out carefully, eighty odd million acres, so hon. gentlemen will see this company in getting 3,750,000 acres, receive a very small fraction of the whole country.

Hon. Mr. BOULTON—But the choice.

Hon. Mr. SCOTT—Yes, the choice ; but we retain the other half.

Hon. Mr. KIRCHHOFFER—About one-half of the mineral lands.

Hon. Mr. SCOTT—We cannot estimate that. I would not undertake to contradict my hon. friend, because we cannot form any estimate ; neither he nor I can. According to Mr. Ogilvie, there would be a great deal more, because there are a great number of streams. Although the Klondike is a comparatively small stream, I suppose already they have found gold on probably ten or twelve different tributaries of the Klondike; the Bonanza Creek is a tributary, and there is a tributary to that creek. The best lands, no doubt, are in the gulches—that is, the richest mines ; if they take the quartz mines I do not suppose any one would grudge them their lands, because they have to employ a large amount of labour to work them ; they have to bring in expensive machinery, and it is very seldom that a high royalty is exacted on quartz mining. In the province of British Columbia, where they put on as large a royalty as locations would bear, on the best mines, the royalty is only two per cent. In Alaska, across the boundary from our territory, there is no royalty at all ; in California there was no royalty. So it is rather an innovation on this continent. I think in Nova Scotia they have two per cent royalty, certainly on this continent there has been no higher royalty charged except by this government. We did it for this reason, because we thought here were certain localities that were going to yield very rich results, and it would stand a much higher royalty. But in this connection, hon. gentlemen must bear this in mind, that the man who takes up one of those 250 feet claims is not charged any royalty until he has made a pretty good thing out of it. He has to get $2,500 each year before he pays any royalty. He is exempt to that extent. Then in granting licenses for sub aqueous mining where you have to put in plant, there is an exemption for every five miles of $15,000 that a miner has to get out before it is called upon to pay royalty.

Hon. Mr. PROWSE—What month was this ten per cent royalty put on by the government ?

Hon. Mr. SCOTT—I do not think the Order in Council was passed before November or December last. We were unable to get any official reports from that country. There were six or eight months that we could not hear from Mr. Ogilvie, until Mr. Sifton met him when he went up in November and December, and we had not had his report. Mr. Ogilvie was snowed up there in the winter of 1896, and there were no communications. Of course there were men coming out from there who gave us those rumors of large finds ; they came out in order to get provisions, because they could not exist any longer, but so far as official information is concerned, we were unable to obtain it, and I think it was only in the month of October or November that the facts were known.

Hon. Mr. MACDONALD(B.C.)—Did the hon. gentleman see the report of Mr. Ogilvie, that he found ore giving $100 to the ton ?

Hon. Mr. SCOTT—Yes.

Hon. Mr. MACDONALD (B.C.)—The Alaskan mines only yield from five to seven dollars a ton.

Hon. Mr. SCOTT—Yes, of course there are much richer mines higher up in Alaska. As far as the quartz mining is concerned, individual enterprise can accomplish nothing. It will require companies with very large capital. The effect on this country will be very great, and it can only be developed by large syndicates undertaking the work. The result will be that Canada will derive a very great benefit from it. The supplies for that country will have to go from Canada, and we know consumption in mining claims is very large relatively per head to the consumption of the country generally. With reference to my hon. friend's question, I may say that I find the regulations were only approved on the 18th of January of this year. We had, I think, passed an Order in Council in August or September making a scale, but that was disapproved of when we sent it up to the officials—that is, making a scale for the poorer mines to pay a less royalty and the richer ones a larger royalty. I hold now in my hand an Order in Council under which the regulations were framed, and it is dated the 18th of January. That will show what the gulches are like. You will see that the real value in these six miles across, if they take up their claims along a stream, is confined probably to 200 feet ; outside of that

there will be nothing but rock, wholly valueless. In addition to lines along the gulch, or stream, or river they have the right to mark a post down at any point, but if they do they must run at least 24 miles and they must run on a direct line north and south and east and west.

Mr. McMILLAN—Why give them that large quantity of land if it is valueless? Why not call it a small amount?

Hon. Mr. SCOTT—My answer is that we know so little about it that in making a contract with the railway company, I suppose, it adds to their credit very considerably to have a large area; there is no doubt about that, and they will no doubt represent that a large amount of this land must be absolutely valueless, but it would not be proper for us to undertake to give them absolute choice of taking up mining lots as free miners take them up. Free miners take up 250 feet, but when they do take up 250 feet they have something valuable, something that is worth working, but when a contractor takes up 250 feet he has to take six miles across so he has to take a very large amount of no value.

Hon. Sir MACKENZIE BOWELL—It is impossible to know whether it is of any value or not.

Hon. Mr. SCOTT—We know very well the bare rocks themselves alongside of the streams are not valuable. Now taking up the contract, which I hold in my hand, the line is to be a narrow gauge road. There is no doubt an objection to that, but if that country proves of the value that we hope it will, we believe that this road will be extended down to intersect the Canadian Pacific Railway.

Hon. Sir MACKENZIE BOWELL—Where?

Hon. Mr. SCOTT—At some point in British Columbia, Ashcroft or Revelstoke. From what I have read of Cariboo and Cassiar, and the section between the Canadian Pacific Railway and the 60th parallel, which is the boundary of British Columbia, I believe that before many years you will get a company to build a railway there for a land grant, directly north, to connect with this road if the Yukon country is to prove ultimately of the value that we hope it will. In this contract the contractors have no monopoly. One of the conditions demanded was, "you must allow us to build to Lynn Canal." We said "no, we are face to face now with a very serious difficulty in crossing that fringe of country; we cannot undertake to allow railroads to be built across that to intercept Canadian trade. Unless we get some satisfactory arrangement with our neighbours in reference to the bonding privilege, it would be impossible to foreshadow what might be the result, and therefore we will not allow you to build along that country, and we will not grant a charter to anybody else for five years. We will, at all events, take five years in order to make up our minds what is best to be done." There is no monopoly there that any hon. gentleman in this chamber does not approve of, and I am quite sure that every hon. gentleman who has given any study or thought to the difficulties we have had in getting across this fringe of country must realize the difficulties under which we labour; my hon. friend from Victoria has had a personal experience of it. Why, during October, November, December and January, long telegrams were coming constantly from the government of British Columbia, from merchants and the Board of Trade in British Columbia and other points, begging our interference to enable traffic to cross there, asking that we shou'd put difficulties in the way of foreign travel in our own country unless concessions were made to us. It would take me a considerable time to explain the obstacles and difficulties we have had to contend with in that matter. We hope now they are practically settled and we think they are. But, in the meantime, it would not be a wise policy on the part of Canada to grant a charter and give any assistance to build a road through the disputed territory. No one would approve of that.

Hon. Mr. FERGUSON—That is what this contract does.

Hon. Mr. SCOTT—No.

Hon. Mr. FERGUSON—It does it precisely, but subject to Order in Council.

Hon. Mr. SCOTT—What we said was this: unless you get the consent of the Governor in Council we will not allow any other road to be built there.

Hon. Mr. FERGUSON—The contract allows it to be built.

Hon. Mr. SCOTT—The hon. gentleman will see the wisdom of our policy. There are, at the present time, two charters across that territory. If they attempt to build, then we should permit those contractors to build. If they do not attempt to build, we will allow no one else to build during the five years, but it is not likely the holders of the present charters will build. If they do, then it will be open to any one to build. What we do provide is that there shall be an extension southward to a point that is indisputably in Canadian territory, and that we will give the preference to those contractors if we are extending any aid to a company to make that connection.

Hon. Mr. FERGUSON—For ten years.

Hon. Mr. SCOTT—Yes. I think that before that time there will be a line built from Ashcroft or some point in British Columbia.

Hon. Mr. POWER—Or Edmonton.

Hon. Mr. SCOTT—Of course, the Edmonton route will not interfere with the present proposal. It may be found to be a feasible route. It is a 1,600 mile route, but for four or five hundred miles there is very fine land which, at all events, will furnish food for the people—good grazing land and good wheat land, so there are attractions attached to the Edmonton route, although it will take some considerable time to build it. They have the ten years as a preference only. It is open to any one to build. Any one can now build a road through any part of British territory to that country. There will be no interference with any charter that is granted by parliament to build a line to that country through British territory. This Company has no exclusive privilege whatever.

Hon. Mr. FERGUSON—Unless you vote money or lands.

Hon. Mr. SCOTT—If we give money or lands to the company building from the Stikine River southward, and they undertake to do it as low as any other company, we will give it.

Hon. Sir MACKENZIE BOWELL—You are obliged to give them the preference.

Hon. Mr. SCOTT—Yes, but they must be willing to build as low as any other company will build it. The snow roads and shelters are valuable because they enable any one to go in at once by the Stikine River. They must continue the road down to Teslin Lake. They are also bound to put on steamboat connection with Dawson. That will be done without any doubt. The security I need not discuss. The grant as I have already explained very fully, is 25,000 acres per mile, to be selected in the manner I have already explained. I shall be very glad indeed to give any further explanation on that point if hon. gentleman desire it. The company must take up half their lands within three years and the other half within six years. It practically means nothing. If there is any value in the country they will want to take up their lands as soon as possible. It is not like agricultural land; it is only mineral land, and the contractors will be anxious to secure their tract as early as they have earned it. There are certain rivers reserved, the rivers which form the water connection between Lake Teslin and the Yukon and some other larger streams. The banks are excepted; 25 feet on each side, so that parties can use the river and there will be no interference with navigation. Any miners taking up locations, before the contractors blocks are actually staked out on the ground, are exempt, and the contractors have to recognize those and give them all facilities for crossing and recrossing portions of their lands. As to the royalty, I have already explained that the highest royalty outside of the Klondike region in any part of Canada is two per cent.

Hon. Mr. BOULTON—Will they have power to charge a royalty of ten per cent to any parties leasing lands from them?

Hon. Mr. SCOTT—They can do as they please. There will be this advantage, however, in having a wealthy syndicate interested in taking up those lands—the syndicate will explore the country. The cost of examining that country is very large, indeed—it is very expensive getting about. The time within which it can be done each year is limited to a couple of months, and the effect of interesting large capital in securing mining rights in that country will be that they will have experts in the country endeavouring to find the best locations. When they have found the best places, half the locations are to be open to the free miner, and the free miners can follow the experts.

Hon. Mr. MACDONALD (B.C.)—That is, the government blocks are open to free miners?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BOULTON—Is not the company likely to take advantage of the prospecting done by the 100,000 people now scattered over the country, instead of employing experts?

Hon. Mr. SCOTT—It is open for them to do that. Of course they will do the best they can in that country. If the free miners can get a better location by following the company's experts they will do so. Within a few yards of the streams which have proved so rich we have had miners examining the country the last fifteen years. Mr. Ogilvie was there in 1885 with his party. Miners were in that region years ago finding gold here and there in comparatively small quantities, making what they called a grub stake, merely a living, and the rich deposits have only recently been struck. So, hon. gentlemen will appreciate at once the difficulties which the miners encounter in locating a valuable site. It involves a good deal of labour to get down where the gold is. In many instances they have to cut down through ice and frozen earth, a distance of eighteen, twenty or twenty-five feet, and after a man has given a month to an investigation of that kind, if he fails it is a serious matter for him. If experts who are employed by wealthy syndicates are engaged in that work, you can be quite sure that their discoveries will enure to the great body of the people, because the great mass of the miners there, if the experts find anything good, will at once flock in and take up claims on the intermediate sections. They have the run of three miles of country on each side of the company's sections, so there is a public advantage in enlisting a wealthy syndicate in making the discoveries that we hope to make from time to time in that country. There is a provision with reference to farm lands, but I am not aware that there are any farm lands in that country. There is a provision that after ten miles are completed the contractors can make a selection of a limited quantity. That quantity is limited to 92,000 acres, to be selected in the way I have described, and as they finish each ten miles a similar quantity. It is not to be supposed that the road is to be finished this year up to the standard which we recognize for our railways, and therefore the selection of the great bulk of their lands will be thrown over for another year, so that the free miners will have practically all the advantages of the present year in making their selections. In reference to the rates, the rate is fixed in the first instance. No doubt conditions have to be considered, and it will be for the government to say what will be a reasonable rate to start with. That rate will be from time to time cut down until ten years is over --I think that is the limit they have—and then it comes under the general railway law of the country. Then, where hydraulic mining is concerned, the company do not control the water. The water will be reserved and distributed to all parties interested, under the direction of the Minister of the Interior. As it is near six o'clock I move that the debate be adjourned.

Hon. Mr. O'DONOHOE—With the permission of the House I will read an item which has just appeared in this evening's *Journal*. It is headed as follows :—

GOLD ! GOLD ! GOLD !

FIFTY THOUSAND DOLLARS PICKED UP IN ONE DAY.—A SEEMINGLY RELIABLE DISCOVERY IN ALASKA.—VANCOUVER MERCHANTS ASKED TO GIVE AWAY THEIR BUSINESS AND HASTEN TO THE NEW ELDORADO, WEST OF THE INTERNATIONAL BOUNDARY.—FOUND IN THE CREVICES OF THE ROCKS.

These are the rocks which, we hear, have no value.

Hon. Mr. SCOTT—That is west of the international boundary.

Hon. Mr. O'DONOHOE—I am not saying that it is in our territory, but it is in that locality. The following is the despatch :—

Vancouver, B.C., Feb. 10.—A fabulous find is recorded to-day on Unknown Creek on the American side in the Yukon territory. Fritz Behnson, of Victoria, B.C., writes his brother Karl: "We have struck it rich on Unknown Creek across the border, never before seen by man. In the crevices of the rock in one day we picked up $50,000 in coarse gold. Sell your business or give it away and come quick with ten men."

The Behnson's have large business interests here and are thoroughly reliable. The news spread like wildfire, and a stampede to the American side will result as soon as the locality is located.

Hon. Mr. MACDONALD (B.C.)—That is in United States territory. We have also

something on our side. The following is another despatch in the same paper :—

STRUCK IT RICH.

Vancouver, B.C., Feb. 10.—Information just brought down from Dawson is to the effect that A. W. McConnell, who left Vancouver August last, reached Dawson on October 1st, has struck it rich in the Klondike, making from $75 to $100 per day.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, 11th February, 1898.

The Speaker took the Chair at Three o'clock.

Prayers and routine proceedings.

CROW'S NEST PASS RAILWAY STOCK.

INQUIRY.

Hon. Mr. BOULTON rose to inquire :—

Has the Canadian Pacific Railway Company applied to the Government for authority to increase its capital stock on the Crow's Nest Pass Railway under the authority of the Act of 1893, which requires the sanction of the Government thereto? Has the Government any knowledge of preference shares being issued under the authority of the same Act but which does not require the sanction of the Government, or bonds being issued under the authority of the charter giving the company power to build branch lines?

He said :—The object of the inquiry I wish to make of the government to-day is in regard to the construction of the 320 miles of the Crow's Nest Pass Railway for which a bonus of $3,500,000 was given by the country last year. Under their original charter power was given to the Canadian Pacific Railway Company to build branch lines and also to issue, I think, $20,000 per mile bonds upon any branch lines they may build. They have, in addition to that, the power to issue preferential shares by the Act of 1893. The power is conferred by clause 37 of its charter in respect to preferred stock, and it is provided that the aggregate amount of any such stock shall not be more than half of the stock outstanding. That is what is called preference shares and for which they obtained the power to issue bonds. They issued an amount of bonds when the Act was passed, and last year there was another issue of five or six million dollars. They have the power to issue that without coming to the government, and in addition to that they have the power to increase their capital stock without coming to parliament.

Hon. Sir MACKENZIE BOWELL—I do not like interrupting the hon. gentleman, but I think a moment's reflection will suggest the impropriety of going on with that motion until after the address is adopted. It is always looked upon as an act of discourtesy to a governor, or to the government if you like, to do any business until the address is adopted, which is an evidence of the confidence of the people in the administration which asks its approval. I assure my hon. friend that it is not with any intention of preventing him from going on with his motion, but I think we had better adhere as nearly to the precedents of parliament as possible. I call the attention of the Minister of Justice to the matter.

Hon. Mr. MILLS—I notice that on the Order paper my hon. friend's question stands before the Orders of the Day. There is no doubt a great deal of force in what the hon. gentleman says, and if the question were simply put as an inquiry without any speech or discussion, there might not be any objection, but my hon. friend is making a speech upon it.

Hon. Mr. BOULTON—I do not propose to make a speech.

Hon. Mr. MILLS—That is a good intention, but my hon. friend has not been acting upon that intention, and that being the case, I feel there is a great deal of force in what my hon. friend opposite says. I do not know that it is a strict rule, but each House claims the right to submit bills and to give such notices with a view of maintaining their rights as distinct branches of parliament as against the Crown. But what my hon. friend says is no doubt perfectly consistent with the settled usage of parliament that we ought to deal with the address before we take up matters which are questions of very considerable importance.

Hon. Sir MACKENZIE BOWELL—The point referred to by the Minister of Justice to my mind has no force: that is, that the motion stands before the Orders of the Day. If the hon. gentleman will look at the Votes and Proceedings of the House of Commons he will find some fifteen or twenty such motions. I know that there is no rule, but we are governed by precedent, and no one knows better than my hon. friend that the British constitution is based upon precedents almost entirely. If you could go on with these motions here, and they could go on with such motions in the House of Commons, you might delay the passage of the address in answer to the speech from the throne indefinitely.

Hon. Mr. MILLS—Yes, perhaps till the end of the session. There is no doubt about that, and therefore there is very great convenience in the practice which my hon. friend has referred to.

Hon. Mr. ALLAN—There was a case in point which occurred during the time Sir John Abbott was leader of the House; I think it was the year he came here from the House of Commons. He introduced some measure before the debate on the address was over, but withdrew it on the representation that that was contrary to the usual practice of the House.

Hon. Sir MACKENZIE BOWELL—There is no urgency, I suppose.

Hon. Mr. BOULTON—I have not the slightest objection to let the notice stand until after the adoption of the address. I was called upon by the Speaker to make my motion, and the printed order of the House put me in that position. It is not a matter of such importance that it cannot stand for a day or two.

The notice was allowed to stand.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day having been called,

Resuming the further adjourned debate on the consideration of His Excellency the Governor General's Speech on the opening of the Third Session of the Eighth Parliament.

Hon. Mr. SCOTT said: Hon. gentlemen, when on a motion by myself the debate yesterday evening was adjourned, I had been endeavouring to answer some of the objections that had been urged by hon. gentlemen to the contract made between the government and Messrs. Mackenzie & Mann. I might sum up in a few words the reasons that prompted us to enter into the contract at the time we did. We could have had a line constructed from the head of the Lynn Canal across United States territory up to navigable waters at a very much less cost; no doubt parties would have been willing to have constructed that line although no positive offer was made that I am aware of, but it was impossible for us to consider any proposal of that kind in view of the manner in which the Canadian merchants and Canadians going in over United States territory had been treated by the Customs Department of the United States. We were deluged with telegrams from boards of trade and commercial houses all over this country, for five or six weeks before parliament met, calling our attention to the obstructions in the way of establishing trade with the Klondike region in consequence of the difficulties encountered in crossing through the United States territory. I do not propose to discuss what occurred in our correspondence with the United States It might not be seemly or proper to do so here. Also looking at the country and the opportunities for winter navigation at the Lynn Canal, there is no doubt whatever that nature has pointed out that as the proper way of obtaining entry into our own territory.

Hon. Mr. BOULTON—You mean the Lynn Canal.

Hon. Mr. SCOTT—Yes. It is the shortest and the quickest, because it is only 700 miles by sea from Victoria or Vancouver, and it is accessible at all seasons of the year; although the passes are difficult, engineering skill would probably have overcome the difficulties, if a fair arrangement could have been made with our neighbours in reference to a railway through that portion of their territory, or had they even consented to have adopted a line of communication between the territories of the two countries. But as, during the last twenty years, it has been found impossible by former governments to get the consent of

the United States to lay down the boundary line there, it seemed to be a hopeless task to enter upon any further discussion of that subject, and, therefore, we were forced to the adoption of the line between Teslin Lake and Stikine River.

Hon. Mr. FERGUSON—Do I understand my hon. friend to say that an effort was made to secure the consent of the United States government, and they refused it?

Hon. Mr. SCOTT—No; the difficulties in our way across that fringe of country were so serious that we would not have been justified in favouring the construction of a railway across it, because we had no assurance that we would not have to pay duty for traversing, perhaps, a mile or two of United States territory.

Hon. Sir MACKENZIE BOWELL—The bonding system would soon settle that.

Hon. Mr. SCOTT—I cannot say that.

Hon. Sir MACKENZIE BOWELL—What would be the difference between the difficulties presenting themselves on the Pacific coast, pointed out by the hon. gentleman, and the difficulties presenting themselves by going to New Brunswick, by what is called the Short Line through Maine?

Hon. Mr. SCOTT—No difficulty has been offered there, but we found that our traders and dealers were met with actual difficulties in crossing this fringe of territory on the Pacific coast, we know it from actual experience, and we had endeavoured by correspondence and personal interviews with the members of the United States government to minimize at least the difficulties, and within the last few days they have in a certain measure been reduced; therefore we were forced to the selection of a line through Canadian territory, and that was the only section which was available by which transport could be made into that country during the present year. It was felt that if we did not obtain access to the country during the year 1898, the large body of people expected to go into that country would fit out and pass entirely into that country under United States auspices, and that would be a very serious loss to the trade in Canada, and although the road may not be open until September, yet under the arrangement with the contractors facilities are to be created immediately so that the products, goods and outfits can be brought to Glenora, the southern point of the proposed railway, and be ready to transfer when the railway is opened. It was not supposed that the railway could be completely built within the short period between May and September, but that it would be in a sufficiently completed state in order to carry supplies over it, and therefore we were constrained in a manner to deal with parties who had the capacity and the ability and who were ready with the plant to go on with the work—who had the financial ability to undertake it. As to the magnitude of the subsidy, which has been so exaggerated by the press and some hon. gentlemen, as I explained yesterday, if the contractors had been permitted to select the land as they pleased themselves I have no no doubt they would have been glad to build that road for 100,000 acres, because, as I explained yesterday, in my judgment 95 per cent at least of the land to be selected by this company is valueless, absolutely valueless. There is no value in the rock certainly, and on each side of these gulches and each side of the streams and creeks every hon. gentleman who has given any study and thought to the physical conditions of that country must recognize that it is absolutely valueless rock. Any one who saw the lime light views of the lecturer the other night will realize the character of the country on each side of those gulches. It is simply solid rock, absolutely useless and valueless. Then again it was thought that it would be a very important matter to have the contractors interested in prospecting, because their efforts in prospecting will enure to the benefit of the free miner. Then in reference to the question of royalty—I speak subject to correction—the mining regulations in the North-west did not provide for any royalty. It has not been the practice of the government of Canada to exact any royalty. The royalty in Nova Scotia and British Columbia was two per cent. There was no precedent for any higher royalty than that. So that hon. gentlemen when they came to analyse the terms and understand them will find they do not bear the construction that has been put upon them by outside parties and the press. I should like to say a few words in reference to another very important paragraph of the Speech which has elicited some very caustic

remarks—that is charging the prime minister of this country with having omitted to avail himself of what was said to be an offer to give Canada preferential trade. I say emphatically that there is no scintilla of justification for such a statement. I shall very briefly go over the case, and I think I can satisfy hon. gentlemen that no such deduction can be drawn by them; that if Mr. Chamberlain and every member of the government were to pledge themselves to such a policy it could not be accomplished. The people of Great Britain would not consent to it; the parliament of Great Britain would not adopt any such measure. What I state here is this, that had Sir Wilfrid Laurier pursued any other course than he did, he would have failed to obtain the denunciation of the Belgian and German treaties, and he could not have placed Canada in the high place she occupies to-day in political circle in Great Britain, as manifested by the high price that our debentures command to-day. It is the first time that any British colony has sold its debentures at two and a half per cent interest, and our standing is farther shown by the amount of capital coming into Canada for investment and the attention given to Canada in British financial circles. In order to thoroughly appreciate the obstacles in the way of preferential trade with the mother country, I invite hon. gentlemen's attention to the history of this matter. In 1881 the late government, in its desire to favour the sentiment that was rising in Canada for preferential trade with Great Britain and, knowing the difficulty there was in consequence of the various treaties containing what is called the favoured-nations clause, they passed an Order in Council deputing Sir Alexander Galt, then High Commissioner, to make an appeal to the Imperial authorities to relieve Canada from these treaties. The answer was that it was impossible to grant the request. They could not consider it at all. In 1891, ten years after, the parliament of Canada unanimously adopted a resolution praying the British government to denounce the treaties. The petition is given in the last paragraph:

> The Senate and House of Commons therefore humbly request Your Majesty to take such steps as may be necessary to denounce and terminate the effect of the provisions referred to, as well as the treaties with the German Zollverein and with the Kingdom of Belgium and with any other nation in respect of which such provisions are now in force.

To that a cold refusal was also given. Then probably the most important meeting of representative men outside of Great Britain took place, as you all know in July, 1894, under the presidency of my hon. friend opposite. This question naturally attracted the attention of the distinguished men from all the colonies who met in this chamber. It was probably the most prominent question discussed. At the time the British Empire League was in full force and life and there was a feeling throughout the British Empire that it was desirable there should be some closer commercial relations between the colonies and the mother country. It was a most laudable ambition, and one would have thought it would at once have commanded the attention of Great Britain. At that conference which the premiers and the leading men of the Empire outside of Great Britain attended here, they adopted this resolution after discussing the question fully:

> That this conference is of opinion that any provisions in existing treaties between Great Britain and any foreign power which prevent the self-governing dependencies of the empire from entering into agreements of commercial reciprocity with each other, or with Great Britain, should be removed.

The representative of the Imperial government—I have not the report of his speech here—I believe, intimated that it was unlikely that any such request would be acceded to. The formal answer came, however, from the British government in a despatch from the Marquis of Ripon to the Governor General of Canada, and the various governments of the different colonies in which he refers to that resolution:

> In regard to the separate denunciation of these articles, it may be stated that both the Belgian and German governments have been asked whether they would consent to the abrogation of these particular clauses without the rest of the treaties being terminated, and the reply in both cases was to the effect that the clauses could not be denounced apart from the rest of the treaty.

Now, that is the answer to the largest gathering of colonial statesmen that ever took place. Adverting to the reasons that prompted that action on the part of Great Britain, I shall briefly call attention to what Canada asks. Canada, through the Imperial Confederation League, and through other channels, asked that her products should have a preference in the British market. The answer has always been that it was too insignificant to discuss, that it would be

unfair and unreasonable to ask the British workmen to be taxed for the benefit of the Canadian farmer. That is practically what it meant, and in order to fully appreciate that I shall briefly draw your attention to the figures as I take them from the Statesman's Year Book of 1896. Our export differs slightly from that. But it is only a matter of a few dollars. In 1896, according to the British returns, the grain and flour purchased by Great Britain amounted to $250,000,000. Canada sold to Great Britain between ten and eleven million dollars' worth. Therefore, we were asking, in reference to grain and flour, that the British people should tax themselves on $240,000,000 of breadstuffs in order that we might obtain a preference for our ten or eleven million dollars.

Hon. Mr. McCALLUM—They would not pay the whole amount.

Hon. Mr. SCOTT—The whole importation would be taxed. It would impose a tax on all the consumers in the United Kingdom, or else we got no benefit of it.

Hon. Mr. McCALLUM—They could not give a preference to Canada at all?

Hon. Mr. SCOTT—Certainly not, because it would involve an increase in the price of all the rest of the grain and flour imported into the United Kingdom.

Hon. Mr. BOULTON—It meant taxing $250,000,000 worth.

Hon. Mr. SCOTT—Canada's interest in the importations of Great Britain that year amounted to 4 per cent. In the live and dead meat trade the importations into Great Britain in 1896 were $166,000,000: Canada's portion of that amounted to $7,000,000, which would be 4½ per cent. In the butter and oleomargerine trade the importations were $83,000,000, and Canada's interest in that importation was $1,000,000, being 1½ per cent.

Hon. Mr. FERGUSON—These figures are not of value unless what all the colonies supply are taken in.

Hon. Mr. SCOTT—I was speaking for Canada alone. It is a mere matter of the addition of a very small amount if the other colonies are included. Unless we were in a position to furnish 95 per cent it was simply taxing the British people in order that we might obtain access to their market. At all events that is the British aspect of it. They had to be satisfied that the proposal was a reasonable one. In 1896 British exports amounted to over one thousand millions, while Canada's purchases represent only $33,000,000. It will, therefore, be seen that our trade is so insignificant compared with the large volume of British trade that it seems presumption on our part to ask the British people to tax themselves for our benefit and for that of our fellow colonists. To quote from Mr. Chamberlain's speech at the Canada Club dinner in March, 1896, "even the suggestion is barred out from consideration by Great Britain." Hon. gentlemen will see the reasons for the course taken by British statesmen in saying, according to the paragraph I read from the despatch, that the disadvantages so clearly outweighed any advantages that they could not consider it.

Hon. Mr. McCALLUM—It is what Canadian statesmen's opinions are that we want. We have nothing to do with British statesmen.

Hon. Mr. SCOTT—We had to get Great Britain to consent.

Hon. Mr. McCALLUM—But we did not want it.

Hon. Mr. SCOTT—As I said before, if Sir Wilfrid Laurier had taken any other course he would not have secured the denunciation of those treaties.

Hon. Sir MACKENZIE BOWELL—There is no evidence of that; that is a mere statement.

Hon. Mr. SCOTT—He captured the free trade sentiment of Great Britain by his eloquent utterances.

Hon. Mr. McCALLUM—I do not want to interrupt my hon. friend, but does he mean to tell us that he had to tell the people of Great Britain that we could not give preferential trade?

Some hon. MEMBERS—Order, order.

Hon. Mr. SCOTT—There were a great many pleasant phrases passed between the premiers of the different colonies and Mr. Chamberlain, and the other leading statesmen of Great Britain. Those pleasant phrases meant very little in jubilee year. Compliments were being exchanged, but when he came down to talk business and to disturb trade relations, there was a very different expression of opinion, and I say that it was because Canada had offered that preference in the manner she did last year by our legislation and by the patriotic sentiments of Sir Wilfrid Laurier, in saying that Canada did it out of gratitude for the very many favours she had received from the mother country, that he captured British sentiment and induced British statesmen to influence public opinion at that time to denounce the Belgian and German treaties.

Hon. Mr. MACDONALD (B.C.)—Is not it a fact that all the colonial premiers in England at that time joined Sir Wilfrid Laurier in asking for the denunciation of the treaties?

Hon. Mr. SCOTT—They certainly did. They were all interested in it—no doubt about it, but Sir Wilfrid Laurier was the leading figure in securing it, and Canada had taken a forward action that no other colony had taken.

Hon. Mr. MACDONALD (B.C.)—New South Wales has.

Hon. Mr. SCOTT—They introduced free trade absolutely, but not in preference to the mother country. There was no other colony than Canada had put herself on that plane to command the sympathy of the British people in the manner this country had done. Now, only one year before the Jubilee year, probably the largest gathering of leading statesmen of Great Britain and presidents of chambers of commerce, leading merchants all over the empire took place in the city of London. I hold in my hand the official report of that meeting. It was held from the 9th to the 12th June, 1896. In that Canada was represented by gentlemen who were sent forward by the Chambers of Commerce of Montreal, Toronto and other points, and the meeting was held under the auspices of the Hon. Joseph Chamberlain. He was the honorary president. The actual president was the president of the London Chamber of Commerce, Sir Albert A. Rother. At that meeting one of the very first questions that engrossed the attention of the gentlemen who met there was to establish in some degree closer relations between the colonies themselves and between the colonies and the mother country, and the question came up again in the most emphatic and marked manner. Mr. Chamberlain opened the conference, and I will just read you what his utterances were on that occasion. That was only a few months before the speech referred to here that Mr. Laurier made in Liverpool. When this question was proposed at the very beginning of the conference, Mr. Chamberlain said :

> It is, in effect, that while the colonies should be left absolutely free to impose what protective duties they please both upon foreign countries and upon British commerce, they should be required to make a small discrimination in favour of British trade, in return for which we are expected to change our whole system and to impose duties on food and on raw materials. Well, gentlemen, I express again my opinion when I say that there is not the slightest chance that in any reasonable time this country, or the parliament of this country, would adopt so one-sided an agreement. (Hear, hear, and cheers.)

That is emphatic language.

Hon. Mr. McCALLUM—Who is that?

Hon. Mr. SCOTT—Mr. Chamberlain, the gentleman who was so ready to give it away. He continues :

> The foreign trade of this country is so large, and the foreign trade of the colonies is comparatively so small, that a small preference given to us upon that foreign trade by the colonies would make so slight a difference, would be so slight a benefit to the total volume of our trade, that I do not believe the working classes of this country would consent to make a revolutionary change for what they would think to be an infinitesimal gain.

These are the sentiments expressed before the largest body of commercial men probably that ever met in London, only a short time before this jubilee year. That is the opinion of Mr. Joseph Chamberlain, and do you mean to tell me that he had changed his views, and if he did change his views, could he change the views of the people of England? Was there a man at that meeting that dissented from it? Mr. Osler went home full of the hope that Canada could obtain a preference in some way or another, and what did Mr. Osler do? He moved a resolution at that meeting in favour of free trade relations, but it had not the slightest

chance of success and Mr. Osler had recognized that himself. He was a protectionist, a national policy man, in favour of closer trade relations with England, anxious to give England the same preference in our market that we were getting in hers, and looking around him and seeing the all prevailing sentiment what does he say? His resolution was :

Resolved, that in the opinion of this congress the advantages to be obtained by a closer union between the various portions of the British Empire are so great as to justify an arrangement as nearly as possible of the nature of a zollverein based upon principles of the freest exchange of commodities within the empire, consistent with the tariff requirements incident to the maintenance of the local government of each kingdom, dominion, province or colony, now forming part of the British family of nations.

He asks for closer relations and what is his view of the feeling that prevails in this large gathering on the subject of a preference for the colonies in the British markets. Here is what he says in his speech :

I will only repeat that in Canada we believe that certain concessions must be made if we are to get England to join in a confederation, and I think that as Canadians we are willing to make these concessions. We believe it will be for our own interest and for the interests of the empire that we should do so. I thoroughly agree with all Mr. Chamberlain has said, that it is impossible for us to have in the meantime Great Britain imposing a duty upon the food products from foreign countries, and not increase the price that she would otherwise pay, for she will be able to get from her colonies all the wheat supply she requires.

That is Mr. Osler's opinion. He evidently felt it was hopeless to expect the British workman to submit to a tax on food products for the benefit of the colonies until the colonies could supply the demand.

Hon. Sir MACKENZIE BOWELL—Just as hopeless as it was ten years ago to ask for the denunciation and abrogation of the treaties.

Hon. Mr. SCOTT—There was not, even at this time in 1894 a chance of it being abrogated. The parliament of Canada had asked for it a few years before. It had been pressed upon the attention of the Imperial government and the answer was a positive and absolute refusal. Nothing could be more decisive, then Sir Donald Smith brought forward a resolution in these terms :

Therefore resolved—That this congress records its belief in the advisability and practicability of a customs arrangement between Great Britain and her colonies and India on the basis of preferential treatment, and recommends that steps should be taken by Her Majesty's government to bring about an interchange of opinion on the subject between the mother country and the other governments of the empire.

There was not even a vote taken on that resolution. Sir Donald Smith saw the sense of the meeting was so strongly against it that he withdrew it. Let us see what the president who represents probably the largest Chamber of Commerce in the world, the Chamber of Commerce of London, says upon the proposal :

The dangers of a preferential duty in favour of colonial imports are the following : first, the increase in the price of food and raw materials in this country ; an increase which would at once be felt by the working classes—increased cost of living, which would involve on their part a demand for an increase of wages. That, in its turn, would lead to labour disturbances. Then there would be an increased cost in the production of our own manufactures, which would tell against us all over the world, not only in foreign countries but in the colonies themselves. Why do colonies buy from us to such a large extent? Because they find Great Britain is the cheapest market. If we increased our duties to them we should lose our trade with them and our trade with the rest of the world. We should meet with retaliation from foriegn countries.

That is pretty decisive language and it met with acquiescence by the representatives of the various chambers of commerce ; there was not a whisper that within any reasonable distance of time that we could accomplish the object of our hope which was to secure a preference in the British market.

The resolution presented by the Toronto Board of Trade with the several amendments proposed was withdrawn and the only resolution that could receive the approval of the conference was couched in the language usually adopted at the gatherings of the representatives of the British Empire League in its palmy days. The resolution read as follows :

That this Congress of Chambers of Commerce of the empire is of opinion that the establishment of closer commercial relations between the United Kingdom and the colonies and dependencies is an object which deserves, and demands, prompt and careful consideration. The Congress therefore respectfully represents to Her Majesty's Government that, if the suggestion should be made on behalf of the Colonies or some of them, it would be right and expedient to promote such consideration, and the formulation of some practicable plan, by summoning an Imperial Conference, thoroughly representative of the interests involved, or by such other means as Her Majesty may be advised to adopt. That copies of this resolution be forwarded to the president, to the Prime Minister, the First Lord of the Treasury, the Secretary of State for the Colonies, the leaders of the opposition in both Houses, the High Commissioner for Canada, and the agents general of the other Colonies

I need not continue reading from the report, because the spirit of the speeches is all in the direction that I have indicated. That was the condition of British sentiment in the year before the Jubilee. When Sir Wilfrid Laurier went home he went there strengthened with the Act passed by the Canadian parliament in which we lay down the principle that we would give a preference in our markets to countries that would give us a preference in theirs, or give us a tariff that was on no higher basis than our proposed tariff. Of course the whole object of framing our Act was with a view of ultimately giving a preference to British trade. That was our ambition and our desire. We felt, although it was argued to some extent to the contrary, that there were difficulties in the way, because we could not ignore the Belgium and German treaties. There were clauses in these treaties which gave to Germany and Belgium similar privileges in the colonies that the United Kingdom enjoyed, that is, we could not tax German and Belgian products higher than we taxed British products, and following out that principle many other countries, some twenty or thirty, had treaties with Great Britain which contained what is called the favoured-nation clause. That favoured nation clause gave those countries equal privileges with Great Britain in the markets of the colonies, so the effect of Germany and Belgium obtaining that concession gave to all other countries having a similar clause an equal privilege with Germany and Belgium. After confederation the government of Canada on several occasions declined to join in treaties involving those concessions Wherever Canada was consulted, I may say the government of this country wished to be omitted, but many of those treaties were made before confederation and some without conference with the government of Canada. Those treaties outside of Belgium and Germany, although they gave advantages to certain countries, were a matter of very little moment inasmuch as the products imported into Canada from those countries, outside of Belgium and Germany, were very very small. I have in my hand a paper which I perhaps need not read, but it shows clearly that with the exception of Germany, France and Belgium, the exports to Canada of all the other countries that had the favoured-nations clause were very small—some of them were practically nothing. The best evidence that our course was the wisest one is proved by results. I say unhesitatingly, that unless we had captivated public opinion in Great Britain by the action of parliament last year we could not have succeeded in having those treaties denounced. It was the embarrassment that the British people felt by the generous offer made by Canada that captivated public opinion in that country and acted on the government of Great Britain and the result will be just as we foresaw that on the 1st of August next Great Britain will be the only country that will enjoy that preference in our market.

Hon. Sir MACKENZIE BOWELL—Not unless you change your law.

Hon. Mr. SCOTT—We propose, with the approval of parliament, to bring about that result. There was no other way it could be accomplished and that we have accomplished it is the best evidence that we took the only way it could be done.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon Mr. SCOTT—The hon. gentleman ridicules it. I have given the testimony of the last fifteen years, in which the most positive refusal is recorded year after year on the part of the British government to denounce those treaties. They had asked Belgium and Germany to let Canada out. Those countries said "no we will not." The British Government said it involves too grave a responsibility to let them out. I have shown that down to 1896 the evidence is conclusive that the British Government had no idea of denouncing the treaty or giving any preference to Canada.

Hon. Mr. MACDONALD (B.C.)—Will the proposed action knock out the favoured-nation clause with regard to China and Japan?

Hon. Mr. SCOTT—Yes. That particular clause which reads this way—"take for instance the Belgian treaty—the products of Belgium shall not be subject to higher duties in the colonies than the products of Great Britain." That is the clause in the Belgian treaty and a similar clause appears in the German treaty.

Hon. Sir MACKENZIE BOWELL—I suppose in making that change in the tariff you will apply it to the British colonies as well as to Great Britain ?

Hon. Mr. SCOTT—It is intended that they shall come in as New South Wales does now. That is my present opinion. Of course, I can only foreshadow what it will be, but there will be an opening for British colonies to come in certainly. The other countries that came in were the Argentine Republic, Austria, Denmark, Norway, Sweden, Persia, Roumania, Venezuela and Switzerland. I may say the reason those countries come in is this : they have treaties containing the favoured-nation clause. That clause gives them equal privileges with Great Britain in the markets of her colonies. If you remove the privilege that Germany and Belgium now enjoy, then no other countries can come in except under the act of the parliament of Canada, and that is our own. In 1895 we gave France a preference in our markets on certain articles. I presume all those countries would be entitled to equal privileges with France in our markets in regard to the articles referred to in that treaty. I am inclined to think that would be the legal effect of it. So hon. gentlemen will see, I hope, before this parliament rises that we shall have succeeded in placing Great Britain and the colonies in the position that we all along hoped they would enjoy.

Hon. Mr. BOULTON—On the free trade basis ?

Hon. Mr. SCOTT—No ; it is our 25 per cent preference for the present.

Hon. Mr. BOULTON—Do you call that free trade ?

Hon. Mr. SCOTT—It is a preference over every other country.

Hon. Mr. MILLS—It is a march towards free trade.

Hon. Mr. SCOTT—Well, I am just as strong a free trader as my hon. friend is, but I do not think it would be the part of a prudent statesman to precipitate this country into absolute destruction.

Hon. Mr. BOULTON—That was not your opinion three years ago.

Hon. Mr. SCOTT—Always my opinion. I hope some day or other to see the transition, but the transition certainly cannot be a rapid one. You must pay regard to interests that have grown up under the sanction of parliament. It would be monstrous to adopt any other course. When Great Britain adopted free trade, I think it required about 25 years.

Hon. Mr. BOULTON—No, one year.

Hon. Mr. SCOTT—There was first a sliding scale.

Hon. Mr. BOULTON—It was reduced to one shilling a bushel on grain, and that remained for four years.

Hon. Mr. SCOTT—I am not speaking of one article. There was a sliding scale. It was very many years before they finally launched into free trade, and our progress must be equally slow and gradual. I do not propose to discuss economic questions with my honourable friend from Shell River, but I think it will gratify him that our importations from Great Britain are increasing. Of course, so far as the fiscal year ending last June is concerned, there could be no proper conclusious drawn from the twelve and a half per cent preference, because our tariff was only adopted in the end of April, two months before.

Hon. Mr. BOULTON—The returns that you refer to show an increase of 85 per cent in our exports and 7 per cent only in our imports.

Hon. Mr. McCALLUM—That is all right.

Hon. Mr. SCOTT—What I say is there has been an increase in our importations from Great Britain. The changes of trade do not immediately occur after the adoption of any fiscal policy.

Hon. Mr McCALLUM—Certainly the imports will increase as the population increases.

Hon. Mr. SCOTT—I do not wish to further discuss this question, but I think I have submitted to the House reasons that ought to warrant the conclusion to which I came, that in no other way could we have

secured the denunciation of the treaties than by the plan that was adopted. It is perfectly clear from the expressions of opinion that I have quoted for many years back and up to the year 1896, that it was absolutely impossible for the premier of this country, or for the parliament of Canada, whether individually or collectively, to have secured from Great Britain a preference for our products in their market. I think that must be clear and manifest to the judgment of every fair minded man. The evidence is conclusive, and it was only by appealing to British sentiment in the manner that he did that Sir Wilfrid Laurier secured the denunciation of those treaties. It will, I have no doubt, lead to very much closer relations. It may be as years go by that we will be able to reduce the duty still further upon the importations from Great Britain. The Imperial Federation League that was in existence for some 12 or 15 years disbanded hopelessly only two years ago, feeling they could accomplish nothing. They did accomplish nothing in all that time. But our legislation of last year has forced this country forward very many years in advance of what we ordinarily would have attained to. It is evident in a variety of ways, as I said before, especially in the high price of our securities. Our securities which were sold only a few months ago have gone up several points since that time, and I think we are quite right in stating that Canada's political position in the British Empire has been very much raised by the course that we took last year and by the action of the premier in Great Britain.

Hon. Mr. LOUGHEED—The leader on this side of the House my hon. friend from Hastings, very aptly made some reference to some changes which had taken place since last year on the other side of the House in respect to leadership. I must on this occasion express the satisfaction which I have in seeing the hon. Minister of Justice occupying the position which he does on this occasion, namely the leadership of this House. I would, however, like to say in reference to the elevation of that gentleman to cabinet office and also to the leadership of this chamber, that he overlooked and disregarded a very important plank in the Liberal platform, and one to which he no doubt subscribed with very great cheerfulness even as late as the Liberal Convention of 1893. I refer to the reduction of cabinet ministers, which as my hon. friend will know has been strongly advocated by the Liberal party. Now, my hon. friend has had an excellent opportunity of demonstrating that he was true to the principles which were being promulgated by the Liberal party previous to his accepting this portfolio. He might have been willing to sacrifice himself upon the altar of his party so to speak, and thus demonstrate that there was one member of the Liberal party who when offered a portfolio insisted upon consistency being observed, and the number of ministers reduced by the fusion of two or more portfolios. But my hon. friend would not resist the tempting bait; and I must say that I am very well pleased personally that he accepted the portfolio and let somebody else sacrifice himself in that particular matter.

Hon. Mr. MILLS—I never proposed the abolition of the portfolio which I hold.

Hon. Mr. LOUGHEED—I would be rather surprised if my hon. friend or any of the other leaders of the liberal party would do so. However, that did not stand in the way of the numerous professions which were made along that line previous to and at the last general election. Now the predecessor of my hon. friend, the counsellor and guide and the moral force of the liberal party, that is the late leader in this House, the present Lieutenant-Governor of Ontario, was likewise guilty of a violation of an equally important article in the liberal creed, one which was advanced with quite as much emphasis as the one to which I have just alluded; namely, that no member of parliament should accept an office of emolument under the Crown other than that of a portfolio except a year elapsed between his resignation and the acceptance of office.

Hon. Mr. MILLS—I never advocated anything of the sort.

Hon. Mr. LOUGHEED—I did not say my learned friend advocated it. I refer to the predecessor of my hon. friend. I think that this was a favourite plank in the platform. The present Postmaster General advocated it in very strong language and was prepared to designate as a political parasite any one who would occupy a seat in parliament with the immediate view of

taking an office of emolument other than the one which I have mentioned. Now, as I say the counsellor, the guide and the moral force of the liberal party vacated his seat in this chamber for that higher position of the governorship which he at present adorns in defiance of liberal professions, I simply point out this fact to illustrate what I have mentioned, that there is such a thing as inconsistency in the liberal party and that their professions made while out of office are somewhat different to their acts after accession to office. Allusion has been made to some of the remarks of the Minister of Public Works during the recess in reference to reform of the Senate. This, of course, has been a favourite topic with the liberal party for some time past, and I note that they are taking a practical advantage of the situation to carry out that reform. The present Minister of Public Works made use of the rather embellished language during the recess that the members of this hon. body were scarcely worth sufficient rope to hang them. I notice that this reform is going on in the way of appointing liberals to Senate vacancies, the mover of the address is one of the gentlemen assisting the reform, and the seconder is another gentleman who has been introduced to carry out the reformation indicated. The chief feature of the reform is that when a sufficient number of gentlemen of the liberal persuasion are introduced into this chamber to reach the party equilibrium or go a little beyond the balance of political leaning, the reform will be successfully carried out, and we shall hear very little more about the reformation of the Senate. I congratulate the mover and seconder of the address for the manner in which they have discharged the duties imposed upon them. I would point out to the mover of the address that he was rather in error in the statement which he had made in regard to the unquestionable prosperity of this country under the present administration. My hon. friend made a statement as follows :

> We have evidence on every hand that Canada today is prosperous. No man in this country willing to work need go idle.

I happened to glance through a very reputable journal this morning and found in it the following telegram from Toronto :

> Toronto, Feb. 10.—Five hundred of the army of unemployed assembled at the City Hall yesterday, and listened to addresses from various members of the rank and file. A sight of the wretchedness of these men was one that would appeal to those disposed to be philanthropic. Mayor Shaw addressed the crowd, and assured the men that he sympathized with them in their distress, but could not undertake to give them work just at present. He held out hopes of employment before long. Citizen Atwood made a vigorous speech in which he complained about the bad condition of affairs and the great need of the unemployed.

I simply direct the attention of my hon. friend who moved the address to this little item so that he may not abate the alacrity with which he and his friends are now engaged in proclaiming the prosperity of the country, because if they become indifferent in declaring the prosperity of the country the distress which I have read about might possibly become somewhat greater. My hon. friend will pardon me if I thus disabused the impression made in his mind, and which found expression in his speech on the address. The hon. gentleman who seconded the address seems to have fallen into a somewhat similar mistaken notion of affairs in regard to the making of the Fielding loan mentioned in the address. I find that hon. gentleman under the impression that the loan was floated at par at a 2½ per cent rate. Allusion is made in the address to the fact that the loan placed by Mr. Fielding on the London market was very satisfactorily placed, indicating that there was very great reason for congratulation and satisfaction at the excellent price realized for our bonds. The address reads as follows on that subject :

> The loan recently effected has shown that the credit of Canada has never stood so high in European markets, and affords reasonable ground for expecting that the burdens of the people will, in the near future, be materially reduced by the substitution of a much lower rate of interest on our indebtedness than that which now exits.

Of course, the statement that this loan has been satisfactorily placed involves the fact, no doubt, which hon. gentlemen do not lose sight of, that it became necessary for the liberal party, after coming into office to borrow no less than $15,000,000. Those gentlemen had been in office fifteen months when it became necessary for them to send the Finance Minister to London. I do not say that the finances of this country had run behind to that extent, but it is well known that the deficit amounted to some two or three millions of dollars when Mr. Fielding went home to London, and upon an examination of the finances we find that the expenditure had very materially increased. These gentlemen who never

grew tired of declaming against the extravagance of the late government and pointing out how a very substantial reduction could be made in the expenditure of the country—how at least $2,000,000 a year might be saved on expenditure,—we find these gentlemen's expenditure exceeding the revenue of the country the first year of office by at least half a million, and the public debt increased by two and a half million of dollars. Hence, we find these gentlemen instead of being busily engaged in reducing expenditure and paying off the public debt by a system of economy to be inaugurated and carried out in a practical way—we find these gentlemen making a loan of $15,000,000. In regard to this we are asked to express our satisfaction at the very resonable way in which this loan was placed on the London market. The mistake which my hon. friend who seconded this address fell into was this: he seemed to think this loan was put on the London market at two and a half per cent and the bonds were sold at par and consequently this country was only paying a $2\frac{1}{2}$ per cent rate interest on the loan.

Hon. Mr. SCOTT—I did not say that.

Hon. Mr. LOUGHEED—I am quoting now from the speech made by the seconder of the address, who seems to have fallen into that error. The bonds in question realized, if I recollect correctly, about $91\frac{1}{2}$. They yield to the investor about two and three-quarters per cent, so that the Dominion of Canada is not paying two and a half per cent on this issue of bonds but two and three-quarters per cent. One reason why I find fault with the Minister of Finance is this, that for some time previous to his going to London, our three and a half per cent bonds were yielding to the investor only two and five-eighths per cent in London. English Consuls at that time were selling at two and three-eighths and the bonds of reliable home corporations were selling at two and a half, and we find a small colony like Ceylon having their inscribed bonds quoted at two and three-quarters. Notwithstanding the fact that our three and a half per cent were only yielding investors at that time two and five-eighths, we find Mr. Fielding negotiating a loan on which we are paying two and three-eighths per cent. Now, a difference of one-eighth per cent on a loan of $15,000,000 will represent nearly $18,000 a year, so that instead of negotiating a loan on as favourable terms as two and five-eighths per cent, we are paying an extra one-eighth per cent, or in other words eighteen thousand dollars a year more than we should have been called upon to pay. I am informed the negotiations were so conducted that it was impossible to get sufficient subscriptions to take up the loan and if it had not been that Canadian bankers took up a considerable amount of the bonds the subscriptions would not have exhausted the issue. This was due to the loan being put on the market at an inopportune time when money was dear and the rates had stiffened for reasons which then should have been known to the government. Consequently I, for one, cannot express the satisfaction which apparently is embodied in the the address in regard to the success of the Minister of Finance in his first financial venture. My hon. friend, the Secretary of State, exercised himself considerably over endeavouring to explain away the opportunity which presented itself to our Prime Minister when in London during the Jubilee to forward negotiations for imperial trade relations between ourselves and the empire. My hon. friend the Secretary of State struggled very hard to prove to the satisfaction of this House some good reason why the Prime Minister should have pursued the course he did, and the liberal party from that day to this have been endeavouring to convince the country that Sir Wilfrid Laurier exhausted every effort before taking the position he did take on free trade, and receiving a Cobden medal. My hon. friend pursued a somewhat specious course in presenting to this House the proceedings of the Congress of the Chambers of Commerce, in which Mr. Chamberlain expressed himself on this particular question. If my hon. friend had been desirous of giving to this House a full explanation of all that took place on that occasion he would not have refrained from going more fully into the report from which he read. He would have placed this House in possession of the other resolution which was submitted before the congress on that particular occasion to which Mr. Chamberlain assented and which embodied a proposition entirely agreeable not only to Mr. Chamberlain but to public thought in Great Britain at the time as to a method by which

preferential trade with Great Britain might be established between the mother country and her colonies. At the risk of occupying the attention of the House for some few minutes longer than I intended, I would like to refer to a report which I have of the meeting of that congress on that occasion. Hon. gentlemen may doubtless remember that there were three propositions submitted to the congress, two of which did not receive favourable consideration and one of which did. My hon. friend, for the purpose of supporting the argument which he started out to establish, dealt with the second proposition, which must have been apparent to the gentlemen who were present on that occasion, was not favourably considered The other propositions were as follows. I am now quoting from Mr. Chamberlain's speech on that occasion. Mr. Chamberlain said, speaking of the three propositions :

> The first of them is a proposal that the colonies should abandon their own fiscal system, and should adopt ours, that they should carry out fully the doctrines of free trade, that they should open their markets not only to us, but to all the world, and that they should abandon entirely the protective duties upon which now they rest very largely for the revenues they collect. That is a proposal which is supported by the Cobden Club, by extreme, or, perhaps I ought to say, by orthodox free traders; and there is no doubt a great deal to be said for it. I do not deny that possibly it might be for all concerned the best solution.

My hon. friend did not refer to that proposition. I suppose his allegiance to the Cobden medal is such that he thought proper to overlook that and deal with the second proposal which was as follows :—

> I pass on, then, to the second proposal, which has been laid before a similar congress to this, which found expression at the great congress at Ottawa a year or two ago—that is, a proposal which has been favoured by some of our principal colonies, which has been advocated with great force and eloquence by leading colonists. It is the very reverse, in spirit at any rate, of the proposal I have just been considering for whereas the first proposal requires that the colonies should abandon our system in favour of theirs and it is in effect that, while the colonies should be left absolutely free to impose what protective duties they please both on foreign countries and upon British commerce, they should be required to make a small discrimination in favour of British trade, in return for which we are expected to change our whole system and impose duties on food and raw material.

It was that proposition to which Mr. Chamberlain expressed his dissent. But let me proceed to read the proposition which did receive favour :

> I admit that, if I understand it correctly, I find the germs of such a proposal in a resolution which is to be submitted to you on behalf of the Toronto Board of Trade. (Hear, hear.) What is that resolution ? Again I say I hope that I am correctly explaining it. That resolution I understand to be one for the creation of a British zollverein or customs union, which would establish at once practically free trade throughout the British Empire, but would leave the separate contracting parties free to make their own arrangements with regard to duties on foreign goods, except that this is an essential condition of the proposal—that Great Britain shall consent to replace moderate duties upon certain articles which are of large production in the colonies. Now, if I have rightly understood it, these articles would comprise corn, meat, wool and sugar, and perhaps other articles of enormous consumption in this country, which are at present largely produced in the colonies, and which might, under such an arrangement, be wholly produced in the colonies and wholly produced by British labour.

I would point out to my hon. friend the Secretary of State, that what he pointed out as an insuperable obstacle, viz., the colonies providing Great Britain with her food products, the present Colonial Secretary at any rate had sufficient confidence, sufficient faith in the ability of the colonies to believe in their being able to provide all the food products needed by Great Britain were such a trade system established.

Hon. Mr. SCOTT—I do not think any resolution in that spirit carried.

Hon. Mr. LOUGHEED—My hon. friend has not acquainted himself apparently with the proceedings of the conference ; he took too superficial a view of the proceedings. The insuperable obstacle which apparently stood in the way of the premier when he was in London has likewise blocked the view of the Secretary of State. He stopped there. That resolution was well thought of by the congress and was endorsed by the *Times* newspaper, and as far as I can trace it, by public opinion in Great Britain. We find the *Times* newspaper—and there is no greater exponent of public opinion in Great Britain—stating in an editorial after the discussion of this same subject :

> This has been the keystone of the commercial system of the United States and of that of the German Empire ; but it is necessary to remark that those countries are strongly protectionist. It rests, however, with the colonies to say whether they are willing to make any reasonable offer in this direction, as it would rest afterwards with the people of the United Kingdom to decide whether or not the offer should be accepted. But till a specific offer is made, in an authoritative form we fear that nothing can be done.

Hon. Mr. MILLS—I beg to call the hon. gentleman's attention to this point in what he has read : the proposal of the times that he thinks might become practical hereafter is absolute free trade between England and

the colonies and a duty against the rest of the world.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—And no such proposition has ever emanated from hon. gentlemen on that side of the House.

Hon. Sir MACKENZIE BOWELL—Nor any one else.

Hon. Mr. LOUGHEED—The proposition was that there should be free trade between Great Britain and her colonies, and that Great Britain should place a duty upon such articles as we chiefly produce, such as food products, in favour of the colonies against the world. This is the proposition which as I say received favour before this Congress of Chambers of Commerce and was endorsed by the *Times* newspaper. But I will say this: The keynote of that whole discussion—I should not perhaps say the keynote, but the result of that discussion—was that English statesmen took the ground that the proposition should proceed from the colonies.

Hon. Mr. MILLS—My hon. friend will see that proposition would imply that English goods of very kind should be admitted into this country and to every other colony absolutely free from duty, and no one had proposed to accept that proposition here.

Hon. Sir MACKENZIE BOWELL—It does not imply anything of the kind.

Hon. Mr. MILLS—It says so in effect. Those are the express words. It is not an implication.

Hon. Mr. LOUGHEED—I note what my hon. friend has pointed out, but the point I desire to make is that in a discussion of such great importance as this, the man who would commit himself to any particular method and who would take the position that he would not deviate one jot or tittle from that position would manifest his inability to discuss public questions and certainly would show himself entirely divested of any ability of statesmanship.

Hon. Mr. MILLS—I do not know that.

Hon. Mr. LOUGHEED—After all this was but a conference. Before any project of so great a character as this could be crystallized into practical form there must be a give and take on the part of those who take part in that discussion. Such a system can only be built up by compromise. Such a system can only be reached by a fusion of the ideas which colonial and imperial statesmen may hold upon this particular subject. It would be folly to say that because certain subjects of this kind are discussed in a congress of this character or at such a congress as we had in Ottawa some years ago, and because those who constitute the congress cannot arrive at some absolutely particular method by which such a system as this can be practically carried out that it therefore must fail. This is precisely the position which the liberal party take in vindicating the attitude of the premier at a meeting of the premiers in London during Jubilee proceedings. Now upon that particular occasion this subject was discussed.

Hon. Mr. SCOTT—I beg my hon. friend's pardon; does he say any resolution of that kind was carried at that meeting?

Hon. Mr. LOUGHEED—I am not prepared to say that. It was afterwards endorsed in the *Times* newspaper. I have not the proceedings so complete as my hon. friend has, but judging from the meagre report I have before me I should judge it was.

Hon. Mr. SCOTT—I intended to have read the only resolution carried on the subject, but I was rather wearied of reading and stopped. The others were all withdrawn. It was the old resolution of the United Empire League without any meaning to it. That is the only one that was carried.

Hon. Mr. LOUGHEED—Be that as it may, when we find a representative of the Imperial government, a representative of the statesmanship and of the influence of the present Colonial Secretary taking the position which he did on that occasion, following that position up consistently since, I say there is every reason to feel a degree of assurance throughout the whole country that if proper statesmanship is brought to bear upon this particular question it can be so crystallized into law as to become a practical commercial system. But if our statesmen will take the attitude that the prime minister of this Dominion did during the late Jubilee proceedings and refuse to discuss it and commit himself unequivocally to the

doctrine of free trade and accept medals at the hands of a free trade club, and place himself in direct antagonism to public thought and discussion upon such an important question, then I say this country will yet rue the day when the Prime Minister attended those Jubilee proceedings and sacrificed the best interests of the country he represented.

Hon. Mr. McCALLUM—Hear, hear,

Hon. Mr. BOULTON—I should like to ask the hon. gentleman what his position is; if Great Britain was to tax the food and the raw material required by the people of Great Britain, whether they would not become poorer and less able to buy our products.

Hon. Mr. LOUGHEED—I regret I have not time on this present occasion to go into the subject in so exhaustive a way as would be satisfactory to my hon. friend, because that would necessitate a discussion of the entire problem. But what I do wish to say is that I do not for one moment consider myself bound to any of the particular schemes submitted upon this important question from time to time, or I do say that I am an adherent of any of the particular plans which have been advocated in any of those conferences. I, however, do say that there is a general principle running through the whole of those discussions which must of necessity appeal to the people of Canada, and we are nothing short of blind to our interests and absolutely ignorant of the destiny that awaits us if we absolutely refuse to consider the proposals which from time to time are made in this direction. During the presence of the premier in London this same subject was discussed. We find in the Imperial blue book that upon that occasion at a meeting of the premiers Mr. Chamberlain spoke as follows:

I pass on to another question, and that is as to the future commercial relations between this country and her colonies.

How far is it possible to make those relations closer and more intimate?

I have said that I believe in sentiment as the greatest of all the forces of the general government of the world, but at the same time I should like to bring to the reinforcement of sentiment the motives which are derived from material and personal interest.

But undoubtedly the fiscal arrangements of the different colonies differ so much among themselves, and all differ so much from those of the mother country, that it would be a matter of the greatest complication and difficulty to arrive at any conclusion which would unite us commercially in the same sense in which the zollverein united the empire of Germany.

It may be borne in mind that the history of that zollverein is most interesting and most instructive.

It commenced entirely as a commercial convention, dealing in the first place only partially with the trade of the empire, it was rapidly extended to include the whole empire; and it finally made possible, and encouraged, the ultimate union of the empire.

But this is a matter upon which at the present time, rather than suggest any proposals of my own, I desire to hear the views of the gentlemen present.

Here was a representative of the Imperial government laying before the colonial premiers a proposal or rather suggesting that they should enter into a discussion of the best method to adopt by which commercial relations of an inter-imperial character should be established between Great Britain and her colonies, and we find the premier of this Dominion absolutely setting his foot down upon the project and refusing to discuss it. We find him leaguing himself with the Cobden Club and accepting at their hands a badge of their order which at once established him to be one of their leading champions. We find upon that occasion a speech made by the president of the Cobden Club in presenting him with this celebrated medal and a response made by the premier of his faithful allegiance to Cobdenism, and this just at a time when the eyes of Canada were upon the premier, when our ears were open to hear what would be said by him in regard to his promoting preferential trade which in June, 1896, he so strongly advocated without reserve in the city of London, Ontario, immediately previous to the June election. Let me read you for a moment part of the speech which he then made, and let us consider how it is possible for a gentleman occupying the high and important position which he does to-day and which he did at that time to reconcile the position which he took in June, 1896, in London, Ontario, and the position which he took in that greater London the commercial metropolis of the world, the capital of the empire to which we belong. His speech in London, Ontario, in July is as follows:

Now the statesmen of Great Britain have thought that the governments of the colonies have come to a time when a new step can be taken in their development.

What is that?

That there shall be a commercial agreement between England and the colonies.

That practical statesman—Mr. Joseph Chamberlain—(applause)—has come to the conclusion that the time has come when it is possible to have within the bounds of the empire a new step taken, which will give to the colonies in England a preference for their products over the products of other nations.

What would be the possibilities of such a step if it were taken?

We sell our goods in England, we send our wheat, our butter, our cheese, all our natural products, but there we have to compete with similar products from the United States, from Russia, and from other nations.

Just see what a great advantage it would be to Canada if the wheat, cheese, and butter which we would send to England should be met in England with a preference over similar products of other nations.

The possibilities are immense.

Mr. Joseph Chamberlain, the new and progressive Secretary of the Colonies, has declared that the time has come when it is possible to discuss that question.

But, sir, if England is going to give us that preference, England would expect something from us in return.

England does not expect that we should take her own system of free trade, such as she has it, but I lay it before you, that the thing the English people would expect in return is that instead of a principle of protection we should adopt the revenue form of tariff pure and simple.

These are the conditions upon which we can have the boon.

The Canadian people have now to make their choice.

What will be their choice?

Their choice will be for a revenue tariff and for preferential trade.

And if my memory serves me right on that occasion the hon. gentleman was going to appoint a commission, and by the next boat that sailed after the general election would send that commission over to England to negotiate or discuss such a system as the one outlined in his London speech. But instead of adopting that course he adopted the contrary course, and it was with astonishment that the people of Canada heard of the attitude which he took upon that occasion in opposing unequivocally the proposition then made by the Colonial Secretary that the colonies should enter into a discussion for the adoption of a system of preferential trade with the empire. But it would seem that when the glittering bauble was held out to that hon. gentleman upon that occasion, and when the Cobdenites of London bowed down before him and cried "Great is Diana of the Ephesians," he could not resist declaring himself in favour of the doctrine of free trade, which previous to his departure for England he strenuously apposed. The president of the Cobden Club said:

There is a party amongst us who would willingly discriminate against German and Belgian goods, and who look upon the denunciation of the German and Belgian treaties as a step towards what they have been pleased to call commercial federation of the empire—a system under which commercial union between different parts of the empire would be fostered by laws excluding or discouraging foreign goods. If this was to be the consequence of what you have done, I need scarcely say that we of the Cobden Club should not now be here. It is because we believe that your efforts are founded on an opposite principle, and will be followed by opposite results, that we, followers of Adam Smith, and of Peel, of Bright, and of Cobden, are here to congratulate and to thank you. You do not ask us to abate one jot of our free trade principles; you ask for no preferential treatment; you make yourselves as large a step in the direction of free trade as your present circumstances will permit, and you desire to treat the rest of the world as you are now treating us. It is needless for me to dwell upon the part which you, sir, have had in this great movement, nor is this the time or place to enlarge upon its political and moral bearing. Let me conclude, however, by saying that in our opinion, as in that of the great man whose name we bear, the statesman who helps to remove the artificial barriers that short-sighted legislation has erected between nations furthers not only the material interests, but the highest aspirations of humanity.

After these noble sentiments we find our premier accepting the medal and responding as follows:

Deeply touched was Sir Wilfrid at the testimonial conveyed to him, for, as he put it, the "poor effort he had made in behalf of free trade. In Canada we have had the protection system, and we have to deal with it gradually and carefully." The only reform we have achieved is this—that no duty shall be levied simply for protection, but only for revenue.

Hon. Mr. POWER—Nothing very wrong about that.

Hon. Mr. LOUGHEED—Only extreme inconsistency between professions and acts.

Hon. Sir MACKENZIE BOWELL—Only it is not correct—that is all.

Hon. Mr. LOUGHEED—The *London Daily News* speaking of his acceptance of the Cobden medal and his free trade professions:

These particular treaties are denounced because they would have prevented a reduction in the Canadian tariff, which is the first step to free trade for the Dominion. Sir Wilfrid Laurier so regards it, and nothing would give him greater pleasure than to open the Canadian ports as freely as Sir Robert Peel opened the ports of England. He is not entirely opposed to any system of free trade within the British Empire which would involve, protective duties upon goods manufactured or material grown outside, and he is credited with having driven that non sense out of Mr. Chamberlain's head. The recognition of the Cobden Club could not therefore have been more appropriately bestowed.

It seems to me that the prime minister of this country will require the rest of his natural days to reconcile the inconsistent positions which in one short year he took upon this important question. My hon. friend the leader of this House, in his address, spoke of the utter impossibility of any English statesman successfully advocating such a system of preferential trade within the empire. I am surprised at the little

faith which that hon. gentleman has in the possibilities of the people of the empire in devising a system of trade by which to their national advantage and mutual interest they can trade between themselves irrespective of the outside world. I might for the advantage of my hon. friend the Secretary of State, who seems to have placed very great confidence in the reports which he evidently received from London as to the influence exercised by the premier in securing the denunciation of these treaties. point out to him the fact that during the Jubilee the premiers met and passed a resolution in regard to the denunciation of the German and Belgian treaties.

I say it was in pursuance of the addresses from time to time sent by the Canadian parliament in pursuance of the address sent by the Intercolonial Conference which met in Ottawa, and in deference to colonial sentiment that the Imperial parliament denounced those treaties at that particular time. My hon. friend must think that we are possessed of a great measure of credulity if he believes for one moment the mere statement made by him or by any body else that it was entirely owing to the intervention of the premier of this country when at the Jubilee proceedings that those treaties were denounced.

Hon. Mr. POWER—Did not the Cobden Club say so?

Hon. Mr. LOUGHEED—I am not disposed to take the statement of the Cobden Club as establishing anything outside of their own ancient and embalmed theories.

Hon. Mr. POWER—They probably knew what they were talking out.

Hon. Mr. LOUGHEED—They are somewhat antiquated in their ideas and are not seriously regarded, I think in England or any other country, on modern trade questions.

Hon. Mr. BOULTON—If the hon. gentleman will allow me to say what I was told in England, I may tell him that the Cobden Club was merely the remnant of those people who took such a great part in bringing about free trade in 1846. The senior of the club was the Hon. Mr. Villiers, who died last month, and the necessity for maintaining the Cobden Club ceased, because all England fully appreciated the necessity for free trade.

Hon. Mr. LOUGHEED—I have to apologize to the House for taking up so much time on this subject. I did not intend to do so, but the remarks of the Secretary of State led me to go into the matter more fully than I intended. The next subject of importance in the speech is the contract which has been recently entered into by the government with Mackenzie & Mann, and upon which so much has been said, that I am afraid very little remains for me to say on the subject. I would like to preface what I am about to say by directing the attention of the government to the fact that in connection with the administration of the Yukon country they have removed from the territories a large proportion of the police and in fact have jeopardized life and property to an extent which is simply alarming. I am not making this statement with a view to making criticism upon the government, but simply directing the attention of the government to a fact which I think has escaped their attention. I need not call the attention of the government to the serious state of affairs which arose there in 1885 in connection with the North-west rebellion owing to the absence of a sufficiently strong police force in the vicinity of Indian reserves and half-breed settlements. The government is fully aware of those facts—facts of a most regrettable character and which at that time cost the country some eight millions of money. At this time we find the police, and particularly those police who have been stationed in the vicinity of Indian reserves removed from their quarters and sent to the Yukon country. Take for instance the district in which I live, where there are no less than eight or ten thousand Indians within a day's march or so of the town of Calgary, the police have been so displaced in their removal from time to time that should there be an Indian uprising life and property would be sacrificed. A very large amount of capital has been invested in that country, particularly by ranchers, by large cattle men who have been relying entirely on the protection of the force in policing that country, but entirely irrespective of this fact we find the police removed from there and at a time when greatly needed. If the police in the eastern part of the territories and those parts where

the Indian population is not so numerous were removed instead of in the Alberta district one could recognize perhaps the wisdom of the course pursued by the government.

Hon. Mr. PERLEY—They are taken away from the eastern part as well.

Hon. Mr. LOUGHEED—That renders it more serious than I anticipated, because I understand all the men in the district from which I come are under orders to be ready to move at any time to the Yukon country. I point this out to the Minister of Justice so that he may be apprised of the state of affairs which I mention and which is creating some alarm in that country.

Hon. Mr. MILLS—The white population there is very much more numerous than the Indians.

Hon. Mr. LOUGHEED—That may be, but they are scattered whereas the Indian population is not.

Hon. Mr. MILLS—Not scattered in Calgary.

Hon. Mr. LOUGHEED—The Indian population is living upon reserves and could easily organize and prove a very destructive element in the event of their rising at any time.

But dealing with this Yukon charter which is now before us, I have to express my dissent from the statements made in the address in regard to the desirability of this contract being entered into and carried out. Now, it seems to me that the government has done violence to the professions which for many years they had been making. Almost every profession which had been made by the liberal party when in opposition I find has been violated in regard to this particular contract. In the first place we have a contract presented to us involving the granting of a very large amount of the public domain. No intimation whatever is made to the public of the desire of the government that contractors should tender for the building of the road.

Now, the speech of my hon. friend the Minister of Justice was specially directed to the fact that urgency precluded them from adopting this course. It is a well known fact that when the Minister of the Interior went through that country last fall this matter was under consideration. It was known that numerous applications had been made for the building of a line of railway over this particular route, or approximately so, it was well known that the public demanded that capital should be invested by somebody or other for the building of such a road and no individuals were more seized with the trend of public sentiment in that direction than ministers of the Crown. That happened last year, and yet not a word do we find of anything being done in the way of asking contractors to tender for this particular work until almost immediately before the meeting of parliament. The first intimation we had of such a contract being entered into was in the speech of the Minister of Public Works in Montreal when he rather startled the community by outlining the contract in question. It is not necessary for me to say that public sentiment, entirely irrespective of political thought, at once condemned the contract.

Hon. Mr. MILLS—Oh, no.

Hon. Mr. LOUGHEED—It seemed to do violence not only to every pledge and profession of the liberal party, but it did violence to well established parliamentary practice. Now, if these gentlemen could have vindicated the position which they had taken by placing upon the table of this or the other House, or by giving to the public any information to justify their entering into this contract there might have been some excuse, some defence, some justification for the course they pursued. When my hon. friend from his place in this House undertook to explain the attitude of the government upon this particular subject, I certainly awaited with a considerable degree of curiosity the information that was to be imparted to us, because, I will undertake to say, that never in the history of this Dominion or in the history of responsible government will you find a government coming down to parliament and saying, we are about to alienate four million acres of the public domain to a company for the pupose of carrying out a particular work about which we have no information whatever. They tacitly admit not being able to justify the grant they are about to make, but ask us in the absence of information to swallow it holus bolus, on the ground that the work is necessary, and they made the best bargain possible. It

came out in the discussion within the last few days that these gentlemen must have some information, indefinite as it may be, that there were others who offered to carry out a contract, and that there were others who were prepared to say what they would do based upon accurate information of some kind. We find it reported in to-day's *Citizen* that the representatives of the Rothschilds made a proposition to the government to build a particular road.

Hon. Mr. MILLS—No, they did not: it is not correct.

Hon. Sir MACKENZIE BOWELL—Not on that line—another line.

Hon. Mr. LOUGHEED—I do not refer to this particular line, but to a line going into the Yukon country.

Hon. Mr. MILLS—Under the control of the United States.

Hon. Sir MACKENZIE BOWELL—No more than the other.

Hon. Mr. MILLS—Yes.

Hon. Mr. LOUGHEED—My hon. friend has made a reference to a point with which I desire to deal. It would appear evident that others than the present contractors had been in treaty with the government for the building of this road. It would appear that those other parties made a proposition very much more reasonable then the contractors to whom the contract has been given, so much so as to justify the government in further dealing with them, in making further efforts with them to carry out the line in question.

Hon. Mr. SCOTT—You are entirely wrong. There was really no other proposition. There were informal discussions with the members of the government, but no company, or responsible party ever put on record a proposition that could be considered.

Hon. Mr. LOUGHEED—Do I understand from my hon. friend that it was impossible to get other responsible parties to tender?

Hon. Mr. SCOTT—There were several who discussed it informally, but would not touch it under any reasonable conditions. The gentleman who represented himself to be the agent of the Rothschilds—I do not know whether he is or not—was opposed to this route altogether. He said he would be willing, although he made no proposition, to build a line from the head of the Lynn Canal on much more favourable terms; so would Messrs. Mackenzie & Mann; but we said: We cannot entertain any such proposition.

Hon. Mr. MILLS—These men, no doubt, would have built the road for less, beginning at the head of Lynn Canal, which is not under our control or jurisdiction, and which might be closed against us any day; and so far as this road was concerned the party claiming to act on behalf of Rothschilds did contemplate making the government an offer. The government postponed the consideration of the question to give him an opportunity of making an offer, and ultimately he came to the government and said his friends in London were not ready to go on.

Hon. Mr. MASSON—Then the government did not receive any offer to build this road for 5,000 acres?

Hon. Mr. MILLS—Not for this road. There may have been a discussion with some members of the government, but there was no offer made to us; they might just as well have proposed to construct the whole road on the United States boundary as to construct the road under the existing circumstances. This was the only road open to us. The government decided that this road from the head of navigation in the Stikine River into the country was the only one they could undertake to construct, because it was the only route they had at the present time the control of. We were prepared to receive offers from those who represented wealthy institutions in England, but when they communicated with the capitalists in England they would not have anything to do with their arrangement, and after we had delayed entering into any contract for the purpose of constructing a road to give them an opportunity, they came to us in the end and said they had failed.

Hon. Mr. LOUGHEED—Let me say this that what has fallen from the lips of the leader of the House proves most conclusively to my mind that ample time was at

the disposal of the government to advertise for tenders.

Hon. Mr. MILLS—There was not.

Hon. Mr. LOUGHEED—If these gentlemen had sufficient time to enter into treaty with the Rothschilds of London and refuse the overtures that were made and had time to discuss the various phases of the question as to whether this road should be built from the head of the Lynn Canal or from the head of navigation on the Stikine River to Teslin Lake then surely they had sufficient time to advertise for tenders on so important an undertaking.

Hon. Mr. MILLS—Not at all.

Hon. Mr. LOUGHEED—Then all I can say is this government is a very much slower institution than I had thought. I understood this government, was a government of quick action, that it was going to show great alacrity in the administration of public affairs, that it would take advantage of time. But no; we find a public undertaking which last fall was known to be under way practically—at least it was well known that it would be placed under way—we had the Minister of the Interior going all the way to Skagway we had a discussion of the matter in the public press. I remember distinctly seeing an interview which took place between some members of the press and the Minister of Railways in regard to the building of the Teslin Lake road, in which he said emphatically that no aid or subsidy would be given to any company, that the bare franchise was a sufficient compensation to give to any company. That was many months ago and yet notwithstanding the flight of time we find no advantage taken of it. Notwithstanding the pressure of this enterprise, notwithstanding the starvation which my friend the Secretary of State so pathetically dwelt upon yesterday, the starvation of those poor mortals in Dawson City, notwithstanding these facts, we find those gentlemen falling into a state of desuetude, so to speak, upon this important subject, and not doing anything until a few days before the meeting of parliament. Now, then, this cry of no time and this cry of urgency is not sufficient to justify the government in the position they occupy upon this all important question. No such defence as this will justify an absolute violation of well established practice and of the pledges and promises which those gentlemen have made from time to time when in opposition. If there was no time to advertise for those tenders there might have been time for those gentlemen to have brought some information to the House as to the merits, if any, of this particular road. We certainly should have been seized with some information as to the feasibility of the route, the navigation of the water route and as to the probable cost of constructing such a road, but there is not a word about it, but on the contrary these gentlemen seem to think that the very absence of information and the plea of urgency justify them in the course which they have taken.

Hon. Mr. POWER—The hon. gentleman seems to forget that we are not discussing this Yukon bill. We are discussing the Governor General's speech.

Hon. Sir MACKENZIE BOWELL—We are discussing a paragraph in it.

Hon. Mr. POWER—But the hon. gentleman complains that all sorts of information is not on the Table of the House. When the bill comes to be discussed I presume the government will make the House seized of all the information they have, but it is unusual to expect that, before the bill is submitted to us.

Hon. Mr. LOUGHEED—To answer my hon. friend from Halifax, I have simply taken the statement of his leaders in this House that they have no information to give. Because my hon. friend said when he proceeded to enter into a defence of the government for entering into the contract he had two reasons to give why he could not give sufficient information to satisy the members. One was there was so much urgency there could be no information given.

Hon. Mr. MILLS—I did not say that.

Hon. Mr. LOUGHEED—My hon. friend said there was so much urgency for the building of this road that it was impossible to get information in time regarding all the facts which they would otherwise have obtained.

Hon. Mr. MILLS—My hon. friend has been for years supporting propositions to build railways. The Canadian Pacific Railway was one that was made without advertising for tenders, a private arrangement to

build a line that was not surveyed, and that is true of every railway in the North-west Territories, from which the hon. gentleman comes, or which have received appropriations from the government.

Hon. Mr. LOUGHEED—My hon. friend surely will not say there is any analogy between the building of the Canadian Pacific Railway and this particulary railway.

Hon. Mr. MILLS—We are not giving a dollar to this railway.

Hon. Mr. LOUGHEED—The contract of the Canadian Pacific Railway was entered into after mature consideration.

Hon. Sir MACKENZIE BOWELL—And after three millions of dollars had been spent.

Hon. Mr. LOUGHEED—First of all the government was defeated. That was one of the prelimilary steps to a consideration of the question. Then the government advertized not only on this continent but in Europe for tenders for the building of that road, and it was a matter about which this continent and also Europe were fully seized with the information that was required to enter fully into a discussion of it as well as the building of it.

Hon. Mr. MILLS—The hon. gentleman will remember that a second company sent in a tender. They offered to build a road without a monopoly clause, and they deposited one million of dollars in a bank as evidence of their good faith and readiness to contract with the government.

Hon. Mr. LOUGHEED—But the point I desire to make is this, that when parliament was called to discuss the Canadian Pacific Railway contract, parliament was in full possession of all information, so that they could arrive at a satisfactory conclusion and an accurate judgment on that great undertaking, and furthermore sufficient time was given for parliament to exercise its judgment upon that question before the country was absolutely bound to hand over the land subsidy and money grant which accompanied that contract.

Hon. Mr. MILLS—I would ask my hon. friend to point out to this hon. House the difference between giving a contract to this company to build this road aided by a land grant, and any one of the railways that are branches of the Canadian Pacific Railway that run through the North-west Territories. Charters have been given in this House where no surveys were made, no plans filed and a promise of a certain number of acres per mile to aid each enterprise.

Hon. Mr. LOUGHEED—I will give my hon. friend the answer. Before parliament entered into that contract, parliament spent hundred of thousands of dollars on surveying and inspecting the route to be adopted.

Hon. Mr. MILLS—But it was not adopted. I am speaking of other roads. Take for instance the Manitoba and North-western, and half a dozen other roads in the North-west Territories. Charters have been given and lands promised and no surveys made, no deposits required and my hon. friend has supported them.

Hon. Mr. LOUGHEED—Precisely, but nothing was done under those charters until they came down to parliament.

Hon. Mr. MILLS—Oh yes.

Hon. Mr. LOUGHHEED—If my hon. friend will look at the contract he will find, that notwithstanding the bill is not yet approved by parliament he has bound these contractors to proceed with the road before the 1st of March. They have deposited $250,000 which I understand from the Secretary of State is to be forfeited in the event of any non-fulfilment of the contract, and we find these men bound to the completion of this road within a date, which would render it practically impossible for them to have it started and completed except it was fully expected by the government that irrespective of parliament they should go on and build that road. I am not finding fault with the government for entering into the contract before a session of parliament, but I find fault with them for entering on a contract about which they have no information that would justify them in alienating such a large part of the public domain. I find fault with them for entering into the contract without giving an opportunity to other contractors to tender upon this particular undertaking and to thus probably save to the country the difference between its actual value and the amount it will cost the country

under the present contractors. I find fault with them for entering upon a huge undertaking of this kind without such information as would thoroughly justify them in adopting a particular route. But my hon. friend raised a point a few moments ago which I should like to discuss, and that is the reason of the government for refusing the offer of the Rothschilds.

Hon. Mr. MILLS—They made no offer.

Hon. Mr. LOUGHEED—Of course I accept the statement of my hon. friend, but I understand that there was an offer to build the road from the head of Lynn Canal for a subsidy of 5,000 acres per mile.

Hon. Mr. BOULTON—The company which made the offer is the Rothschilds Exploration Company with headquarters at San Francisco.

Hon. Mr. MILLS—A United States institution.

Hon. Mr. LOUGHEED—My hon. friend has suddenly taken a strange antipathy to United States institutions?

Hon. Mr. MILLS—No.

Hon. Mr. LOUGHEED—I understood the liberal party for many years had been denouncing the conservative party for their hostility to the United States and their refusal to enter into reciprocal relations of all kinds. I speak without very accurate information, but it seems to me that the routes from the head of Lynn Canal to open navigation would have been of very much greater service to the Dominion than a road from Stikine River to Teslin Lake.

Hon. Mr. MILLS—If that were Canadian territory from the head of Lynn Canal.

Hon. Mr. LOUGHEED—Let us deal with that phase of the question. In running through the Stikine River from Wrangel until you get into the Canadian territory you at once render yourself subject to all the obnoxious customs regulations and coasting laws that the United States have ever called into motion against Canadian navigation. We have never had, so far as my knowledge extends—I do not say it extends so far back as that of some honourable gentlemen before me, but I do not think my hon. friend can point to a single instance in Canada or the United States in which we have had any serious trouble by reason of having one of our railway termini in the United States. The relations of Canada with the United States for half a century back has been disturbed almost continuously with friction respecting the navigation laws between Canada and the United States. Scarcely a year has passed but we have had trouble with the United States by reason of obnoxious customs regulations and coasting laws incident to navigating the various streams and bodies of water between the United States and Canada. No hon. gentleman knows that better than my hon. friend who leads this House, and he admits and admits quite freely that those same difficulties confront us in regard to the navigation of the Stikine River from Wrangel until we get into our territory, hence we are subject to all the trouble and difficulty which we have been combating in Canada for years past.

Hon. Mr. MILLS—We have treaty rights on the Stikine River.

Hon. Mr. LOUGHEED—You have only rights to use that river for commercial purposes. One of the first purposes you will require to use that river for is the transport of troops.

Hon. Mr. MILLS—They can go in civilian clothes through United States territory.

Hon. Mr. LOUGHEED—My hon. friend knows it would lead to serious international complications if we attempted to transport troops in that way through United States territory. The very point that has been agitating public opinion within the Dominion for the last few months arose through that criticised visit of the Minister of Interior to Washington when he conceded to the United States the right of sending a body of American officials, suspected to be troops, through Canadian territory to the Yukon, although they were going ostensibly as a relief organization or something of that kind. They were to go in civilian clothes. They were nothing more nor less than citizens of the great United States commonwealth, but we had the press from the Atlantic to the Pacific commenting against such a liberty being extended to them, yet my hon. friend says "send them in civilian dress."

Hon. Mr. MILLS—That is the way we get our police force in.

Hon. Mr. LOUGHEED—The police force in the Red River rebellion of 1870 had to undergo a most perilous journey through Canadian territory, to get into our north-western country when the United States absolutely prohibited them from passing through American territory.

Hon. Mr. SCOTT—The mounted police went up the Yukon River in 1895 and 1897: the mounted police went through this United States territory, and some of them are there now.

Hon. Mr. LOUGHEED—We had to get special leave to take them there. They simply went there to police that district, and it was equally for the benefit of the United States people with ourselves that such was the case. But my hon. friend whispered the other night as a justification for the passing of this bill that there were grave and serious state reasons.

Hon. Mr. MILLS—So there are.

Hon. Mr. LOUGHEED—State reasons for the building of this road and the passage of the bill! The only state reasons that could possibly arise to justify the building of that road would be anticipation of trouble between the United States and Canada. Such trouble as that must necessarily involve the transportation of the military into the Yukon country. Will my hon. friend say, in view of these state reasons which he has intimated, that the Americans would for a moment allow us to transport our troops from Wangel to the Stikine River through United States territory into the Yukon country? Why the very statement made by the hon. gentleman is the very best refutation of the argument he has made that our troops could go by the Stikine route. I can point to instance after instance in the Dominion of Canada where one termini of a Canadian railway is on United States soil. The Canadian Pacific Railway Short Line through Maine, the Grand Trunk Railway, the Sault Road, in fact all the great systems of Canadian railways have termini in the United States, yet we have never had any trouble with the United States in regard to our railway system. But in regard to our navigation laws, we have always had trouble with our neighbours and if history repeats itself, we always shall. Therefore, I say, with the limited information before us, it would appear more advantageous to Canada to build from the head of Lynn Canal than from the head of navigation on the Stikine River. Another very serious matter is this : My hon. friend was not able to give information upon it, the hon. gentleman does not know anything as to the feasibility of the Stikine River route. I understand the navigation of that river is very limited indeed. In fact, on my way to Ottawa last week I met on the train a civil engineer from England who was familiar with this route and who told me positively that it could not be used more than four months of the year. I see a statement in to-day's press it cannot be used more than two months. We know that it is a very shallow river and vessels drawing more than 16 inches of water cannot navigate it.

Hon. Mr. POWER—That is a mistake.

Hon. Mr. LOUGHEED—I am simply giving the information I am in possession of. My hon. friend has rung the changes in every possible way that this road is peculiarly a Canadian road. The government advances that as one of the strongest arguments in justification of the building of the road. I wish to point out to my hon. friend that the building of that road by this route is quite as advantageous to the people of the United States as it is to the people of Canada. There is not a city on the Pacific coast but will participate in the advantages of this road quite as largely as any of the Canadians cities. San Francisco, Portland, Tacoma, Seattle—all those cities that lie on the Pacific coast and which are practically in possession of that trade to-day will profit as much by the building of the road as Vancouver or Victoria. He cannot gainsay that statement. They will sail up the coast, tranship at Wrangel or on the Stikine River, and ship their goods in the same as Canadians.

Hon. Mr. POWER—They have to pay duty.

Hon. Mr. LOUGHEED—They are paying duty to-day, yet they have most of the trade of that country. Certainly they will continue to pay the duty and keep the trade. The building of the road will not change those conditions of trade. Therefore, I fail

to see any force in the argument that has been advanced over and over again that this is a purely Canadian route. If you want a purely Canadian route, there is the route by Edmonton which would open up a vast territory fit for settlement, it would prove of incalculable benefit to that vast western country, and would positively restrict the market to Canadian products. Let us for a moment see how the United States have practically possession of so large a portion of the trade in that Yukon country. Take into consideration their capital, take into consideration their commercial prestige, take into consideration the very large proportion of United States citizens in that country and it will readily be seen that the disproportion between the population of the Dominion of Canada and that of the United States, will manifest itself exactly in the volume of trade which will be carried on in that country. I do not think there can be a doubt of it. The United States transportation companies will profit as largely by the building of that road as the transportation companies of Canada. Those companies are numerous, energetic and enterprising, and we in Canada are building a road apparently for the purpose of working into the hands of the United States transportation companies and commercial men of that country without their contributing a dollar towards it.

Hon. Mr. MILLS—I understood the hon. gentleman favoured the Lynn Canal route.

Hon. Mr. LOUGHEED—I say whatever route you open up there you open up for the benefit of the United States as well as of Canada, except you pass legislation which will discriminate in favour of Canadians against others. Any public work you carry out there will be more to the advantage of the people of the United States than to our own people.

Hon. Mr. MILLS—Then the hon. gentleman is opposed altogether to a railway from the coast in?

Hon. Mr. LOUGHEED—No. I say this, and say it with a feeling of certainty, that if this government will advertise for tenders for the building of a road with monopolistic privileges they will secure numerous offers from reliable companies who will build a road into that territory for the franchise alone without giving them an acre of property; the very figures advanced by the contractors themselves, illustrate beyond all question or doubt that the franchise itself with the enormous profits incident thereto will be more than an inducement for the construction of that road.

Hon. Mr. SCOTT—There are a number of charters now in existence—two by the Lynn Canal and one from British Columbia.

Hon. Mr. LOUGHEED—Let the government advertise that they are willing to accept tenders for the building of the road which will have a monopoly for five years of the trade of that country, and I venture to say they will receive several tenders from companies of strong financial backing for the building of the road. Mr. Mann stated the other day that his company would carry in from two hundred and fifty to three hundred thousand tons of freight this year over that route. The statements made by liberal members in the House of Commons on this same subject intimate from 50,000 to 100,000 people will go there this summer. I do not think it is an exaggeration to say 100,000 people will go by that route this coming year. The proceeds of the freight and passenger traffic from such a large number of persons would more than compensate the contractor for the building of the road—pay for it twice over.

Another most extraordinary provision has been introduced into this bill and one which is without parallel, is that it entirely excludes the application of the Railway Act. My hon. friend who is familiar with parliamentary procedure and parliamentary history cannot recall a precedent I venture to say in which a bill has been put through for the building of a railway in which the Railway Act has been wholly excluded in its application. I, however, have no intention of going into the various details of this bill, because I apprehend the opportunity will be given us at an early date to discuss it more fully. Suffice it to say that although much has been said against this bill, yet not too much has been said against it. It is establishing a precedent which is extremely dangerous, and above all that the liberal party should establish such a precedent of this character is beyond my comprehension. But they have been singularly unfortunate in their railway legislation since their accession to office. The action of

the government in increasing the subsidy by $2,000,000 to the Crow's Nest road over the amount of subsidy offered by the late government, and the introduction of the bill for the Drummond County road, which this House threw out, and for which they received the approval of the country, and now followed by this particular bill, the climax of their legislation upon railway matters, are all matters which might well cause comment and which warrant one in looking with a degree of caution upon contracts of this character. I say, therefore, that legislation of this character warrants from this chamber the most careful scrutiny. If all the safeguards which have surrounded legislation of this character are to be at once set aside, and we are to accept the statement that time, urgency and state reasons, &c., justify the action taken by the government, we might as well abdicate the functions imposed upon us as a parliament, and give to the government a free hand to legislate upon all matters irrespective of public opinion.

Hon. Mr. POWER—It is a pleasure to listen to the hon. gentleman who has just resumed his seat, and it is a pleasure to answer him. I only regret that just at the present moment I have not the physical vigour which would enable me to answer him in a satisfactory way—I mean in the matter of voice. But I propose to make a few observations on what he has said. The first point which the hon. gentleman made was that the hon. gentleman who leads this House occupied a position inconsistent with his previous professions, that he or the party with which he had been associated, had been in favour of reducing the number of ministers, and consequently he should not have accepted office. The natural answer to that is that no member of the liberal Party ever proposed to abolish the Department of Justice, and if any department was to be abolished it would be some other one; and, for my part, I am very glad indeed that the hon. gentleman who now occupies the position of Minister of Justice did not propose to abolish this department but would let some other department go. Then the hon. gentleman made a statement which I was rather surprised to hear from a gentleman of his astuteness and his familiarity with the law which deals with parliament and government. The hon. gentleman said that the gentleman who was last Minister of Justice had contravened the independence of Parliament Act by sitting in this House when he proposed, or expected, to be appointed LieutenantGovernor of Ontario.

Hon. Mr. LOUGHEED—I did not say any such thing. What I did say was that the liberal party had strongly urged that no member of parliament should be allowed to remain in the House in anticipation of resigning, and taking a public office or portfolio other than that of Minister of Justice. My hon. friend is not familiar with the platform of his party yet.

Hon. Mr. POWER—The hon. gentleman is making a distinction without a difference. I understood the hon. gentleman quite correctly. He contended that the position of Sir Oliver Mowat when he sat in this House, in view of his subsequent appointment to the Lieutenant Governorship of Ontario, was inconsistent with liberal principles.

Hon. Sir MACKENZIE BOWELL—Liberal professions, not liberal principles.

Hon. Mr. POWER—I am surprised the hon. gentleman should say a thing of that kind, because in the first place, there is no evidence whatever that Sir Oliver Mowat knew he was going to be Lieutenant Governor of Ontario at that time.

Hon. Sir MACKENZIE BOWELL—He refused it once.

Hon. Mr. POWER—And, in the next place, it would not in the slightest degree contravene the independence of Parliament, because Sir Oliver Mowat already filled an office of emolument under the Crown when he was Minister of Justice; and the thing which the liberal party have objected to, and the thing which is contrary to the spirit of the independence of Parliament Act, is that a member should sit in either House as a private member holding a secret promise of office from the government. It is pleasant to listen to the hon. gentleman saying these things. He says them in an agreeable way, and they are sometimes amusing, at any rate; but I just wish to indicate that there is really no serious weight in some of the things he said. Then the hon. gentleman having before him

the trade returns for the last many months, having the continuous statements which appear in the commercial colums of the great conservative papers through the country to the effect that the country is prosperous, and that trade is good, tells us, as a set-off to all this, that in Toronto the other day 500 idle men held a meeting in the City Hall. I do not suppose there has ever been a time when you would not get 500 idle men in the city of Toronto, and we know from the best authority that, at all times, we have the poor with us. It is a little surprising that the hon. gentleman, coming from the part of the country that he does, should undertake to deny that the country is prosperous as a whole, because no portion of the country has experienced a greater improvement in the way of prosperity than the country west of the great lakes. I have seen it stated—and I do not think it has been denied; and the hon. gentleman I think has some familiarity with the transactions of loan companies; I think he is interested in some companies—that in a great many cases loans in the North-west which had been written off as bad debts have within the last year been paid off by the borrowers.

Hon. Mr. LOUGHEED—That is correct, to a limited extent.

Hon. Mr. POWER—That is a very good indication of prosperity I think.

Hon. Mr. BOULTON—The loans were at a very low rate.

Hon. Mr. POWER—That makes no difference. These debts were looked upon as so hopeless by the loan companies that they had been writen off, and were not regarded as valuable assets; and, under the impulse of the improved condition of that part of the country, the loans have been paid off.

Hon. Mr. McCALLUM—To whom would you give credit for that? The government of the country, or Providence?

Hon. Mr. POWER—I have not given any one credit for it at present. My hon. friend is too impetuous. I am simply dealing with the statements of the hon. gentleman from Calgary, and showing he is not just as accurate perhaps as he might be. With respect to the Canadian loan, I have not very much to say. I do not pretend to be familiar with those questions of finance, not perhaps as familiar as the hon. gentleman who preceded me is, but I know that certain papers which support the conservative party have expressed their satisfaction at the fact that this loan had been effected at a very low rate of interest and at a very reasonable figure. That is the general impression, I think. Then the hon. gentleman tried to make out that this loan of 15,000,000 dollars represented the extravagance of the liberal party since they came into power. As a matter of fact, the bulk of the loan was needed to pay off debts incurred by the predecessors of the government, and to pay out moneys for the purpose of carrying out the obligations contracted by the late government. The hon. gentleman seemed to think that the fact that Canadian banks had subscribed for a considerable portion of this loan was a piece of evidence adverse to the success of the loan, but it does not so strike me. I think that if Canadian bankers, who know most about the condition of affairs in this country, are willing to invest their funds largely in Canadian loans it is simply an indication that those who know most about the country have ample confidence in its financial position. Then the hon. gentleman took up what had been said by the hon. Secretary of State with respect to preferential trade, and he tried to fasten—I do not know whether I should call it an accusation, but something like it—an accusation of suppression of an important fact on the hon. Secretary of State, because he did not deal with some proposal which had come before this meeting of the Boards of Trade. I listened to the statement of the three proposals which were laid before that Board, made by the hon. gentleman from Calgary, and I noticed that the second proposal was identical with that which was made on various occasions by the conservative party, and by the leaders of the conservative party, and by the conservative government. Their proposal always was that if we should undertake in this country to give any preference to England, it should be in return for some preference given to us by England, and it is perfectly clear from the speeches made by members of the present English government, and members of the late English government, that England would not give us any preference, and the reasons were set forth fully by the hon. Secretary of State, and I think also by the hon. gentleman from Shell River. The pro-

posal which the hon. gentleman thought the Secretary of State should have set before the House was one that would not be entertained, and could not be entertained at the present time at any rate, by any one dealing seriously with the financial business of this country. That proposition was that in this Imperial zollverein no duty should be charged by the colonies upon English goods. The hon gentleman must see that the proposition is not a practical one at all. It would be impossible to carry on the government of this country without completely revolutionising our methods, if we were to adopt any such proposal as that. The proposal made by the hon. gentleman from Shell River would be a much better one than that, more practical I think, and more beneficial. I move the adjournment of the debate.

Hon. Mr. PRIMROSE—Before the motion carries, I would like to ask the senior member for Halifax a question. In his opening remarks, referring to the number of portfolios and the necessity for the retention of the office of Minister of Justice, he indicated that one of the others might go. Is he in a position to inform the House whether there is any immediate danger of any such contingency ?

Hon. Mr. POWER—If the hon. gentleman will put his question in writing, I shall answer it.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 14th February, 1898.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

DEBATE CONTINUED.

The Order of the Day being called—

Resuming the further adjourned debate on the consideration of His Excellency the Governor General's Speech on the opening of the Third Session of the Eighth Parliament—

Hon. Mr. POWER said :—I trust the House will excuse my shortcomings in dealing with the Speech from the Throne. I had hoped when the debate was adjourned on Friday that I should have felt in my usual fairly good fighting trim. I regret to say I do not. When the House adjourned I was dealing with the speech made by the hon. gentleman from Calgary (Mr. Lougheed), and I trust the hon. gentleman will not think it is through any want of respect for him that I do not continue doing what I was then engaged in doing. Before undertaking to deal with the speech, I may be permitted to make an observation or two on some remarks made by the hon. leader of the opposition, who, I am sorry to see, is not in his place ; one of which, at any rate, I regretted to hear. The hon. gentleman made a reference to the hon. Secretary of State which pained me. The hon. leader of the opposition and the hon. Secretary of State have both exceeded the term of years which the Scriptures allows to man, and they have arrived at that time of life when the passions which are generally strong in early life have cooled off, and gentlemen cultivate, or are disposed at any rate to entertain, friendly feelings towards one another. The hon. leader of the opposition referred to the position of the hon. Secretary of State in this House and adverted, not in a cordial or friendly way, to the fact that the hon. gentleman was not now leader of the House ; that first Sir Oliver Mowat, and next the present Minister of Justice, had been made leaders of the House. I do not think that that is a subject which particularly concerns the opposition ; and I do not think there is anything remarkable in the circumstance. Sir Oliver Mowat is a gentleman who has occupied for some years an almost unique position in the public affairs of the country. He was by some years the senior of the hon. Secretary of State ; and the Secretary of State had held office as a subordinate member in the Ontario government, of which Sir Oliver Mowat was the head. So that it was only natural that when Sir Oliver Mowat came into this Chamber he should take the lead, particularly as the Department of Justice is recognized as being a more important department than that of the Secretary of State. The hon. gentleman who now presides over the Department of Justice had also been together with the hon. Secretary of State a member of the Mackenzie administration, and had in that government filled a most important and

prominent office—that of Minister of the Interior; and it was not very remarkable that, under the circumstances, that the hon. gentleman, filling the important office which he now does, should have been selected to lead the House. I was the more surprised at the attitude assumed by the hon. leader of the opposition, because that hon. gentleman's own experience in connection with the matter of leadership was not s ch as was calculated to make him disposed to raise questions on that point with reference to other persons. The hon. gentleman did become the leader of the government, as we know, and the hon. gentleman ceased to be the leader of the government which preceded the present government; and the hon. gentleman, it was generally understood, was not particularly anxious to retire from the position of leader, but did so as a result of the intrigues of a body whom he designated as a "nest of traders." There was this striking fact in connection with the way in which the hon. gentleman ceased to be the leader of the government of that day, that he was obliged to commit political hari-kari—he was obliged to commit suicide as a political leader. Under these circumstances, I am a little surprised that he should have raised any question on this subject. The hon. gentleman referred also to one or two matters which did not appear in the speech of the Governor General. One was the cable to Australia, and the hon. gentleman thought that the speech should have contained a reference to it, and his impression was that Canada should take very vigorous measures to secure the construction of that cable. Now, hon. gentlemen, although Canada is interested in the laying of the cable to Australia, she is not nearly so vitally interested in that matter as the Australian colonies or the mother country, and if the mother country and Australia did not think it necessary to proceed with the work, and as far as we are aware we have no evidence that they thought it necessary, I do not think that we here in Canada should be very much disturbed over the matter. I have always felt that when Canada constructed the Canadian Pacific Railway from the Atlantic to the Pacific she had done her duty for some time in the matter of improving communication between the different parts of the empire; and it is for those portions of the empire which are more directly and vitally interested to devote attention to any further steps that may be deemed necessary.

Hon. Mr. BOULTON—Is the Canadian Pacific Railway maintained at the government's expense?

Hon. Mr. POWER—The Canadian Pacific Railway is not maintained at the government's expense, but the Canadian Pacific Railway could not have been constructed without a vast expenditure of money and land on the part of the people of Canada. Taking up the speech now, I shall try and deal with some of its paragraphs. It is not necessary for me to deal with the first paragraph, which refers to the political and material prosperity of Canada; and I have already said something about the loan, which is regarded by people who know more about financial matters than I do as being, on the whole, a very satisfactory loan, particularly as it fixes the rate of interest upon our future loans at one-half per cent lower than it had been. The third paragraph, the one which speaks about the jubilee ceremonials and the action of the Imperial government in denouncing the treaties with Germany and Belgium, deserves all the consideration it has received. There were distinguished men, leaders from all parts of the empire, gathered at the capital to do honour to Her Majesty on the occasion of her diamond jubilee, and amongst all the colonial and Indian magnates who were present on that occasion, I think I am safe in saying that no one man attracted such attention from the press and from the people who were gathered there as did the Premier of Canada. I do not think I am saying too much when I say that, next to the Queen, our Premier was the central figure of the Jubilee celebration. This was, no doubt, largely due to the action of the Canadian Parliament in deciding to give a preference to British goods in our market, but it was also due in a large measure to the personal qualities of the Premier. On every occasion—and he was to the fore on many important occasions—he bore himself in a manner which was calculated to impress favourably those who met him and listened to him, and to awaken emotions of pride in his fellow-countrymen. I may say, hon. gentlemen, that in no case was this more conspicuous than in the case of the speeches which the hon. gentleman delivered in France. No particular refer-

ence has been made to these; but speaking for myself, I say that nothing impressed me more favourably than the speeches made by the Premier in France. He was there amongst people who spoke his native language, people of his own origin, and there was a natural temptation to say the thing which would please those people; but on every occasion when the Premier made an important speech in France he took care to inform his hearers that he and his countrymen here in Canada were loyal to England, that they admired the British system and had no desire whatever to change their allegiance, and it seems to me that for that he certainly deserves our thanks. The hon. leader of the opposition in discussing His Excellency's speech set very little store upon the preferential feature of the tariff. I think it is a matter of very serious consequence. When it was being discussed last year the hon. gentleman took the same ground, but the results have shown that my hon. friend was mistaken. Facts, as they say, are stubborn things, and the facts are all against the hon. gentleman. The fact is, that while the party of which the hon gentleman was for some time leader, and which he now leads in this House, had been expressing for years their great anxiety to secure the denunciation of the German and Belgian treaties; they had so managed things, had so loaded their propositions with conditions, that they made no progress whatever in the desired direction; and this preferential clause in the tariff of 1897, small as the hon. gentleman tries to represent it as being, has succeeded in bringing about that which the conservative leaders had been professing their anxiety to bring about for so many years. It secured in a very short time the denunciation of the German and Belgian treaties. Perhaps some hon. gentlemen may say that I have no authority for the statement which I make, but I have the very best authority which I shall with the indulgence of the House, quote. I have in my hand an English blue book, the "Proceedings of a conference between the Secretary of State for the colonies and the premiers of the self-governing colonies at the colonial office, London," in June and July, 1897. I find that Mr. Chamberlain, the Secretary of State for the Colonies, deals with this matter of the commercial relations between England and the colonies. It will be seen that he takes an entirely different views of that question from the view taken by the hon. leader of the opposition in this House. He speaks about a zollverein and says:

> This is a matter upon which at the present time, rather than suggest any proposals of my own, I desire to hear the views of the gentlemen present.

According to the hon. gentleman from Calgary, the Colonial Secretary had views of a very pronounced character, but he is represented here as being desirous of hearing the views of the colonial premiers. However, that is not the paragraph to which I desire more particularly to direct the attention of hon. gentlemen. The proposal which I desire to call attention to is this: he is speaking now of the denunciation of of the treaties with Germany and Belgium, and he goes on to say:

> It should be borne in mind that that is, for us, a most important question. Our trade with Germany and Belgium is larger than our trade with all the colonies combined. It is possible that if we denounce those treaties, Germany and Belgium would endeavour, I do not say whether they would succeed, but they might endeavour to retaliate, and for some time at any rate, our commercial relations with these two countries might be disturbed. Therefore, a step of that kind is one that can only be taken after the fullest consideration, and in deference to very strong opinion, both in this country and in the colonies.

Now this is the point to which I wish particularly to attract attention:

> Now the question is brought to a practical issue, or may be brought to a practical issue, by the recent action of Canada.

It is not the action of the former Conservative Government of Canada, nor of the Colonial Conference, nor anything of that kind, but the recent action of Canada.

> As all are aware, Canada has offered preferential terms to the mother country, and Germany and Belgium have immediately protested and claimed similar terms under the treaty. Her Majesty's Government desire to know from the colonies whether, so far as they are concerned, if it be found that the arrangements proposed by Canada are inconsistent with the conditions of those treaties, they desire, that those treaties shall be denounced. If that be the unanimous wish of the colonies, after considering the effect of that denunciation upon them as well as upon us, because they also are concerned in the arrangements which are made by these treaties, then all I can say at the present time is that Her Majesty's Government will most earnestly consider such a recommendation from the colonies, and will give to it the favourable regard which such a memorial deserves.

And then he goes on to deal with what Canada has done and adds:

> But of course the whole difficulty——

That is the difficulty with respect to other countries which have favoured-nation clauses in their treaties with Great Britain.

But of course the whole difficulty can be avoided, I only point out in passing—the whole difficulty can be avoided by any colony which desires to make the preferential arrangement with the mother country, if that colony will confine its offer *nominatim* to the mother country and not make it to a foreign country, but if it is offered to a foreign country then as I say it will be controlled by the most favoured-nation treaties throughout the world.

I gathered from the speech of the hon. Secretary of State the other day that the intention of the government was to act upon that suggestion, and that the preferential clause of the tariff would be modified in accordance with the suggestion of the Colonial Secretary.

Hon. Mr. ALMON—Hear, hear.

Hon. Mr. POWER—Then, when the premiers of the various colonies met to consider the speech made to them by the Secretary of State for the Colonies:

The commercial relations of the United Kingdom and the self-governing colonies were first considered and the following resolutions were unanimously adopted:—

1. That the premiers of the self-governing colonies unanimously recommend the denunciation at the earliest convenient time of any treaties which now hamper the commercial relations between Great Britain and her colonies.

2. That in the hope of improving the trade relations between the mother country and her colonies the premiers present undertake to confer with their colleagues with a view to seeing whether such a result can be properly secured by a preference given by the colonies to the products of the United Kingdom.

I think it is quite clear that the denunciation of the treaties is due to the action taken by the parliament of Canada last session in connection with the preferential clause of the tariff; and, apart altogether from the effect which this provision in the tariff has had upon the action of the Imperial Government, the reduction of twenty-five per cent in the tariff upon goods which come from England and from certain colonies, is a matter of very considerable consequence. It is a step in the direction of a revenue tariff.

Hon. Mr. BOULTON—Was not that only done to equalize the duties between the United States and Great Britain, rather than to give a preference to British goods?

Hon. Mr. POWER—No; the provision is that upon goods imported from Great Britain—I speak now of what it will be after the 1st of July next—there is a reduction of twenty-five per cent upon the regular tariff. That is as clear and distinct and marked a preference as one can well have.

Hon. Mr. BOULTON—Hon. gentlemen will recollect that the Minister of Marine and Fisheries claimed that the duties levied against the importation of English goods were 25 per cent more than those levied against United States goods, and thus the change equalizes the two. It is not abolishing the tariff or anything of that kind: it is equalizing what was supposed to be an inequality before.

Hon. Mr. POWER—I do not remember that the Minister of Marine and Fisheries made the statement that the hon. gentleman has referred to.

Hon. Mr. BOULTON—He moved a resolution in the House.

Hon. Mr. POWER—I know that some years ago the hon. gentleman who is now Minister of Marine and Fisheries made a speech in the House of Commons in which he showed that the tariff of the conservative government was so arranged that goods which were imported from Great Britain did pay, on an average, a higher duty than those imported from the United States; and the change which took place last year is calculated to remedy that evil, as a matter of justice to the mother country. Where England and the United States are, for instance, competing for our markets, say for woollen goods or cotton goods, it gives the English article a preference of 25 per cent in our market, which I think is a very important matter indeed, and the fact that no reduction is made in favour of countries outside the empire which maintain hostile tariffs against the empire and against us, is not a very serious objection. I for one should perhaps have been gratified if further steps had been taken in the direction of a revenue tariff or of free trade; but looking at the spirit in which Canada has been dealt with by foreign countries, particularly by the great country south of us, I am not disposed to regret that no steps have been taken to materially lower the wall upon our side.

Hon. Mr. BOULTON—So that you will keep up protection?

Hon. Mr. POWER—We cannot have free trade at once. We have made a very considerable step in the direction of a revenue tariff, and I think we have made it the right way. We have made it so that it benefits

the country to which we are under great obligations and does not benefit the countries which have not been friendly to us. At any rate, the gentlemen in opposition should not quarrel with that view.

Hon. Mr. BOULTON—They do not. They ought to be on your side.

Hon. Mr. POWER—The hon. member from Shell River is a gentleman with whom I agree in theory very largely, but I feel that it would be impossible, in a country like this, where we have had so high a tariff for so many years, and where so many interests have grown up under that tariff, it would be almost impracticable to do what has been done, for instance, in New South Wales. In New South Wales their tariff was not nearly as high as the tariff which we had in Canada. It had been in operation only some four years, and the shock of coming down to a free trade basis in that country was nothing compared to what it would have been if we had undertaken at once to do what they have done in New South Wales. It is not necessary that I should quote any further evidence, but perhaps it may be just as well that I should make some reference to a statement which has been made, although the authority has not been given for it, that certain proposals were made by Mr. Chamberlain to the Canadian premier. There is no evidence in these official documents, which are all that we can go upon, to show that any offer was made. I find in the Toronto *Globe*, however, of the 13th November last, a statement, which I presume, is at least as reliable as the statements made by hon. gentlemen in opposition, to the effect that Mr. Chamberlain made the proposition that there should be absolute free trade between Britain and her colonies on the condition that the former placed a small customs tax on commodities from foreign countries, and it is stated in the same place that Sir Wilfrid Laurier, speaking for Canada, said that he could not accept such an offer, that the Canadian government had already arranged for an abatement of duties on British goods to the extent of 25 per cent, and as the whole fabric of Canadian finance as well as Canadian industry was founded on customs duties we could not consider a proposal to remove them in toto. In the course of the hon. gentleman's speech he laid down some sound theoretical doctrines with respect to free trade, and I took the liberty of indicating my concurrence in his views by saying "hear, hear." The hon. gentleman apparently thought that my "hear, hear" was ironical. I wish to assure him that it was not, and I hope the day is coming, and within our time, when we shall get down to a revenue tariff, if not to free trade, as it is in England. The hon. gentleman said—and I was rather surprised at his saying it—with respect to the tariff, that the duty on iron had been reduced and the bounty had been increased, and that that was making matters worse. I am rather surprised at that. Looking at the matter from the hon. gentleman's point of view, I should not think that. The objection to the duty is that it makes every one who consumes pig iron pay more for the iron which they consume, while the bounty takes the money directly out of the treasury and confers a benefit on the maker of pig iron without increasing the burden on those who use pig iron; and for my part I prefer the bounty to the duty. I prefer it also for this reason, that the bounty is a thing which impresses the average man more, and is less likely to remain than the duty.

Hon. Mr. BOULTON—The objection I raised was not to the increase of the bounties, but to giving the bounty for the production of iron from imported ore.

Hon. Mr. POWER—The object of the duty and the object of the bounty are the same. The object is to encourage the manufacture of pig iron in Canada, and it has been found by experience that it is necessary to employ a certain quantity of foreign ore to mix with the Canadian ore for the purpose of making the iron, and the bounty as it stood before was practically of comparatively little value. I hope we shall before long be in such a position that our industries will all stand upon their own bases and will not require either bounty or duties beyond the duty that may be necessary for revenue. With respect to the tariff, that hon. gentleman or some hon. gentleman wished to know if I was satisfied; I am not altogether satisfied with the tariff in its present position. I think it is better than it was a year ago, built as it is susceptible of improvement still, and I hope to see it improved. Speaking simply for myself I may say one of the points about the

tariff which strikes me as objectionable, from a revenue point of view at any rate, is the admission free of duty of vast quantities of goods which are denominated raw materials. If the absolute necessities of life were admitted free, I could perhaps see the fairness of admitting raw materials free. That is the English practice, but it seems to me that while there are duties on the necessaries of life, the manufacturers' raw material should pay a small duty too. Last year the amount of raw materials imported free was somewhere in the neighbourhood of forty millions of dollars. Remember, I am speaking simply for myself. It occurs to me that a small duty of, say, five per cent on that forty millions of dollars would bring in something in the neighbourhood of two millions of dollars to the revenue, and I do not know any way in which the government could better get a revenue than in that way. The manufacturers' products are amply protected, and I think that they might pay a small revenue duty on their raw materials as other people pay duty on the necessaries of life.

Hon. Mr. BOULTON—That is getting further away from free trade.

Hon. Mr. POWER—I do not think so; it is a revenue tariff and that is the way to get revenue. It is not treating manufacturers as favourites of parliament when every one else is not favoured, but putting all on the same footing. The small duty of five per cent could not hurt the manufacturers materially, and it would help the rest of the community very materially. I dare say the hon. gentleman from Shell River would be pleased if I should devote more attention to the tariff, but I regret to say, and I think the House will say that I have already devoted too much to it. I hope before long to see a further reduction of the duty on coal oil, but in saying so, I speak for myself alone. The fourth paragraph of the speech deals with the recent gold discoveries on the Yukon and its tributaries. The paragraph also refers to the contract entered into subject to our approval. This matter has been dealt with at very considerable length already in the course of this debate. I am not objecting to it. I think perhaps on the whole the government have reason to congratulate themselves on the fact that the opposition have devoted so much time to this Yukon contract. Strictly speaking, it would be more regular to wait until the government measure, which is now before the other House of parliament, came to the Senate, before discussing it at such length, but the course which has been adopted has its advantages as well as its disadvantages. Looking at this contract, every one must say that there is great necessity for prompt action, for exceedingly prompt action. Every one does agree with respect to that point: there is no difference of opinion. Thousands of people are hastening to get into that country, and I presume that later on in the season, when the winter winds begin to blow in the Klondike region again, most of those thousands of people will be in a great hurry to get out again, and it is an absolute duty on the part of the government, having done their best to warn the people against going in, to try and furnish them with the means of getting out. Hon. gentlemen should consider what the effect of the Senate rejecting this measure would be. Suppose we throw out the measure which is now before the other House; we cannot stop those who are going to the Klondike from going in, there will be almost no means of getting those thousands out again or getting food in to them—and if there was great difficulty getting food in for those who were there when winter set in last fall, the consequence would be very much more serious at the close of the coming season. When we consider what the effect of our rejecting the measure would probably be and what the country would think of the result, we should be very careful and deliberate in making up our minds. I do not say more than that. I do not say that if on the whole the measure does not commend itself to the judgment of the House they should pass it, but we should be careful and deliberate before making up our minds to reject it. We should approach the question in the spirit indicated by the hon. gentleman from Monck (Mr. McCallum), who said he would like to see the contract and consider it and deal with it on its merits. Just what view the hon. gentleman from Monck may ultimately take I cannot say. I am afraid that the hon. gentleman was a good deal like his fellow countryman, who said he was open to conviction, but he would like to see the man who could convince him. It is of vital necessity that an improved method

of entry and exit shall be secured during the coming summer. If the government did not do this they would be condemned, and condemned with a certain degree of justice. That is one point. There is no question about that. It is equally clear that no railroad could be secured during the present season without help from the government. There was some vague intimation from some hon. gentleman that there were companies who were ready to build without any help from the government; but there were two companies, one at any rate was supposed to be a very strong company, which received powers from this parliament last session—the British Yukon Company and another, which proposed to go in by the Taku Inlet, and the name of which I do not now remember; but neither of these companies, as far as I am aware, has done anything in the way of building a railway, and neither of them has made any offer to the government of a practical character. Now, hon. gentlemen, if public help was to be given to a road into the Klondike region, the road should be such as to confer the largest practicable benefit on Canada, Canadian farmers, manufacturers and business men, consistent with its being opened during the present year. Has that been provided for in the contract entered into by the government? I think it has. I say that, after giving the contract as careful consideration as I reasonably could. I think the contract if it is carried out will have that effect. There is only one danger, one serious interruption to navigation, between the head of Teslin Lake and Dawson City, and that is an interruption composed of three or four boulders in the course of the river, which I understand can be removed at a trifling expense.

Hon. Mr. BOULTON—What is stopping Major Walsh?

Hon. Mr. POWER—The cold weather. That, I am informed by a gentleman whose business it is to be informed on the subject, is the fact, that those three or four boulders are the only obstacles to navigation from Teslin Lake down, and that these can be removed at trifling expense, the figure mentioned being something less than $10,000. Then, I am also informed by the same gentleman, that there are, when the water is high, over four feet and almost at all times three feet of water in the Stikine River, so so that the 150 miles of railway which are provided to be built under this contract, will connect with satisfactory navigation at each end; both the termini of this railway will be in Canadian territory; and the Stikine River is free to our commerce under the treaty of Washington. Hon. gentlemen may say that although it is free under the treaty of Washington, still we may be hampered in our use of it by our neighbours. That is possible, but can any hon. gentleman tell me any other route of which the same is not true, and of which the same is not more true than of this one? If you go up to the head of the Lynn Canal, or anywhere in that neighbourhood, you have to go for miles over United States territory. If you go up the Yukon, the navigation of which is made free to us, you have to spend a much longer time, and the difficulties are such that it would be impracticable to navigate the Yukon if the United States authorities interfered with our steamers getting fuel on the way up. The only difficulty in the case of the Stikine River is just the fact that there may be some little difficulty raised with reference to our goods being forwarded in bond, being transhipped at the mouth of the Stikine River, but I do not think there is reason to suppose there will be any serious difficulty in connection with that matter; and there is no other route which is less open to the raising difficulties by our neighbours than the route by the Stikine.

Hon. Mr. MACDONALD (B.C.)—The Portland Canal?

Hon. Mr. POWER—It will take more than one summer to build a railway to the Portland Canal.

Hon. Mr. MACDONALD (B.C.)—Yes, it will take two years anyway.

Hon. Mr. POWER—And in this case one of the things the government had to bear in mind was that the way should be opened during the coming summer. If we are hampered in the Stikine River, it may be well just to refer briefly to the reason why we are hampered. Under the convention of St. Petersburg between Russia and Great Britain signed at St. Petersburg in 1825, the sixth paragraph contains this provision:

It is understood that the subjects of His Britannic Majesty, from whatever quarter they may arrive

whether from the ocean or from the interior of the continent, shall for ever enjoy the right of navigating freely and without any hindrance whatever all the rivers and streams which in their course towards the Pacific Ocean may cross the line of demarcation upon the line of coast described in article three of the present convention.

We were put on just the same footing, the footing of complete equality, with Russia by that treaty; and when the United States took over Alaska from Russia, they took it over subject to the provisions of that treaty. Unfortunately some four years after the United States took over that country from Russia, a gentleman was sent from Ottawa to Washington to represent Canada at the deliberations which resulted in the treaty of Washington, and that gentleman knew so little about the previous history of the question that he accepted, instead of that complete and free use for all purposes of all the rivers running through this strip of country to the Pacific Ocean—he accepted the free use, for commercial purposes, only of three rivers. If we are in rather a box, the person responsible is the gentleman who was for so long a time the leader of the Conservative party.

Hon. Mr. MACDONALD (B.C.)—Is it not a fact that the rights granted under the Russian treaty fell entirely to the ground when Alaska was ceded to the United States, and we could only have rights under the treaty of Washington?

Hon. Mr. POWER—No. After the treaty of Washington had modified the terms of the treaty of St. Petersburg, I presume it would be useless to contend that we could go back to the treaty of St. Petersburg; but if the representative of Canada had been as familiar with what had taken place between Russia and Great Britain as he should have been, he should simply have held on to what we had already, and not given it away and taken something less.

Hon. Mr. MACDONALD (B.C.)—I remember very well in this House when the treaty of Washington came up for discussion and the navigation of the Yukon, the Porcupine and the Stikine Rivers was spoken of, hon. gentlemen laughed at the idea of those rivers being open for us. Now we are receiving the benefit of that bargain.

Hon. Mr. POWER—That only shows there were other people who were not very wise as well as the gentleman who negotiated the treaty.

Hon. Mr. BOULTON—Our rights date from the Washington treaty.

Hon. Mr. POWER—They do now. One great advantage which the route selected by the government has is that it will not pass over any United States territory or over any waters to which the United States have exclusive rights. Another advantage is that if our neighbours act in an unfriendly manner, the railway can be continued from Telegraph Creek or Glenora to some port in British Columbia. In paragraph five of the contract provision is made for this contingency. As I have contended the route selected by the government has a great many advantages; now what are the drawbacks? One drawback is that it is open only for part of the year, but that same statement is true of every route from the Pacific Ocean to the Klondike region. It is also true that if our neighbours are disposed to be unreasonable—I trust they will not be so disposed—they may somewhat hamper our traffic. That also is true of every other route, but more so of other routes than of this one, because the only point where any difficulty can occur at all on this line is at the point of transshipment. We should look at the thing in a calm and deliberate way. I do not think that any hon. gentleman in the opposition here is anxious—I am sure no hon. gentleman ought to be anxious—to hurt his political opponents by finding fault with an agreement which on the whole is a good one. My own honest feeling is that the government have chosen what is, under the circumstances, the best available plan for reaching the Klondike.

Hon. Mr. MACDONALD (B.C.)—We do not oppose the route at all. It is the payment we oppose.

Hon. Mr. POWER—I shall deal with that a little later on. We have very strong evidence of the fact that the government have chosen what, on the whole, was under the circumstances, the best available route for getting into the Klondike, in the fact that the leader of the opposition, a gentleman who is familiar with the question, who has been out in British Columbia and who has been interesting himself in the best method of getting into the Klondike region,

was in favour of the government scheme and approved of it. He was in a better position to understand the question than most members of either house of parliament, and he declared, in the most open and unreserved way, his approval of the route selected and of the general character of the agreement. It is true that we have had indications recently that the views of the hon. gentleman, as expressed on three or four different occasions, and expressed without any reservation at all to the representatives of important newspapers, are not the views expressed by some of the hon. gentleman's followers. It has occurred to me that possibly, in the case of the hon. gentleman who now leads the Conservative party, and who succeeded the hon. gentleman who leads the opposition in this House, there may be developing some kind of combination which the hon. leader of this House designated as a nest of traitors. I notice that two of the gentlemen who were conspicuous on the former occasion have been very active in their condemnation of the route and contract which their present leader had cordially endorsed. I have said enough to show that the government were obliged to take some steps such as they have taken, and that the route they selected was on the whole the best they could have selected. Not the weakest reason for thinking so is the view that was taken by the present leader of the opposition in the other House of parliament. That of course is all subject to this condition: is the agreement for the use of this route and for the construction of the railway by this route, fair and reasonable in its terms? That of course we can only gather from looking at it. I do not propose to deal at any length with the different paragraphs of the agreement. At this stage, that would not be fair. The first paragraph in the contract contains one provision to which I shall direct attention:

> The said railway, when fully completed, to be of the general standard and gauge of the Kaslo and Slocan Railway, in British Columbia, and according to the specifications to be approved by the Minister or Railways.

As I understand, the Kaslo and Slocan Railway carries very heavy loads of minerals, and the rails are 45 lb. rails, and not 30 lb.

Hon. Mr. PROWSE—What is the gauge?

Hon. Mr. POWER—Three feet or three feet six. The specifications are to be approved by the Minister of Railways. It would be impossible to construct a broad gauge railway in the time the company have, and it is said this Kaslo and Slocan Railway carries very heavy loads. The contract also provides that while the railway is to be the property of the company, it is to be subject to inspection and approval by an engineer to be named by the government before being accepted by the government. There is provision made for the extension of the road northward to Dawson City, and for an extension of the road south to an open port in British Columbia. There is also provision made for building branch lines, but the right shall not be exercised without the consent of the Governor in Council. I think that is a wise provision, because after having this road built on a route, which we think to the best advantage of Canada, it may not be desirable that a road should be built to Lynn Canal across United States territory. The fourth paragraph of this agreement is one to which objection has been taken, but in my humble judgment it is one to which no reasonable objection can be raised:

> For five years from the 1st September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the international boundary between Canada and Alaska into the Yukon district, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway.

Having selected this route as the one most beneficial to Canada, it would be inconsistent and unwise on the part of the government to allow the construction of a road through United States territory to Lynn Canal and other points where our United States neighbours would have more advantages over us than they have in connection with the route proposed by this contract. The next paragraph, which is also supposed to be monopolistic in its character, is not objectionable:

> The contractors and the contractors' company shall be entitled to receive in preference to any other person or company during ten years from the said 1st of September, 1898, such aid or assistance in land or money as the government may be authorized and may see fit to grant in aid of a line of railway from the Stikine River to an ocean port in British Columbia, provided that the contractors or contractors' company are willing to undertake the construction of the same at once, and completion thereof within a reasonable time, upon receiving notice thereof from the government.

It would be eminently unfair and injudicious to authorize another company to

build, say from Telegraph Creek or any other such point, to tide water in British Columbia, if these contractors were willing to build that line of road; everything should be done to encourage Mackenzie and Mann to continue their line from Telegraph Creek to a harbour in British Columbia, where we shall be safe from all annoyance. The sixth clause of the bill contains this provision:

The tolls to be collected by the contractors or contractors' company upon the line of railway hereby contracted for between Stikine River and Teslin Lake shall be first fixed by the Governor General in Council.

That is a very important provision. It is to be supposed that the Governor in Council will see that the tolls are not unreasonable. Then the paragraph goes on:

And the tolls so fixed shall not be liable to reduction until the said railway has been in operation four years.

I do not think that is an excessive period, provided the tolls are fixed at reasonable figures in the first instance:

But such tolls shall be reduced by the Governor in Council by twenty-five per cent from and after such four years, and after the said railway has been in operation seven years they shall be reduced by twenty-five per cent off the tolls as previously reduced, but after the said railway has been ten years in operation the tolls shall be subject to the general railway laws of Canada in that behalf.

Then there is a provision that the contractors shall immediately construct the sleigh road, which I believe they are trying to do now to let people go in early this spring. The ninth paragraph says:

The contractors or the contractors' company shall provide or arrange with others to provide steamboat transport of freight and passengers between the terminus of said railway on Teslin Lake or other terminus northerly thereof and Dawson City to and fro.

Then the contractors have to deposit $250,000. I shall not go into the provisions with respect to mining areas, because the Secretary of State on Friday went into the matter at considerable length and showed quite clearly that the contractors will have no opportunity to get a monopoly of the mining lands.

Hon. Mr. MACDONALD (B.C.)—That is just what they have.

Hon. Mr. POWER—The hon. gentleman says it is just what they have; but the agreement says that they have not. The agreement says they shall only have the alternate blocks.

Hon. Mr. MACDONALD (B.C.)—They can lay out their base lines on creeks and rivers.

Hon. Mr. POWER—They cannot twist their base lines.

Hon. Mr. MACDONALD (B.C.)—They do not wish them twisted.

Hon. Mr. POWER—They cannot get a monopoly. At any rate they get only 3,750,000 acres. They get only that out of about eighty millions, that is one-twentieth of all the land.

Hon. Mr. MACDONALD (B.C.)—If they got 500 acres it would be a large piece there.

Hon. Mr. POWER—The hon. gentleman appears to leave out of sight another fact which is set out in paragraph 16:

Any and all mining claims actually held and recorded pursuant to government regulations by a free miner or free miners, and being within a block of land taken or selected by the contractors hereunder shall be excepted from the grant, and shall not pass to the contractors provided that such claims have been so actually held and recorded prior to the base line, along or with reference to which such block is taken being actually run and marked on the ground by the contractors.

This provision is of very great consequence. In the first place, a great many claims have been taken up already. The company cannot take up a single acre of land until they have completed ten miles of railway. That will certainly not be before the first of July of this year, I presume, and the free miners have up to that date the liberty to go and take up claims wherever they please. There is no restriction on them.

Hon. Mr. ALMON—May I ask the hon. gentleman what is the size of a miner's claim?

Hon. Mr. MACDONALD (B.C.)—About 250 feet.

Hon. Mr. POWER—About 250 feet each way, I think. There will be no restriction whatever upon all these free miners up to that time. As soon as the ten miles are completed the contractors will be able to take up 92,000 acres, and they are obliged to take up the whole of their land within a certain time after the first of October.

Hon. Mr. MACDONALD (B.C.)—In order to show what the value of these lands is

in the eyes of Mackenzie & Mann, they have offered a mining engineer $25,000 a year to go up to the Yukon for them. That is a mining engineer of British Columbia, who has been paid a salary by the province, and he is now offered $25,000 by this company to go up there.

Hon. Mr. POWER—That is rather an argument in favour of the contract.

Hon. Mr. MACDONALD (B. C.)—It shows what they expect.

Hon. Mr. POWER—It shows they do not expect to let those lands lie fallow. The company cannot select an acre of land until ten miles of the railway have been built. The miners are now in there and they can get in certainly quicker than the road can be built.

Hon. Mr. ALMON—Am I rightly informed that a miner can only take up one claim? I have been told that the amount is not as large as the hon. gentleman has stated.

Hon. Mr. POWER—A large number of miners can associate themselves together and take up a quantity of land. The 23rd paragraph of the contract reads as follows:

> Provisions shall be made in the Act incorporating the contractors' company against any discrimination by such company in operating its railways between customers, whether by discriminating rates or treatment or otherwise, or by means of its steamships or other connections or otherwise.

That is a very important thing in the interests of the public. Looking at the thing from the point of view of a fairly impartial man, I fail to see any objection to this contract. It provides for the doing of the work promptly and by the best plan, and it does not take a dollar out of the treasury. What does it do? It proposes to take the administration of about one-twentieth of the mineral land of the Yukon region out of the hands of the government and put it into the hands of the company.

Hon. Mr. BOULTON—To put it fairly, they are taking the pick of the land.

Hon. Mr. POWER—That reminds me of the surprise with which I witnessed my hon. friend hold up his hands in holy horror about this agreement as being a most infamous agreement. But what does it amount to? There are seventy or eighty million acres of mineral lands in the Klondike. This company are not to have their pick; the free miners have had several months already and have some more months to go and choose what they please. The company are to be allowed to select 3,750,000 acres out of that immense quantity. Supposing half of the mining lands were given to the company, I honestly cannot see that it would be such a very serious matter for eastern Canada. It simply means that this company will exploit these mineral lands instead of having them exploited by individuals, the majority of whom would probably be foreigners.

Hon. Mr. MACDONALD (B.C.)—Bind them down to do so and it is all right.

Hon. Mr. BOULTON—You are speaking of eastern Canada, but it is different with the North-west.

Hon. Mr. POWER—It does not make any difference to the people of the North-west Territories. Mackenzie & Mann do not propose to do as has been done with the lands in the North-west. They do not propose to allow them to lie fallow until they have been made valuable by the expenditure and work of other people. They propose to go in and spend their own money and make these lands valuable.

Hon. Mr. BOULTON—And pick them?

Hon. Mr. POWER—Pick some of them. The hon. gentleman should not keep picking at that all the time. Does the hon. gentleman suppose that any company would undertake to construct such a railway as that without getting something in return?

Hon. Mr. DEVER—Why do not other people make an offer if the lands are so valuable?

Hon. Mr. POWER—There has been no offer to do it. We pay no money for it, and I repeat that I do not see that it makes any serious difference to the country whether the mines are exploited by Mckenzie & Mann or by the miners who will go in there and who are mostly foreigners.

Hon. Mr. ALMON—What did the people of Nova Scotia think when the mines down there were given over to the Duke of York? Were there not a great many deputations sent over to get relief, and when this is imposed on the people of the North-west

will there not be the same trouble and complaint?

Hon. Mr. POWER—The Duke of York did not operate the mines.

Hon. Mr. ALMON—He sold them to a British company and they had a monopoly of them for years. There was a great agitation about it.

Hon. Mr. POWER—I say there was a monopoly in that case, and there is no monopoly in this case, except as to one-twentieth of the mineral lands. Then Mackenzie & Mann do not carry those lands out of the country. They have to pay a royalty on them, of one per cent. It has been contended that it is most unfair that they should pay less royalty than other people. Well the royalty is imposed on all that Mackenzie & Mann get out. They could take up the lands without any such contract as this; and it has been contended by hon. gentlemen who are members of the opposition that the royalty of ten per cent is altogether too high, and if hon. gentlemen opposite had their way I suppose the royalty would be reduced to possibly two per cent or something like that. Now, Mackenzie & Mann have to pay royalty and have to pay wages; and it has been shown, I think by the hon. leader of the opposition not in this House but in the other House, that all that remains as a rule to a mining company is about this—that out of $22,500 they have to spend $20,000. They are sending in a very expensive engineer, and will spend a great amount of money in developing the country, or developing the mines rather, because there is nothing in the country except the gold and rock. So that I really cannot understand the attitude of hon. gentlemen who oppose this measure in such a strenuous way. I can understand that a gentleman, after weighing both sides, being influenced by his political feeling, may think that on the whole it is not a good agreement, but that any one can honestly believe that it is such an indefensible and outrageous agreement as it has been described to be, I cannot understand. We are told at one time that the government have taken a leap in the dark, I think the hon. gentleman from Calgary, told us that—that they have undertaken to build a railway without sufficient information, that they have attempted a huge undertaking. That was the expression he used. At another time we are told, and I think by the same hon. gentleman, that they have not moved fast enough, and have not moved soon enough. They cannot very well be open to both charges. As a matter of fact, the government waited till they had the reports of Mr. Jennings and others, and they then decided upon their line of action in time to have the work begun and to have a road open for sleighs in the middle of March and a narrow gauge railroad opened by the 1st September. I do not think they can be found fault with for their action in the matter. It is perfectly clear that by the time they got all their information there was not time to ask for tenders in the usual, way, and they had asked some people to tender, and they gave the agent, or gentleman who was represented as being the agent, of some Rothschild syndicate an opportunity to tender which he would not do. It seems still more surprising, hon. gentlemen, that we should be so very exacting and hard to please in the matter of this contract when we remember the case of the Canadian Pacific and of most railways through the North-west country.

Hon. Mr. MACDONALD (B.C.)—There is no similarity in the two cases.

Hon. Mr. POWER—No, there is no similarity between them. In the first place there was no urgency, no risk of people dying of starvation if the roads were not built; there was no impossibility of going into the country for the purpose of administering government there as in the present case, but in the case of the Canadian Pacific Railway the land was given in alternate blocks. There had been surveys, but the company were not obliged to follow any particular line, they were allowed to select their own line. They departed from the line which had been surveyed by Sir Sanford Fleming and his engineers, and there is no doubt the company made a mistake in the location of the line through the Rockies; and in the case of those roads to which we are voting large quantities of valuable lands in the North-west and in some cases money grants, we have less information than with respect to this road; and I cannot understand why hon. gentlemen should become so excited over this particular case.

Hon. Mr. MACDONALD (B.C.)—Does the hon. gentleman think that Mackenzie & Mann would take 3,000,000 acres of land in the North-west, and build that road—I mean the country between Manitoba and the Rocky Mountains—arable land?

Hon. Mr. POWER—On that point I might refer to the hon. gentleman from Shell River. It just happens than Messrs. Mackenzie & Mann have completed a railway in the Dauphin Lake region under grants, not made by this government, but where they had been paid some money and some land grants, and I am satisfied that Mackenzie & Mann would probably have made money in the end on that road if they had built it for a land grant of 3,000,000 acres. There is no money in three millions of acres of rock in the Klondike.

Hon. Mr. MACDONALD (B.C.)—That is where the money is.

Hon. Mr. POWER—I have detained the House for some considerable time and I propose not to say anything more upon this contract. I noticed that in the closing portion of the speech we are told that:

> Measures will be submitted to us respecting superannuation the repeal of the present Franchise Act, and a plebiscite on the question of prohibition.

I do not propose to go into these matters except with reference to superannuation. I do not know whether the measure this year will be the same as that submitted last session, but that measure contained one provision of which I very decidedly approved: that whatever money a civil servant would be entitled to under the terms of the Act if he had lived would go to his family in case of his death. That would remedy one great defect in the existing superannuation system. With respect to the details of the measure I reserve my opinion.

Hon. Mr. O'DONOHOE—I had expected to have heard more from my hon. friend as to what was being given for these 150 miles of railway. As far as I can observe, the public mind is agitated, very highly and very fervently, about the parting with such a quantity of land for 150 miles of tramway. Take the 150 miles of tramway and advertise for tenders for its construction. What will it cost? What will you get a tender from competent contractors to build it for? We have had those narrow gauge roads throughout the province of Ontario in many places. What did they cost? About $8,000 a mile, the most expensive of them; and so unfit were they for the work to be done by them that I believe nearly all of them if not the whole of them have been changed to the broad road. It is a fact that in changing one of those narrow roads you might as well make a new one, and you will never have as solid a road after you change it to broad gauge as you would have had by putting down the broad gauge first; and on the other hand, when you come to meet any of the railways of the world, you can neither allow their cars to go over it nor send your rolling stock over theirs. No union can ever take place between this piece of road and the roads that are now in existence throughout the North-west Territories. The hon. gentleman tells us it is a world of rock we are giving. The hon. the Secretary of State said about the same thing—we are giving rock. Is it rock that is attracting the people all over the world to the Klondike, or is it the mineral? My hon. friend who has just sat down said that these contractors are not taking the land away. No, they are not; but what is the land worth to us when what is in it of value is taken out? No good at all. If there be gold there it seems to me, and I think you will find that it seems so to the public that we are throwing away that gold for hardly any consideration at all. Your 150 miles of narrow gauge road is not worth talking of, or being put in the scale, against the value, the prospective value at all events, of what we are parting with. We have made no examination of the richness of those lands worth speaking of, but we find the man of all others who seems to know most of it, in a lecture delivered by him just after coming out of it saying that in a certain portion of it there is, without question, $30,000,000 of gold to be taken out within a very small area. Now I rose only to say to my hon. friend that I expected him to dwell upon the point of what they were parting with and what he places its value at.

Hon. Mr. FERGUSON—In proposing to offer a few observations on the speech with which we have been favoured by His Excellency the Governor General at the opening of this session, I cannot do so without expressing the deep regret which I feel at the absence from his seat of the hon.

gentleman who led the house in such a creditable manner for the two last sessions. I believe I am expressing the views of every hon. gentleman in this House that Sir Oliver Mowat during the time he was in this House as its leader acted in a manner that recommended itself to every hon. gentleman here, and that when he was removed from this House to occupy another sphere of usefulness, he carried with him the good wishes of every member of this body ; and I may say further that I am not at all sorry when this change was made, and we lost the services of so very able a leader as Sir Oliver Mowat that in making new arrangements the government saw fit to still continue the important portfolio of Justice in this branch of parliament ; and I am pleased to find that in filling that office they have selected a gentleman who occupies so good a position in this House and in the country as the hon. gentleman who now leads the government in this House. While I say so, I must express my regret that the government did not avail themselves of this opportunity of carrying out the pledge which they made of reducing the cabinet ministers, so that they would have had the credit of fulfilling one pledge which they made to the people of this country. But there is also a matter that we may note in connection with the vacancies that have occurred in this House in which the government have fallen short of their duty in another important respect. We have noticed that in addition to Sir Oliver Mowat being removed from us two other chairs in this House had become vacant by the promotion of their occupants to Lieutenant-Governorships. While I have not a word to say against the appointment of these gentlemen yet we must bear in mind that a very strong plank of the platform of the party that is now in power was that members of parliament should not have such positions dangled before them because it would tend to affect their independence ; and one of the members of this government went so far as to introduce a bill in the House of Commons which would remedy what he called a very great evil, and which provided that no member of parliament could accept any office of emolument under the Crown until twelve months had elapsed from the time that he vacated his seat in parliament before he accepted the office. The gentleman to whom I refer is no less a personage than the Postmaster General in the present administration. I find these are the remarks that he made on introducing his bill :

> If the government of the day can dangle public offices before their followers and induce a few, and perhaps an increasing number, to aspire to those positions they become mere parasites upon the administration.....Not only do they do that sir, but moving among their colleagues they become as it were corrupting agencies amongst their own ranks, and so a small percentage of persons in that position are likely to impair the independence of the whole body. So it has become now in my opinion a very crying abuse, and parliament is cast down from its high position, and not only is the will of the people interfered with but all through the country the electorate noticing these things are coming to the conclusion that the highest aim a man can have in seeking public life is that he may through parliament find his way into a comfortable position for life.

I do not endorse these views of the Postmaster General by any means. I do not say that they are my views, but they are the views of a prominent member of the government and views that were coincided in by other members of the government as well, and therefore, I wish to draw attention to the fact that in this respect as well as many others the government have departed entirely from their policy, the policy they proclaimed before the electors. Hon. gentlemen in speaking in the interest of the government, especially my hon. friend the leader of the House, referred in glowing terms to the prosperity that exists in this country at the present moment. They did not go quite so far as to claim that that prosperity was altogether due to the actions of the present government since they came into power ; it is only a coincidence, they say, but I would say to these hon. gentlemen that it is perhaps a little too soon to crow very much about the prosperity connected with their administration. It would be more prudent to wait until nearly the end of their term and then a better estimate can be made as to how much of the prosperity we have in the country can be traced to their legislation or their administration I would just remind these gentlemen that in 1878 when their party were going out of power, there was no such prosperity as this existing in the country ; according to their own statement the country was in a very deplorable condition. I dare say hon. gentlemen have not forgotten the remarks made by Sir Richard Cartwright on that occasion when he said :

> It is not often in the commercial history of any country that we are called upon to chronicle so great a reduction not merely in the total volume of our

trade but also in the revenue derived therefrom, as we have seen in the last two or three years * * Whereas a few years ago with a total population of 3,600,000 souls we imported something like $127,000,000 worth of goods, we found ourselves with a population of 4,000,000 importing a little over $94,000,000 worth. In other words the total imports have fallen off from an average of $35.25 per head to something like $23.50 per head. There has been an enormous shrinkage in the lumber trade from $28,000,000 to $13,000,000. There has been a great shinkage in bank stock and one of these institutions has gone altogether. The depression in real estate has been general and long prevailing and entails an enormous loss. Our imports have fallen off because we have been so poor that we have not been buying much.

That was the state of things when these gentlemen and their friends gave up the reins of office in 1878. That is their own version of what the state of the country was at that time, and the glowing things they say now regarding the state of the country at the present time is rather a compliment to their predecessors because the prosperity has come in when the labours of the previous administration were beginning to bear fruit.

Hon. Mr. MILLS—Fourteen years.

Hon. Mr. FERGUSON—I hope when my hon. friend has been in power even less than fourteen years he can point to the country going forward in a state of prosperity such as he says Canada enjoys at the present moment. The hon. gentleman had a peculiar manner of showing that the people's burden would be lessened in a few years, viz., by increase of population. It would be very much more assuring to the House and to the country if my hon. friend would tell us that the public burdens were to be lessened by a strict policy of economy and reduction of expenditure on the part of himself and his colleagues. I think that is what we have a right to expect from my hon. friend instead of this assurance that when there comes a very large population into this country the burden will be lessened because there will be more shoulders to bear it. It is quite true when the population is increased there will be more shoulders to bear the burdens, but if the policy of my hon. friend and his colleagues, as shown in the last two budgets brought down in this parliament is continued, they will at least in the matter of public expenditure keep pace with any increase that may occur in the population of the country. My hon. friend the leader of the House expressed himself to the effect that our position now was a very happy one from the fact that Canada had secured the friendship of England through the efforts of the Laurier administration. In reply to that I would say we have had the friendship of England for a long time in quite as great a degree as at the present moment. It is not a new thing for Canada to enjoy the friendship of the mother country, but my hon. friend is wrong in his views as to our receiving the friendship of England now for almost the first time—one would infer that was the state of things to which he was referring—I have in answer to him to say that in my humble opinion the conduct of the government of which he is a member, and particularly the leader of that administration, has been to minimize the advantages we had a right to expect to arise from that friendship for Canada. We have had a great desire in Canada for a number of years to obtain a preference for the products of Canada in the British market. On that question a great deal of discussion had taken place, and there was a consensus of opinion in Canada that that was a very important question and fraught with great benefit to us. I thought there was but one opinion in Canada on that subject. Not very long ago the only doubt we had was whether we could impress or had impressed the public mind of Great Britain on that question to such a degree as would lead them to look at the subject as we were looking at it. But very fortunately within the last few years, an important change has taken place in the minds of many of the public men of England on the commercial relations of Great Britain towards the colonies. The first really notable instance of that change of sentiment on that question is found in the very remarkable speech delivered before the Canada Club in England by the Right Hon. Joseph Chamberlain, Secretary of State for the Colonies, in March, 1896. On that occasion—I have the speech in my hands—the right hon. gentleman indicated that, speaking for himself as he said, and it was found later on that he spoke for many prominent men as well as himself—he declared himself willing to depart from the strict principles of free trade in order to meet any desire that might exist in the colonies to establish some closer relations between the mother country and the colonies. As far as I could hear him the hon. Secretary of State

purported to read from that speech and claimed that the Hon. Mr. Chamberlain had on that occasion expressed himself very strongly against any such proposition as commercial union or anything of that kind with the colonies. My hon. friend must either have failed to read the speech attentively, or he read it with a view of extracting from its contents something that would serve the purposes of his friends.

Hon. Mr. SCOTT—The speech from which I have read was delivered some months afterwards at the conference at the boards of trade.

Hon. Mr. FERGUSON—I will come to that speech. The remarks I have applied to the speech before the Canada club will have to apply to my hon. friend's comments and extracts from the other speech delivered before the congress of boards of trade of the different parts of the empire a few months later. In the speech before the Canada club, the Hon. Mr. Chamberlain discussed this question, and while he held then, as he did in other speeches, that an absolute federation of the empire politically and commercially was not practicable at the present time, he expressed the strong conviction that the day was coming and not far off when it would be regarded as practicable, and he went on to comment on the speech made by Mr. McNeill in the House of Commons, and the motion made by that hon. gentleman, which attracted a good deal of attention at the time, and Mr. Chamberlain showed that that proposal would not meet the views of the British people. It is true he went that far, but what is the conclusion he arrived at after having reached this point? Was is that the whole question was one not open for discussion? Nothing of the kind. It was that the colonies should better their offer and he went on to speak of a despatch which has been referred to also by the Secretary of State that of the Marquis of Ripon of the previous year, 1895, concerning resolutions passed in this very room by the great colonial conference of 1894 with reference to improving trade relations within the empire and he, Mr. Chamberlain, pointed out that even Lord Ripon's despatch was not an absolute negation of the whole question of improving the trade relations of the empire or even of a zollverein of the empire. And he laid down four propositions. The first was that there is a universal desire for closer union. The second was that such union can be best approached on the commercial side. He said we should reach the question on the line of the least resistance. The third proposition was that proposals already made by the colonies were not sufficiently favourable to Great Britain, and the fourth proposition was that a true Zollverein is a proper subject for discussion. He went even further and he pointed to the fact that it need not be on a strictly free trade basis; that it could be on a basis of a revenue tariff, and he pointed to the fact that Great Britain although strongly free trade in her policy, imposed heavy duties on articles which he enumerated for revenue purposes, and the different colonies might be allowed to select articles on which they could collect duty for such purposes. He furnished ground on which such an arrangement could be made. He went further and said that although he was a disciple of Cobden he had not such a pedantic admiration for the doctrines of free trade, that he was not willing to depart from such principles for a substantial consideration. He wanted a *quid pro quo*, and he said that was what Cobden did when he negotiated the French treaty and added surely we are not expected to be greater free traders then Cobden himself. But my hon. friend says that he referred to another speech, to a speech made by Mr. Chamberlain when addressing the Chambers of Commerce for the empire some three months later than his speech before the Canada Club, and it was from this speech my hon. friend claimed he found such comfort in addressing the House as furnishing an absolute negative of the doctrine of preferential trade. I have the speech in my hands and I shall read a few extracts from it. He said :

> The establishment of a commercial union throughout the empire would not only be the first step, but it would be the main step, the decisive step towards the realization of the most inspiring idea that has entered the minds of British statesmen.

That does not look like a negation of the whole principle and he spoke of several propositions before the public on this question. He said :

> The first of them is a proposal that the colonies should abandon their own fiscal system and should accept ours; that they should carry out fully the doctrines of free trade; that they should open their markets not only to us but to all the world; and that

they should abandon entirely the protective duties, upon which now they rest very largely for the revenues which they collect. That is a proposal which is supported by the Cobden Club by extreme—I suppose I ought to say orthodox—free traders, and there is, no doubt, a great deal to be said for it. I do not deny that possibly it might be, for all concerned, the best solution. (Hear, hear). At the same time, I am bound to point out that that would not bring about commercial union in the sense in which we have generally understood the word, because that would be in the direction of cosmopolitan union, but it would offer no peculiar advantage to the trade of the empire as such. But, to my mind, a much more fatal objection is the fact that, speaking generally, the colonies will not adopt this proposal. We must consider it, therefore, as counsel of perfection and if we are to wait until the colonies generally are converted to our views in regard to the advantage of free trade, let us recognize the fact that in that case we must postpone the hope of a commercial union to the Greek Kalends. (Laughter and hear, hear). Gentlemen, free trade in this country has been developed, no doubt to the great advantage of this country for the period of half a century (hear, hear) but, in spite of that, it has made no converts. We do not find, and again I am speaking generally because I know there are exceptions, we do not find that there is any considerable approach to our system on the part of the colonies, and there is no approach at all to it on the part of foreign countries. (Hear, hear,

It is very remarkable that my hon. friend the Secretary of State, with this speech in his hand did not see any of this. I am reading from the speech just as it comes before me. It is very remarkable that my hon. friend's eye never happened to strike this part of the speech of the Hon. Mr. Chamberlain.

Hon. Mr. SCOTT—I read the specific statement, not the sentimental parts.

Hon. Mr. FERGUSON—He is now dealing with specific propositions. There is no sentiment at all in what I have read. He had discussed one proposition which came from the orthodox school of free traders in England, and he dismissed it. He now comes to speak of another proposition, and that is the one which the colonies are making. He says :

I pass on then to the second propcsal which has been laid before a similar congress to this, which found expression at the great congress held at Ottawa a year or two ago. This is a proposal which has been advocated with great force and eloquence by colonists and is the very reverse—in spirit at any rate—to the proposal which I have just been considering. For whereas the first requires that the colonies should abandon their system in favour of ours, this proposal requires that we should abandon our system in favour of theirs ; and it is in effect that, while the colonies should be left absolutely free to impose what protective duties they please both upon foreign countries and upon British commerce, that they should be required to make a small discrimination in favour of British trade in return for which we are expected to change our whole system and to impose duties on food and on raw material (hear, hear.) Well, gentlemen, I express again my own opinion when I say there is not the slightest chance that within any reasonable time this country, or the parliament of this country, would adopt so onesided an agreement. The foreign trade of this country is so large and the foreign trade of the colony is comparatively so small that the small preferen e given to us upon that foreign trade by the colonies would make so small a difference would be so small a benefit to the total volume of our trade that I do not believe the working classes of this country would consent to make a revolutionary change for what they would think to be an infinitesimal gain. (hear, hear) Well then, gentlemen, you will see that so far we have only arrived at a dead lock. We have a proposal by British free traders which is rejected by the colony and we have a proposal by colonial protectionists which is rejected by Great Britain. We have, therefore, if we are to make any progress at all.

My hon. friend the leader of the House says hear, hear, when he hears the statement that the British proposal is rejected by the colonial protectionists. Surely my hon. friend will not say that Canada is now represented by the protectionists, but my hon. friend must consent to put himself in the position of a colonial protectionist since he applauds the rejection of the British proposal. Mr. Chamberlain goes on to say :

We have, therefore, if we are to make any progress at all, to seek a third course, a course in which there shall be give and take on both sides, in which neither side will pedantically adhere to proconceived conclusions, in which the good of the whole shall subordinate the separate interests of the parts. I admit, that, if I understand it correctly, I find the germs of such a proposal in a resolution which is to be suhmitted to you on behalf of the Toronto Board of Trade.

Now, what was the resolution of the Toronto Board of Trade ? We will thus get at what was meant by Mr. Chamberlain when he found what he thought was the germ of a practical proposition on which this great problem could be worked out. Here is what the Toronto Board of Trade says :

Resolved that in the opinion of this conference the advantge to be obtained by a closer union between the various parts of the British empire are so great as to justify an arrangement as nearly as possible of the nature of a Zolverein based upon principles of the freest exchange of commodities within the empire, consistent with the tariff requirements incidental to the maintenance of the local government of each kingdom, dominion, province or colony, now forming part of the British family of nations.

We have the distinct declaration of Hon. Joseph Chamberlain, that he saw the germs of a practical proposition in this resolution of the Toronto Board of Trade.

Hon. Mr. SCOTT—What became of the resolution ? It had so poor a reception that it had to be withdrawn.

Hon. Mr. FERGUSON—I think it was withdrawn. But that does not affect Mr. Chamberlain's position.

Hon. Mr. MILLS—The present tariff is a step in that direction.

Hon. Mr. FERGUSON—We will see about that. Mr. Chamberlain said he saw the germ of a practical solution of the question in that resolution of the Toronto Board of Trade and that being so, I cannot see for the life of me how those gentlemen can attempt to deny that Mr. Chamberlain had committed himself to this question as a practical issue. Now, I have quoted somewhat at length and discussed these two speeches of Mr. Chamberlain's. Then we have a speech by the Duke of Devonshire which was made at the landing of the colonial premiers in England—an address of welcome. He said :

Very few disciples of free trade fifty years ago would have believed for a moment that at this time France and Germany would be carrying on an enormous trade under strictly prohibitive conditions, and not only that they would not have opened their markets to us, but they would be competing over us for the possession of as large a portion as possible of the surface of the earth, not for the purpose of opening it up out of the universal benefits of free trade, but for the purpose of excluding from those portions English trade. The world has not become the commercial paradise which was predicted in the early days of free trade opinion, when it was hoped that free trade would bind all the nations of the earth so closely together that it would be a matter of comparatively little importance by whom they were ruled, or under what influence they were governed. We have since learned by painful experience that no old nor new markets are being thrown open to us by the influence of free trade alone, and that if we want to provide for increasing commerce, which is necessary for the support of our increasing population, we must find those markets for ourselves, and must use every opportunity either of expending or consolidating our colonial possessions.

These views are found to be in harmony with the opinions expressed by Mr. Chamberlain on these two notable occasions, before the Canada Club and before the Associated Chamber of Commerce. But if any doubts were held at all as to what the views of Mr. Chamberlain were I think I can quote an authority that is entitled to the respect of the hon. leader of the House and the hon. Secretary of State as showing what the position of Mr. Chamberlain was in regard to this question. I am quoting from a speech made in London, Ont., in 1896, a little before the last general elections by the Right Hon. Sir Wilfrid Laurier, premier of Canada, and this is what he says :

We would have for our goods a preference which would not be given to the goods of another nation. That practical statsemen Mr. Chamberlain has come to the conclusion that the time has come when it is possible within the bounds of the empire for another step to be taken which will give to the colonies in England a preference for their products over the products of other nations.

Here the Hon. Sir Wilfrid Laurier speaking in London in 1896 complimented Mr. Chamberlain in coming to this conclusion, and said that the time had come when such a step would be taken :

What would be the possibilities of such a step if it was taken. We sell our goods in England. We sell our wheat, our butter, our cheese, all our natural products.

He knew exactly the articles on which preference would come :

But there we have to compete with similar products from the United States, from Russia and from other nations. Just see what a great advantage it would be to Canada if the wheat and cheese and butter which we send to England be met with a preference over similar products of other nations. The possibilities are immense. Mr. Joseph Chamberlain the new and progressive Secretary of the Colonies has declared that the times has come when it is possible to discuss that question. But sir, if England is going to give us that preference England would expect something from us in return. What is it she would expect? England would expect that we would come as closely to her own system of free trade as it is possible for us to come. England does not expect that we would take her own system of free trade such as she has it; but I lay it before you that the thing the British people would expect in return is, that, instead of a principle of protection, we should adopt the revenue form of tariff pure and simple. These are the conditions upon which we can have that boon.

Hon. gentlemen say they have fulfilled these conditions. They tell us sometimes, but rather in bated breath, that they have given us a revenue tariff. Well, if they have, according to Sir Wilfrid, they put themselves in a position to get that boon of preferential trade, and why do they not get it? I will discuss that question later on. The right hon. gentleman, apparently desirous of putting himself further on record in regard to this matter, spoke in Montreal as follows :

In regard to this question of preferential trade I desire to say that Sir Charles Tupper is no more in favour of the idea than I am myself * * * My hope is—nay my conviction is that on the 23rd of June the liberal party will be at the head of the polls, and that it will be the liberal party, with its policy of a revenue tariff, that will send commissioners to London to arrange for a basis of preferential trade.

Well, if I know what occurred at all, I know there was a certain commissioner went to London, the premier himself went there, but it would be the severest irony to say he went there to make a treaty for preferential trade with Canada. It would be entirely

contrary to the truth, as I will show before I resume my seat. When Sir Charles Tupper made a remarkable speech in Montreal during the winter of 1896, upon this question of preferential trade, the Toronto *Globe*, the organ of the gentlemen opposite me, asked "why should Sir Charles Tupper waste his time and breath in advocating preferential trade, when it is a policy that every one in this country will hold up his hands in support of. The battle has to be fought in England." Here was the declaration of the organ of the party that there were no two opinions in Canada on this question of preferential trade. Now, I will show the other side of the picture. The premier went to London last year to attend the great Jubilee celebration. On landing he was met by the Duke of Devonshire, who made the remarkable speech from which I have quoted. The Duke of Devonshire is better known as Marquis of Hartington, and he was leader of the liberal party on Mr. Gladstone's retirement, but is now leader of the liberal unionists. He is one of the most powerful men in the public life of England, and when he met these delegates and made the important statements which I have read, one would have thought the premier of Canada in rising to respond would have uttered the sentiments which he expressed in Montreal, when he said a commission was going to England after the elections to push and advocate the question of preferential trade and to get it too he said because the reform party had the correct principle working at home. But what did he say:

> I claim for the present government of Canada that they have passed a resolution by which the products of Great Britain are admitted in the rate of there tariff at 12½ per cent and next year at 25 per cent reduction. This we have done, not asking any compensation. There is a class of our citizens who ask that all such concessions should be made for a *quid pro quo*. The Canadian government has ignored all such senitments. We have done it because we owe a debt of gratitude to Grant Britain. We have done it because it is no intention of ours to disturb in any way, the system of free trade which has done so much for England.

This was before he landed, or just on his landing, before mingling with English people at all, before anything could have occurred on that side of the Atlantic to change the views he had previously expressed here.

> What we give you by our tariff, we give you in gratitude for the splendid freedom under which we have prospered. It is a free gift. We ask no compensation. Protection has been the curse of Canada, we would not see you come under its baneful influence for what weakens you must weaken us.

Here we have this gentleman claiming to represent Canada as the premier of the country, going back on the declarations he had made before he had crossed the Atlantic, and while he was seeking popular favour here, and giving away this important question in this ignominious manner. What did Mr. Chamberlain say when he found that Sir Wilfrid Laurier had abandoned preferential trade. He said:

> It would have been hard enough to carry through the idea had all the colonies been persistent and enthusiastic advocates of it, but Canada does not favour it, and New South Wales opposes it. These are the leading colonies, and with them in practical opposition, it becomes impossible, and I would not now touch it without a pair of tongs.

In the bitterness of his heart, he uttered these words, finding that the advance he had made in the citadel of free trade, where he had rallied around him the ablest men in Great Britain, was being checkmated by Sir Wilfrid's backdown. He found that all the work he had done was trampled under foot by the premier of Canada, who spurned the olive hand of commercial friendship which he—Mr. Chamberlain—was stretching out to all the colonies on behalf of the people of Great Britain. If there could be any doubt as to the effect of the speech of Mr. Laurier, see what Mr. Rosebery said. He was the opponent of Mr. Chamberlain, and he was perhaps enjoying the discomfiture of his opponent, although there is reason to believe from Mr. Rosebery's utterances that he was not very far from sympathizing with some of the views Mr. Chamberlain had been giving expression to. He said:

> Mr. Chamberlain had a proposal which had some force and gained some strength, but now it must be approached with the reverence due to a corpse, for Canada's premier has said that if the British Empire is to be maintained it can only be on the condition of the most absolute free trade.

Now I will read an extract from the London *Trades Journal*, a very important commercial organ in Great Britain as hon. gentlemen will admit. It discussed this question a little later, and the *Trades Journal* said this:

> From the day he (Sir Wilfrid) landed in England until the day he left he seems to be oblivious to the fact that in his mission he was the representative of all Canada. He seems rather to have imagined that he was sent there for his own self glorification and in the interest of his party * * * When he

arrived in England he found a large and influential section of the politicians and press full of enthusiasm over the preferential policy of Canada, and energetically discussing the corresponding duty of finding some equivalent advantage which Great Britain might confer on Canada, even if by so doing it might be necessary to modify the free trade policy of the past fifty years.

That is what the *Trades Journal* said was the condition of things there. A large and important section of the politicians and press of the country were looking round to see how they could meet Canada in the matter of preferential trade. The article continues :

The complacent Sir Wilfrid following up his usual policy of conciliation which means abandonment of claims, relieved the merchants, manufacturers and politicians with the press from all necessity of further discussion, by informing them that they were troubling themselves without cause, because Canada neither wished for, nor would accept any favours. It is little wonder that he achieved much popularity through such a surrender of Canada's claims. * * * It may have been quite fair that Sir Wilfrid Laurier should claim credit for the fact that Canada granted preferential tariff treatment to England without any stipulation for an equivalent, but it was an act of supreme folly for him to tell the British government and people that Canada neither hoped nor desired any preference for its products on the markets of the mother country.

That is what the *Trades Journal* said and no political opponent of Sir Wilfrid Laurier in Canada could put the case more emphatically than this commercial organ of Great Britain put it. Now, I noticed that my hon. friend the senior member from Halifax, who was speaking a moment ago, read an article from the Toronto *Globe* which purported to find an excuse for Sir Wilfrid in going back on his professions during his stay in England. I was surprised to find my hon. friend reading this extract from the *Globe :*

Conservative newspapers keep up a constant fire of criticism on Sir Wilfrid Laurier because as they allege he refused to agree to a preferential tariff between Britain and Canada as proposed by Mr. Chamberlain. It is just as well that the real faults of the nation should be known. During the visit of colonial premiers to England, Mr. Chamberlain made the proposition that there should be absolute free trade between Great Britain and her colonies, on condition that Britain placed a small customs tax on commodities from foreign countries.

I have read you from Mr. Chamberlain's speech in opening the Chamber of Commerce. I have also in my possession a copy of the remarks that were put before the conference of colonial premiers when they met in June last in London by that hon. gentleman, and I fail to find that there is one iota of truth in this declaration of the Toronto *Globe* which my hon. friend read to the House. It cannot be found in these documents that Mr. Chamberlain laid down any such proposition. On the contrary in the Chamber of Commerce meeting he laid down the very opposite of it, for that is one of the two proposals which he said was practically impossible to expect Great Britain to give up everything, or the colonies to give up everything. Neither one was practicable. The settlement was to be found midway between the two extremes. There is not a word of truth in the Toronto *Globe's* statement.

Hon. Mr. MILLS—My hon. friend showed the accuracy of that statement in the fourth proposition from Mr. Chamberlain's speech.

Hon. Mr. FERGUSON—My hon. friend is unfortunate in his interruption. He must consider the order of time a little. Sir Wilfrid landed in England before the conference met at all, and the Toronto *Globe* also rather forgot the order of time when it set up that plea for him, because his change of views regarding preferential trade occurred before his landing on the shores of England, before the conference met at all, and therefore nothing which may have been said there could possibly have influenced him.

And my hon. friend was still more unfortunate in regard to the order of time, because this fourth proposition which he referred to was made nearly two years ago, a full year and a half before the landing of the premier in England at all and did not occur in any shape or form at the opening of the colonial conference of the premiers in 1897 besides the fourth proposition was that a true zollverein was a proper subject for discussion. Therefore my hon. friend has not helped his leader at all, but rather has put him in a worse position than he was before he rose from his seat. I will not go back, I have already discussed that fourth proposition. I have already pointed out that Mr. Chamberlain mentioned exceptions from free trade and named the articles to which these exceptions would refer. It mentioned food, sugar and timber, as articles on which the colonies might be given a preference. Therefore my hon. friend is very unfortunate in his interruption, because he has only left his premier in a worse position, if anything, than he was before.

Hon. Sir MACKENZIE BOWELL—He could not do that ; that is impossible.

Hon. Mr. FERGUSON—We have followed the premier during the speeches he made in 1896 in Canada, we have followed him to England, in 1897, and we find he went back there upon what he said in Montreal and Toronto, and when he came back to Canada he went back on what he said in England. We find that shortly after his return he addressed a meeting in Toronto at a banquet and said :

> Certainly, if I thought I could have obtained for my country, for the products of Canada, a preferential treatment in the markets of Great Britain, I would not only have been wanting in patriotism, but I would have been wanting in reason—I simply would have been an idiot—if I had failed to obtain such preference.

Hon. Mr. SCOTT—He knew it was impossible.

Hon. Mr. FERGUSON—Indeed, he said in Montreal during the last elections that all that was necessary to get preferential trade was for the liberal party to come into power when a revenue tariff would be adopted. They will say that they have just done exactly that—all that was necessary to be done was to put the liberal party in power and adopt a revenue tariff, and that progressive statesman Mr. Chamberlain was ready to take them by the hand, and give them preferential trade. He went to England, and before he met Mr. Chamberlain he went back and said I do not want any of your preference ; but now he says he would have been an idiot if he could have obtained for his country such a preferential treatment and have failed to obtain it. I have no desire to describe the premier of this country as an idiot, but I cannot object to the classification which he himself has written down in a manner which is far from complimentary to his intelligence.

Hon. Mr. SCOTT—He says it was absolutely impossible.

Hon. Mr. FERGUSON—Where did the light strike ? Where did this conversion take place ? It must have been about as sudden as the celebrated conversion on the journey from Jerusalem to Damascus. He had left here full of yearnings for preferential trade, and before he touched English soil, before he had met English opinion on the other side of the Atlantic he gave it all up. Where did he become convinced that it was utterly and completely impracticable ?

Hon. Mr. SCOTT—We have made the first step towards it. It may come in the next ten years. A great change would not come in twelve months.

Hon. Mr. FERGUSON—That looks as if somebody was going to change again. According to my hon. friend the vision must have occurred on the broad Atlantic, some supernatural communication must have been made to the hon. premier of Canada to account for this wonderful change which has no parallel since that remarkable conversion which occurred some eighteen hundred years ago on the road to Damascus. I have no hesitation in saying, hon. gentlemen, that Canada instead of being placed in a more advantageous position on account of the friendship of England at the present time than she had enjoyed before we have lost ground that has been worked up for Canada and for the other colonies with great industry in the face of strong obstacles by the most eminent men in the colonies and most eminent men in Great Britain together, notably among these men who have fought and toiled day in and day out, year in and year out to put this question in the happy shape in which it stood when Sir Wilfrid Laurier went to England, is Sir Charles Tupper, the leader of the conservative party in Canada ; and the work he did was responded to by Mr. Chamberlain and there was every prospect of an agreement being reached and a solution being found when there was so much real desire for preferential trade within the bounds of the empire, but all this has been lost for the present and a set back has been given to that question, the effects which I am afraid will last many years to come by the action of the premier of this country in this Jubilee year. But I am very glad to find from a recent speech made before the Liverpool Chamber of Commerce, on the 18th January of this year, th ugh bitterly disappointed with regard to the premier action in the meeting of the colonial premiers last summer, that Mr. Chamberlain is pretty well back on his old ground again. He is not going to give up the fight. Probably he has found out that when Sir Wilfrid Laurier was in England he did not speak the views of Canada on this question. We find that Mr. Chamberlain addressing the Chamber of Commerce of Liverpool last month said :

> Our policy is to bind the colonies closer to us by all means in our power, and if not practicable yet to pave the way for a future union which will be closer than anything that is now practicable.

We shall not attempt—that would be foolish to put pressure on our colonists to go one step farther than they themselves desire to go. It is not for us to take the initiative. We would rather follow the lead; but what I think we have already accomplished is to convince them that wherever they live, however far their home may be from the centre and from the motherland, we, at any rate, are prepared to meet them more than half way in any approach which they may make to us, in any desire which they may express for a closer union, and gentlemen, it will come, if not in our day, then in that of our successors.

He says now, proudly, notwithstanding all the set backs received it will come, if not in our time, in that of our successors.

In what form I know not. It would be foolish to attempt to predict. It may be in the shape of commercial union of the Imperial zollverein, which I do not believe to be so absurd as do some political economists. It may be in the shape of some Imperial council which will represent the federation of the British races, and which has been advocated by men as different in other respects as the late Mr. Forster, Lord Rosbery and Lord Salisbury; but in whatever way it is presented to us, we shall not be deterred either by the economic pedantries or the selfishness—which is a virtue with some politicians—from giving favourable consideration to any proposals which our brethern across the seas may make to us. And in such consideration I for one do not believe the English people will keep a strict account of profit and loss.

The hon. Secretary of State read where some two years ago Mr. Chamberlain was counting up the profit and loss; but now, he says, we have got a step further, we will not keep a strict account of profit and loss.

That they will seek to be assured of a present pecuniary gain for so much concession on their part. No! I think they will look, and look wisely, rather to a future time when we shall find our reward and that the splendid isolation with which our foreign critics sometimes taunt us, will be transformed into a union of the British race, and when the sons of Britain throughout the whole world shall stand shoulder to shoulder to defend our mutual interests and common rights.

Reference has been made to the flattering reception which the premier received in England, and the eloquent speeches that he made. In these respects we are all pleased. We are pleased notwithstanding his waywardness upon this great question—that as the representative of Canada, he was received with enthusiasm, and we are also pleased to know that apart from this question upon which he has made such a great and fatal mistake, he acquitted himself in a manner that was creditable to Canada. We are proud of his eloquence. We are glad that since it fell to the liberal party to represent us in England that it devolved upon him as far as eloquence was concerned to have performed the task, regretting as we do at the same time that he fell so far short of his duty in respect to the most important of all questions with which he had to deal when he was in the motherland. Reference has been made by my hon. friend from Monck to a great mistake which was made in conferring the Cobden medal upon the wrong man, I agree with him, and I am serious in it. I think that the Cobden medal was not conferred upon the gentleman in Canada who had the fairest and the best right to it. If the free trade club had intended to confer any honour or distinction upon a man in Canada who has stood up for the principle of free trade they should have conferred it upon a gentleman who was in England also at the time, my hon. friend from Shell River, and not upon the premier of Canada, who I claim has no title whatever to any recognition of that kind from the Cobden Club, because so far from being a faithful adherent of the principles of free trade he stands to-day in the very opposite position in Canada. Now, I will read what Lord Farrar said when making the presentation to the premier of Canada. You will see how entirely they were mistaken with regard to Sir Wilfrid Laurier and the attitude of his party on the trade question in Canada. He said:

There is a party amongst us who would willingly discriminate against German and Belgian goods, and would look upon the denunciation of the German and Belgian treaties as a step towards what they have been pleased to call the commercial federation of the empire—a system under which commercial union in the different parts of the empire will be fostered by laws excluding or discouraging foreign goods. If this were to be the consequence of what you have done, I need hardly say that we of the Cobden Club would not have been here.

They would not have presented him with that medal if they understood that he was going to take advantage of the denunciation of the treaties for the purpose of giving advantage to British goods over foreign productions, yet we have my hon. friend the Secretary of State announcing a tariff change already, exactly in the direction that the Cobden Club said that if they suspected that was what Sir Wilfrid Laurier was going to do they would not have been there to present him with the medal. What the government called the reciprocal clause in the tariff of last year turned out not to be a reciprocal clause or a prefer-

ential clause, they hardly can tell themselves to-day what its scope and bearing is, but it is going to be made preferential with the will of parliament in the present session. Parliament is going to be moved by the gentlemen opposite, the Secretary of State and his colleagues to convert it into a preference in favour of British and colonial over foreign goods. So this medal of the Cobden Club was obtained under false pretenses.

Hon. MEMBERS—Send it back !

Hon. Mr. FERGUSON—I have no hesitation in saying they would not have presented him with the medal if they had suspected the stand which he is now taking. He took the medal, comes home and his Secretary of State says he is going to give a preference for British goods over foreign products. It being six o'clock I move that the debate be adjourned.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 15th February, 1898.

The SPEAKER took the Chair at Three O'clock.

Prayers and routine proceedings.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day having been called—

Resuming the further adjourned Debate on the consideration of His Excellency the Governor General's Speech on the opening of the Third Session of the Eighth Parliament.

Hon Mr. FERGUSON said :—When the House rose yesterday afternoon I was speaking of the presentation of the Cobden medal to the premier of Canada during his visit to Great Britain last year, and I was pointing out that that medal was presented to the right hon. gentleman with what might be called a condition attached, which I learned from my hon. friend the Secretary of State in this House the other day, is about to be violated. The condition was that if the Cobden Club, speaking through the mouth of Lord Farrar, believed that the object and intention of the government of Canada in obtaining the denunciation of the German and Belgian treaties was to give a preference to Great Britian, they would not have been there. Yet the hon. gentleman accepted the medal. Now, I have to carry that point further and take the position that the right hon. gentleman must have known when he heard that condition expressed that he could not comply with it, because it was at least one month earlier, viz., on the 24th of June that the meeting of the premiers took place in London, and in the opening Mr. Chamberlain explained to that conference (I have the official report in my hand) that it would be necessary for the government of Canada to change what they call the reciprocal offer of last year, because even if the German and Belgian treaties were denounced, the favoured-nations clause in the treaties with other countries would still remain and under its operation Canada could not give a preference to any foreign country without granting the same favour to all nations having by treaty a right to most favoured treatment. He (Mr. Chamberlain) pointed out, that in the case of Holland, if a preference was given to her, other countries would have a like privilege, and he explained to the premier of Canada and to that conference that it would be absolutely necessary either to go back on that Canadian reciprocal resolution altogether, or to confine the preference to Great Britain and her colonies. The only opening for the hon. premier to get out of the position in which he is placed with regard to the accepting of that medal under this condition is that he may have, at that moment, intended to go back entirely on the reciprocal resolution and not to give a preference to Great Britain at all. If that was his position when he accepted the medal he maintained his honour that far, but I cannot conceive how he can continue to retain his honour and at the same time retain the medal when his colleague the Secretary of State has announced in this House the intention of the government is to confine that preference to Great Britain.

But I take other grounds to show that the premier is not entitled to wear that Cobden

medal. I take the ground that in Canada his party do not claim to-day that they are standing on free trade principles. It would be folly for them, before the people of this country, or any one who knows the history of their tariff, or the effect of the tariff, to say that it is a free trade measure. It is by no means a free trade tariff. Even my hon. friend from Halifax pointed out some respects in which it is not a free trade tariff. He said the manufacturers were protected enough. He acknowledged the principle of protection was in the tariff, and he thought they had enough protection, and there might be a duty of 5 per cent imposed on raw material; and he pointed out another notable instance of the way this tariff is not only protective, but extremely protective, and that is in the matter of coal oil. It is notorious that in the contest which took place in Centre Toronto not very long ago, the candidate and the speakers in the interest of the government, claimed that the government had given the manufacturers a strong protection, which was to be continued. Therefore, I claim, that apart altogether from the condition which Lord Farrar attached to that medal having been violated by the announcement made by the Secretary of State: the policy of the government in the shaping of their tariff, and the effect of their tariff in Canada, precludes the hon. gentleman from honourably wearing the medal presented to him by the Cobden Club. In connection with that, and before passing from it—and that is the only further reference I intend to make to that question—I want to say that I think the present government are entitled to commiseration on account of the position they occupy with regard to the tariff and its protective character. My hon. friend the leader of the opposition in the House read to you extract after extract of speeches of almost every leading man in the ranks of that government when he was in opposition, telling the country what he was going to do in the way of demolishing protection—eliminate every vestige of protection—cut the head off protection and trample on its body—this villainous system of legalized robbery—scoundrels great and scoundrels small—applied to the manufacturers of the country were made to fly like rockets in our political atmosphere for 18 years. A chorus against protection was raised by the present members of the government when they were in opposition, and it was joined in by their speakers and writers and the press, for a great many years, and culminated in their Ottawa platform as we all know. In the face of that we have, to-day, a strong protective tariff, almost as much so as the Conservative party would desire. In view of all these facts, and in view of this position which the government occupies to-day, it would be interesting to recall a warning and prediction made by Sir Richard Cartwright, Minister of Trade and Commerce, a solemn warning which he uttered to his own party only two or three years ago in connection with this very subject. Here is what the hon. gentleman said:

> There are two lessons which I think the Reformers of Canada should learn. One is presented for our example and warning in the fate that has befallen the Democratic party in the United States. It shows to all who chose to read the signs of the times, that when a party places itself at the head of a great popular movement, if the party tenders a stone instead of bread, it is half-hearted in the prosecution of the great aim it sets before it, and will be deservedly swept out of power by the very people who would have sustained and advanced it.

That is a prediction which the Minister of Trade and Commerce made himself, a solemn warning which he uttered to the members of his party, and I feel assured that it was a truthful and ominous warning, and the hon. gentleman, if he does not get out of the boat, will find the fate overtake him which he predicted would overtake all public men who, after having put themselves at the head of a great popular movement, would go back upon it, ignore it, and trample it under their feet. Now, we have heard a great deal about the denunciation of these treaties and it is claimed that the government have given evidence of a very great amount of statesmanship by the course which they have pursued in regard to this matter. When the so-called reciprocal resolution was submitted to the House of Commons last April by Mr. Fielding, the conservative leaders in the House of Commons at once told him and the premier across the floor of the House of Commons that they were proposing an unconstitutional resolution and one which they could not carry out. They warned them if they persisted in that resolution it would become the duty of the Governor General to withhold his assent from it; that it was impossible for the Governor General to assent to such a resolution. They based that opinion on the despatch of Lord Ripon of June, 1895. Any one would have thought it was so plain that school boys would have known its

meaning and would have governed themselves accordingly. It said :

> For this reason and in order to prevent inconveniences, it will be desirable if such preferential duties are included in a general tariff bill, that a proviso should be added that they are not to come into operation until Her Majesty's pleasure had been signified.

Here was the instruction that was addressed to the Governor General of Canada and the governor of every colony in the British Empire. It was a circular despatch in which they had the plainest orders set before them that they were not to give Her Majesty's assent to any bill which contained preferences of any kind. In the face of that, the government went on for weeks, ignoring all that was said to them and arguing that their proposal did not come under the terms of Lord Ripon's despatch at all. They set up two contentions : first, that these treaties—the German and Belgian—did not apply to us, because Canada had not been consulted and Canada had not ratified those treaties as a separate colony of the empire. The second ground was that the proposition did not mean a preference at all ; it was simply a reciprocal provision, and for both these reasons or either of them, the German and Belgian treaties did not apply. The Hon. Sir Louis Davies, the Minister of Marine and Fisheries, who became the mouthpiece of the government in regard to this matter, said this :

> When this resolution was tabled the hon. gentleman (referring to Sir Charles Tupper) declared it an illegal and unconstitutional resolution. Can he lay his finger upon a single paragraph published in any newspaper of weight in the world endorsing that extravagant statement of his ? Can he produce the opinion of a prominent lawyer or even of a fledgeling lawyer endorsing the absurd and ridiculous statement made by him that the resolution was unconstitutional and illegal ?

This was the declaration of the mouthpiece of the government. Shortly afterwards however they actually brought down an amendment which partly removed the difficulty and which showed they had no confidence in their own contention. It extended the provisions of the resolution to all nations with which Great Britain had treaties in regard to trade. With that provision attached, the royal assent would be given to it, but they still contended that the German and Belgian treaties did not apply to Canada and even if they did apply in general they did not apply to this provision because it was a reciprocal provision and was not in the nature of a preference to any country in particular they all would have to earn this advantage by making a tariff as low as ours. This was the argument and with that argument the premier left for England. What do we find ? We find that the law lords decided against the government. They say those treaties with Belgium and Germany were denounced on account of this resolution that our Parliament had passed. It is significant however that the treaties were denounced before the English law lords heard the argument of the Canadian representatives. I do not pretend to say that that resolution was altogether without weight in the consideration of the entire question. It may be that it was detrimental in some respects. I will prove that it was regarded as a detriment to the abrogation of the treaties by some men and assurances had to be given that there was no danger before they were denounced. By some the Canadian resolution may have been regarded as an auxiliary, but we have it from Mr. Chamberlain himself, in the report of the conference and from a subsequent speech made by him, that when he received the resolution of the conference—the unanimous resolution of the conference—asking for the denunciation of the treaties which hampered the rights of the colonies to give preference to Great Britain, he laid the matter seriously before the government and the government decided to denounce these treaties. But, hon. gentlemen, I want to point out to you that there were in the minds of very eminent men in England at that time, and not much wonder, serious doubts as to whether the denunciation of those treaties would not lead, in Canada particularly, rather in the way of the disintegration of the empire than to consolidation. On the day previous to the prorogation of the British Parliament, on the 5th of August last, Mr. Courtney, one of the members from the county of Cornwall, brought the matter up before the House of Commons and I will just give a short extract from what he said on that occasion. He said :

> A few years ago there was a strong party movement in Canada in favour of promoting almost complete fiscal freedom between the United States and Canada. But that could not be accomplished without differential duties as between goods imported by the United States and European countries, if not between this country and Canada. This step towards the fiscal freedom of the colonies was a step rather towards dis-

integration than integration, towards separation rather than combination.

This was the serious difficulty that presented itself to the mind of Mr. Courtney, a very able man, as Mr. Chamberlain admitted when he came to discuss the matter with him. How did Mr. Chamberlain reply to that? Mr. Courtney remembered that the party that was in power in Canada had a few years ago advocated commercial union with the United States. He feared, and it was no wonder, that when these same men came asking for the denunciation of these treaties, their object was simply to obtain it so that they could differentiate against Great Britain, as the liberal party in Canada had proposed a few years before.

Hon. Mr. MILLS—Does he say that?

Hon. Mr. FERGUSON—He does say that:

A few years ago there was a strong party movement in Canada in favour of promoting almost complete fiscal freedom between the United States and Canada.

And then he goes on and says he feared that the denunciation of these treaties was a step towards the disintegration of the empire—to give these people a chance to go on with their nefarious work—that was what his language pointed out; and in order to show that I am not misinterpreting what he says, we will see what Mr. Chamberlain said in reply:

My hon. friend introduced some remarks to which I am inclined to take exception. He laid it down that if Canada had proceeded to make arrangements with a foreign government by which differential duties would be imposed on the mother country, then, as a matter of fact, the mother country would have had to submit. Now, I do not think that the most enthusiastic free trader ever laid that down as a policy of this country, and I repudiate it altogether.

He repudiated altogether that if Canada was to differentiate against the mother country Great Britain would submit to it. That is what we told the Liberal party in their wayward course, we told them that Great Britain would never allow it. Oh, they said, the advantages she will get by the good-will of the United States will compensate for all this, and Great Britain will be happy and glad to have all difficult questions out of the way and see Canada and the United States in a commercial embrace. Mr. Chamberlain said no, Britain would not allow it, no more than she would allow these gentlemen to legislate in the face of a circular despatch from the British Government, such as the Marquis of Ripon had sent out in 1895. But I will read on:

I am happy to say it has never been the policy of the representative government of any colony, though it may have been advocated by some politicians; but there are, as we know, politicians who will advocate anything. (Laughter.)

There are politicians the right hon. gentleman said who will advocate anything; and in this connection he was discussing Mr. Courtney's pointed reference to the Liberal party in Canada when they were advocating commercial union with the United States. But, he said no representative government of any colony has ever done this; it is only politicians, such politicians as will advocate anything that were doing it. He continued:

We must not judge the politics of a country (we are inclined to thank Mr. Chamberlain for that) by the views of the individual politicians. But it is, I think, most undesirable that a politician in the position of my right hon. friend should, as it were, hold out an invitation to a colony to take a step which would be certainly most unpatriotic, coupling it with an assurance that there would be no objection on the part of this country. A step of that kind would be a step that must lead to further and very important results—results, I am convinced, not desired by the colonies or the people of this country.

Now, so far from their policy or their past history or from anything that they had done, giving strength and force to the movement for the denunciation of these treaties it turns but that their past waywardness on these commercial questions interposed a serious objection in the minds of some of the best and ablest men in Great Britain and furnished doubts and reasons why these treaties should not be denounced at all. On these grounds I think they are entitled to no credit whatever with regard to the denunciation of the Belgian and German treaties. But it appears, as I have already indicated, and as many of the hon. gentlemen of this House now know, after the announcement made the other day by the Secretary of State, that they were even more radically wrong in this so called reciprocal resolution than we had claimed or pointed out that they were. Not only were they proposing to fly in the face of Lord Ripon's despatch, not only were they disposed to ignore treaties that every school boy ought to know were binding on the government of Canada, not only were they doing all this, but they entirely misunderstood and misinterpreted the force of the favoured-nation

clauses which Great Britain has in her treaties with a great many other countries, and after having secured the denunciation of the German and Belgian treaties they were still confronted with the difficulty which Mr. Chamberlain pointed out to them. Even after that is done he said you will have to go back and modify and change this resolution of yours, you will have to do away with it altogether or you will have to confine your preference entirely to Great Britain and the chains were fastened around them so strongly that the Secretary of State had to announce the change, although in announcing it he placed the premier in a questionable position with regard to the condition on which he accepted the Cobden medal. Whenever I think of their devious course with regard to the denunciation of these treaties, and when I hear the gentlemen on the government side of the House claiming credit to themselves for what they have done and for that wonderful resolution of theirs and what it effected, I am reminded of the heading of a chapter in Pickwick papers where Dickens tells the story of how Mr. Winkle instead of shooting at the crow and killing the pigeon, shot at the pigeon and wounded the crow; or in another version of it he fired at a rook in a tree in the lawn and disabled a duck in the back yard. Even Dickens's sense of humour was not however strong enough to say that Winkle turned round and claimed the applause of the bystanders on account of the accuracy of his shot, but that is just what these gentlemen have been doing—they shot at a crow in a tree on the lawn and wounded a duck in the back yard, and they asked the people of Canada to applaud their markmanship. It is one of the greatest comedies of errors in the history of the country. It has been a series of blunders. Every step they have taken has been a blunder. They have to rescind almost every feature of their famous resolution, and the premier, in the end, will have to send back that Cobden medal. I have taken up so much of the time of this House in discussing this preferential clause of the tariff and the larger questions to which I have been referring, that I will have to restrict the remarks that I, otherwise, would feel inclined to make on a subject that is engaging the attention of the people of Canada just now to a greater degree than any other quection—I refer to the Yukon Railway contract which is on the table of the House, and a bill for which is now being considered in another place. My hon. friend, the Secretary of State, in defending the government with reference to this matter, put up a very alarming and erroneous emergency plea for them. He said in extenuation of the extraordinary dearth of information in the mind of the Minister of Railways when he introduced the bill, and for the extraordinary lack of argument of his colleagues, and for the weakness of the bargain which was apparent to almost everybody, that they were in the presence of a great emergency. When parliament rose last year nobody, said the hon. gentleman, had any conception of such a great development as has occurred in that extreme northern part of our country. No one anticipated such a rush of people to the Klondike and therefore we have been all taken by surprise, and it was necessary to do something to meet the emergency. We had to do the best we could. That is the substance of my hon. friend's plea. I must give the hon. gentleman credit by saying it was the very best plea he could put before the House for this contract. But if we only look a little into the matter we will find that this plea was not as good as the hon. gentleman appeared to think it was. I have in my hand reports of Mr. Ogilvie, the government surveyor, who has been in that country for so long a time. I have those reports and I will read some extracts from them which have been in the possession of the government for a long time.

Hon. Mr. SCOTT—How long?

Hon. Mr. FERGUSON—I submit that however much hon. gentlemen in this House who were not in the secrets of the government may have been taken by surprise, and many of them may have had substantial reasons for not knowing that a great development was taking place there—the government could not put up that claim. They, at least, knew the extraordinary circumstances developing there. On the 6th of December, 1896, Mr. Ogilvie made his first report to the government with regard to the discoveries of gold in the Klondike. That is more than a year and a-half ago.

Hon. Mr. SCOTT—When was it received?

Hón. Mr. FERGUSON—The hon. gentleman can tell that; I cannot.

Hon. Mr. SCOTT—I do not think it was received for nearly a year afterwards.

Hon. Mr. FERGUSON—It was certainly not received in the course of the week or the month in which it was written.

Hon. Mr. SCOTT—It would take six months

Hon. Mr. FERGUSON—Making all reasonable allowance for the time that it would take that report to reach Ottawa, I think the hon. gentleman will have to acknowledge that there was full and ample information in the hands of the government early enough for action to be taken, and not this precipitate action as late as about the beginning of this year. Mr. Ogilvie reports:

I am very much pleased to be able to inform you that a most important discovery of gold has been made on a creek called Bonanza Creek an affluent of the river known here as the Klondike. It is marked on the maps extant as Deer River and joins the Yukon a few miles above the site of Fort Reliance.

The discovery was made by G. W. Cormack, who worked with me in 1887 on the coast range. The indications are that it is very rich, indeed the richest yet found, and as far as work has been carrid on it realizes expectations. It is only two weeks since it was known, and already about 200 claims have been staked on it and the creek is not yet exhausted; it and its branches are considered good for 300 or 400 claims. Besides there are two other creeks above it which it is confidently expected will yield good pay, and if they do so we have from 800 to 1,000 claims on this river which will require over 2,000 men for their proper working. Between Thron-Diuck River and Stewart River a large creek called Indian Creek flows into the Yukon and rich prospects have been found on it, and no doubt it is in the gold-bearing country between Thron-Diuck and Stewart Rivers, which is considered by all the old miners the best and most extensive gold country yet found. Scores of them would prospect it but for the fact that they cannot get provisions up there and it is too far to boat them up from here in small boats.

This new find will necessitate an upward step on the Yukon, and help the Stewart River region.

News has just arrived from Bonanza Creek that three men worked out $75 in four hours the other day, and a $12 nugget has been found, which assures the character of the ground, namely, coarse gold and plenty of it, as three times this can be done with sluice boxes. You can fancy the excitement here. It is claimed that from $100 to $500 per day can be made off the ground that has been prospected so far. As we have about 100 claims on Glacier and Miller Creeks, with three or four hundred in this vicinity, next year it is imperative that a man be sent in here to look after these claims and all land matters, and it is almost imperative that the agent be a surveyor. Already on Bonanza Creek they are disputing about the size of claims.

I would have gone up and laid out the claims properly, but it would take me ten or twelve days to do so, and meantime my presence might be more urgently required elsewhere.

From the indications I have mentioned, it will be seen that this corner of the North-west is not going to be the least important part of it, more especially when we consider the fact that gold-bearing quartz has been found in it at numerous places, and much will no doubt be worked. It is apparent that the revenue and business of the country will more than offset the expense of administration.

That letter was written on the 6th September. On the 6th of November it was supplemented by another letter from Mr. Ogilvie. This was in 1896, and after giving very full description he says:

From all this we may, I think, infer that we have here a district which will give 1,000 claims of 500 feet in length each. Now, 1,000 such claims will require at least 3,000 men to work them properly, and as wages for working in the mines are from eight to ten dollars per day without board, we have every reason to assume that this part of our territory will in a year or two contain 10,000 souls at least.

They were without information were they

For the news has gone out to the coast and an unprecedented influx is expected next spring. And this is not all, for a large creek, called Indian Creek, joins the Yukon about midway between Thron-Diuck and Stewart Rivers, and all along this creek good pay has been found. All that has stood in the way of working it heretofore has been the scarcity of provisions and the difficulty of getting them up there even when here. Indian Creek is quite a large stream and it is probable it will yield five or six hundred claims. Further south yet lies the head of several branches of Stewart River on which some prospecting has been done this summer and good indications found, but the want of provisions prevented development. Now gold has been found in several of the streams joining Pelly River, and also all along the Hootalinqua. In the line of these finds farther south is the Cassiar gold field in British Columbia; so the presumption is that we have in our territory along the easterly water-shed of the Yukon a gold-bearing belt of indefinite width, and upwards of 300 miles long, exclusive of the British Columbia part of it. On the westerly side of the Yukon prospecting has been done on a creek a short distance above Selkirk with a fair amount of success, and on a large creek some 30 or 40 miles below Selkirk fair prospects have been found; but, as before remarked, the difficulty of getting supplies here prevents any extensive or extended prospecting.

That letter was written on the 6th November, 1896. It closes by saying:

Before closing I may say that every report that comes in from Bonanza Creek is more encouraging than the last. Prospecting has only begun, and up to date of mailing, November 22nd, very rich prospects have been found on the few claims prospected on: from one dollar to the pan of dirt up to twelve dollars are reported and no bed rock found yet. This means from $1,000 to $12,000 per day per man sluicing.

The excitement is intense, but at this season of the year it is very naturally very local.

Then on the 9th December, he wrote again:

Since my last the prospects on Bonanza Creek and tributaries are increasing in richness and extent, un-

til now it is certain that millions will be taken out of the district in the next few years.

On some of the claims prospected the pay dirt is of great extent and very rich. One man told me yesterday that he washed out a single pan of dirt on one of the claims on Bonanza and found $14.25 in it. Of course that may be an exceptionally rich pan, but $5 to $7 per pan is the average on that claim it is reported, with five feet of pay dirt and the width yet undetermined, but it is known to be 30 feet even at that: figure the result at 9 to 10 pans to the cubic foot, and 500 feet long; nearly $4,000,000 at $5 per pan—one-fourth of this would be enormous.

He ends up this letter by saying:

The miners here are, I understand, getting up a petition to the Minister asking for aid in opening a way from the south and building along it shelter for winter travellers, with suitable supplies scattered along.

Here was a demand for a right of way, for access to get in and out of this country, and this was written as early as the 9th December, 1896.

As it is now a winter trip out from here is on account of the long haul and want of shelter tedious and hazardous, and their representations are worthy of consideration.

Then, writing from Cudahy under date of the 11th January, 1897, he says:

The reports from the Thron-Diuck region are still very encouraging; so much so that all the other creeks around are practically abandoned, especially those on the head of Forty Mile in American territory, and nearly one hundred men have made their way up from Circle City many of them hauling their sleds themselves. Those who cannot get claims are buying in on those already located. Men cannot be got to work for love or money, and development is consequently slow; one and a half dollar per hour is the wages paid the few men who have to work for hire, and work as many hours as they like. Some of the claims are so rich that every night a few pans of dirt suffices to pay the hired help when there is any; as high as $204 as been reported to a single pan, but this is not generally credited. Claim owners are now very reticent about what they get, so you can hardly credit anything you hear; but one thing is certain we have one of the richest mining areas ever found, with a fair prospect that we have not yet discovered its limits.

Hon. Sir MACKENZIE BOWELL—From where does he write?

Hon. Mr. FERGUSON—Cudahy. He says that as much as $204 was taken out in a single pan, and he speaks of Miller and Glacier Creeks as follows:

Miller and Glacier Creeks on the head of Sixty Mile River, which my survey of the 141st meridian determined to be in Canada, were thought to be very rich, but they are poor both in quality and quantity compared with Thron-Diuck.

Chicken Creek on the head of Forty Mile, in Alaska, discovered a year ago and rated very high, is to-day practically abandoned.

The last letter was dated 23rd January, 1897. My hon. friend the Secretary of State asks "but when were these letters received?" Now, he must know the date when they were received, but I do not. I think we have pretty good evidence that they were received pretty early in the spring of 1897.

Hon. Mr. SCOTT—Oh, no, I assure the hon. gentleman they were not. I know there was four or five months we did not hear from Mr. Ogilvie.

Hon. Mr. FERGUSON—That would allow four or five months, from September when the first announcement was made. I was allowing seven or eight months.

Hon. Mr. SCOTT—It was certainly long after parliament rose last summer. We did not know anything about it until after parliament rose.

Hon. Mr. FERGUSON—My hon. friend will have to recede from that statement in a few minutes.

Hon. Mr. SCOTT—We had general reports but no specific information.

Hon. Mr. FERGUSON—On the 21st May the government made their famous mining regulations which I hold in my hand establishing the royalty of ten per cent. Does my hon. friend tell this House that he would fix these royalties at ten per cent without the information I have read? On the 21st May the government had this information. They must have had it. Even though it would take four or five months on the way they must have had it some time before that. They were not so expeditious in moving as they would wish us to infer. The probability is they had three or four months notice and proceeded very tardily in making the mining regulations and only proceeded to make these regulations when they could not help themselves. But we know this that on the 21st May they had made these amended regulations which I have in my hand, these extraordinary regulations establishing and collecting a ten per cent royalty on these mines, and surely my hon. friend will not pretend to tell this House that they made these regulations without having the information I have read to the House, establishing the wonderful richness of the mines of that country? Now,

the emergency plea which my hon. friend the Secretary of State offered this House the other day for this extraordinary contract will not hold water at all. There is no foundation for it. They had all this information long before parliament rose last year, and what did they do? They passed these mining regulations which have been condemned and condemned very properly all over the country—regulations that they have been patching and changing from time to time ever since. They passed these regulations, and that is absolutely about all they did until within a very recent period. The whole world was talking Klondike long before the House rose in June or July last, and people were moving from almost every part of the habitable world in that direction, and yet the government were oblivious of all this, and, instead of attending to their duty they went up and down in the country and out of the country junketting east and west, revelling, and having a good time, and did not awake to the importance of this great question until a few weeks ago, and then they spring this extravagant, extraordinary bargain which they propose to make with Mackenzie and Mann, and they come to the House in the person of my hon. friend, the Secretary of State, and say it is a great emergency. "We found ourselves confronted with a great emergency and we have to do the very best we can." In discussing this question in the House hon. gentlemen appear to have placed particular stress, particular reliance upon what we would call whispered arguments. They could not give us just such information as would settle everything in our minds at once; they had some valuable information in their minds and possession that they could scarcely whisper themselves, but if we only knew what they knew, the diplomatic reasons and the diplomatic forces that were at work, we would be willing to swallow the contract as they have swallowed it. That is the burden of the statement made by the two members of the government in this House. I have looked over the question as carefully as I am able to do, and I must say that I entirely concur with the observations of my hon. friend from Brandon in reply to my hon. friend the leader of the House, when he said he could see nothing substantial in these whispered arguments which the members of the government had been giving in the House, with regard to diplomatic difficulties that surround this question. I cannot imagine that there are any diplomatic troubles in the matter but which are on the face of it, which we all can see, and which the people of the United States and Canada are studying just as well as the gentlemen in the government are studying them at the present moment. It is possible there are some, but the man who is looking on can see as far into a millstone as the man who is picking it. We have all the advantages possessed by the hon. gentlemen opposite, or nearly all. They may get sometimes a day or two ahead of us, but such is the rapidity with which news is carried that the public will soon overtake them on any such questions as this. The hon. Secretary of State spoke of the difficulty on account of this strip of United States territory at the head of Lynn Canal which interposes between the open waters of the Lynn Canal and British territory, and I asked the hon. gentleman if he had applied for permission to go over that strip with a railway, and he said, No, we have not. The telegrams from Washington last Saturday say that the United States government have applied for permission to build railways into our territory and that it has been refused. That is the statement which comes from Washington. I can therefore very well understand that if the government have refused the Americans permission to locate railways in our part of that northern country, the Americans would naturally refuse to give us similar facilities. I can very well understand that the members of the government having refused such permission would not be very likely to go and ask the United States for permission in the same direction.

Hon. Mr. BOULTON—That only brings into prominence the fact that it is not a Canadian route—not an all-Canadian route.

Hon. Mr. FERGUSON—I have just mentioned the answer I received from my hon. friend the Secretary of State and the reply that he gave and the statements that are telegraphed from Washington, which we have in the newspapers, that permission has been refused to the Americans to build a railway into our territory, and consequently it is all the more likely that our government would not apply after having given such a refusal. For my own part I admit there are difficulties in this coast strip.

Hon. Mr. MILLS—Does the hon. gentleman think that we ought to be content with a road from the head of Lynn Canal into our own territory?

Hon. Mr. FERGUSON—I shall come to that very soon.

Hon. Mr. MILLS—I thought my hon. friend had come to it and was passing it.

Hon. Mr. FERGUSON—I admit there are difficulties in connection with this coast strip, but I take this ground: I can see no reason for refusing permission to the people of the United States to build a railway into our country, if we get a reciprocal advantage of locating a railway over that coast strip, unless a provision is contained in the contract which is not yet in it that Mackenzie & Mann will be precluded for ever from passing their charter over to foreigners. What is the use of refusing permission to Americans to build a road over our territory if you leave the gate open to them to acquire or buy a railway for which we are giving a domain? I cannot see it. I think it is a most extraordinary thing that that contract should come down to us without a provision forbidding these contractors from assigning that property to United States companies.

Hon. Mr. SCOTT—No; they will not have the opportunity of doing it.

Hon. Mr. FERGUSON—If the hon. gentleman leaves the door open to them, they will have an opportunity if they want it.

Hon. Mr. SCOTT—They will not have the door left open; you need not be afraid.

Hon. Mr. FERGUSON—I have not such unbounded confidence in the hon. gentleman and his contractors that I would leave them the power to do what they choose. This is a dangerous thing, and I am not going to take the ground that we should not reserve to Canadians the trade of that country, by securing an all-Canadian route into it. I am inclined to believe that is what we ought to do, even though it should cost us a good deal, but I say it is extremely inconsistent for gentlemen of this government to say that they would not ask the Americans for permission to locate a railway on their territory, and refuse them to penetrate our country with railroads, while they leave this contract without a provision for preventing the passing over of this railroad, that is going to cost us so much, into the hands of United States capitalists. The bonding system has also been discussed, and it appears that difficulties are met with in respect of these privileges, and perhaps some of the whispered arguments may refer to difficulties over the bonding system. There is also another difficulty with regard to transhipment, that difficulty will be met with, I think, more pointedly at the mouth of the Stikine River than perhaps at any other place, because it is a question of navigation which we would not meet at the head of Lynn Canal. I do not know whether we can get over the bonding system by the Stikine River route. It is certain we will meet this difficulty at the other point at the head of Lynn Canal, and I think it is likely we shall meet it at the Stikine as well. That brings me to the subject which was referred to by three hon. gentlemen who have spoken on the other side of the House. The Secretary of State gave an explanation to the House, and gave us some very interesting information with regard to the difficulties about this boundary. I followed him with close attention, and was pleased with the information which the hon. gentleman gave us with regard to the line of demarcation between the United States possessions and those of Great Britain on that coast; but he made this statement: that the Russians were simply allowed to use that coast on sufferance for the curing of their fish.

Hon. Mr. SCOTT—I am sure I did not use the word sufferance.

Hon. Mr. FERGUSON—I may be wrong in using the word sufferance, but the hon. gentleman said it was for the purpose of curing their fish. As I understand the history of it, the Russians held that coast by right of discovery. There was no question about the right of Russia to that coast and their claim went even further south than the end of Prince of Wales Island, but while it was settled that that should be the southern limit of their possessions on that coast, the British held the interior of the country through the Hudson Bay Company and other British subjects pressing very near to the coast, and that accounts for the strip that was settled by the treaty of St. Petersburg of 1825. There was another point referred to very

lightly by my hon. friend the leader of the House and was followed up by the Secretary of State and then dealt with very strongly and very fully yesterday by the hon. gentleman from Halifax. The ground taken was this, that we lost at the time the treaty of Washington was agreed to very important rights which we had there, as my hon. friend from Halifax put it, through the want of information on the part of the gentleman who represented Canada at Washington in 1871. My hon. friend from Halifax read a provision from the treaty of St. Petersburg, the one negotiated in 1825, in which very wide privileges were given to British subjects and which were not reciprocal. Whether going from the interior to the coast or from the ocean to the interior British subjects had the free use of all the rivers flowing through that strip of country for all purposes.

Hon. Mr. SCOTT—As freely as the Russians had.

Hon. Mr. FERGUSON—They had the right to use them freely. When my hon. friend read that treaty he appeared to have forgotten that a very serious war broke out between Great Britain and Russia in the fifties, the Crimean war, and surely hon. gentlemen know that whenever a state of war exists between two countries all existing treaties are abrogated.

Hon. Mr. MILLS—No.

Hon. Mr. FERGUSON—My hon. friend the leader of the House shakes his head. If my hon. friend will take the trouble of looking at the treaty of 1859, he will find that that position is acknowledged from the fact that the provision in the treaty of 1825 is revived and I think the diplomats who negotiated the treaty of 1859 for Great Britain and Russia would not have gone to the trouble of renewing it as they did in order to get back on the old position as far as it was possible, if these treaties had not been abrogated by the war.

Hon. Mr. MILLS—My hon. friend, if he will allow me, will find this to be the case, that while treaties are abrogated by war, treaties settling international rights, treaties of boundaries, treaties of cession of territory, treaties giving absolute right of navigation —the rights so defined are not affected by war, are not so even affected by the abrogation of the treaty.

Hon. Mr. FERGUSON—That is my hon. friend's view.

Hon. Mr. MILLS—That is the rule of law.

Hon. Mr. FERGUSON—I am not a lawyer, but lawyers themselves will have to settle such questions as this by reference to precedent. It is not a matter of law merely, it is a matter of precedent and constitutional law; and before I leave the question I will say that my hon. friend may read a little more upon this question, and he may perhaps be satisfied before he has done with it that the rule of law is not at all so firm as he puts it before this House. I know my hon. friend is an authority on these questions, but we know that the best of doctors will err, and patients will die; and this is a subject upon which my hon. friend may, before he is through, find that he is not altogether on so solid ground as he thinks he is. In 1859 it would seem to be settled at all events by the diplomats who represented Great Britain and Russia, that the treaty of 1825 did cease with a state of war, for if not, what was the necessity of their getting together and solemnly re-enacting this provision at that time?

Hon. Mr. MILLS—It is not.

Hon. Mr. FERGUSON—My hon. friend says it is not; and his opinion is entitled to more weight than mine, but I will undertake to say that his opinion is not of greater weight than that of the diplomats who settled this matter in 1859, and the fact that they found it necessary to revive the provision of that old treaty by solemn treaty again at St. Petersburg, shows that they held to my contention, that the state of war between two countries did abrogate that treaty. Now, I have the clause in the treaty of Washington here, and my hon. friend from Halifax said that Sir John Macdonald, the British commissioner, did not know of the existence of these provisions in the two treaties of St. Petersburg in 1825 and 1859. If they will turn to protocol 26 of the negotiations which

took place in 1871 they will find these words:

> The British commissioners replied—(that is when the demand was put up for the navigation of the St. Lawrence)—that they would not admit the claims of American citizens to navigate the River St. Lawrence as of right, but that the British Government had no desire to exclude them from it. They however, pointed out that there were certain rivers running through Alaska which should on like grounds be declared free and open to British subjects, in case the River St. Lawrence should be declared free.

And we find that a provision was placed in the treaty of Washington which the Americans insisted should be reciprocal, giving them rights to use these rivers when they penetrated British territory in return for the rights we got when the rivers penetrated the territory of the United States. But there is another ground. Hon. gentlemen contend that we have lost the free use of these rivers. Hon. gentlemen say, having this right restored by the treaty of 1859, how was it then that we did not have it continued? Why was it receded from? The answer is that the cession of this country to the United States terminated these treaties. With regard to that I know my hon. friend will not agree with me; he will tell me what the rule of law is. I will tell him what precedent is, and I will tell him what occurred in other circumstances like these. I will point out to him what occurred in the case of the Island of Madagascar; Lord Salisbury made a speech only a few days ago in which he admitted that France had got the better of Great Britain as regards Madagascar. He said:

> The French armies had invaded the island with the avowed intention of maintaining the protectorate. If they had adhered to their intention the British treaties with the Queen of Madagascar would have been safe, but when the French were masters of the situation they suddenly changed the protectorate to annexation, and with the latter the British treaties fell.

Here was Lord Salisbury's opinion; I am not going to set up my own opinion against my hon. friend the leader of the House, but I will, with all confidence, set up Lord Salisbury's judgment against his as an opinion at least equally worthy of weight. Then in the treaty of 1763 of England with France and Spain, England had the right of the navigation of the Mississippi River; when the territory passed to the United States, England lost that right and it has never been claimed since. Why did England lose it? If it was a territorial right, England would have demanded it, but with the cession of Louisiana the British rights of navigation of the Mississippi River passed away. In 1863 the Ionian Islands were annexed to Greece. England had treaties with these islands for the freedom of ports of commerce, and after the cession it became necessary to make new treaties with Greece for the continuation of these free ports. Here we have illustrations, and I think I have some others in my notes that would equally prove the view that I take. If, however, the contention of the leader of the House is correct, the treaty of Washington could not abrogate or curtail our rights under the treaty of St. Petersburg, and we have still the free use of the Stikine River for all purposes. This is important, and more particularly since the hon. member from Halifax thought it necessary to dwell on it at considerable length, and went so far as to say that the distinguished gentleman who negotiated on the part of Canada the treaty of Washington had displayed ignorance. However, hon. gentlemen may have differed from him during his life, on political questions, I feel assured there is not a gentleman in this House or the country or anywhere else, who will doubt the great ability and the great information possessed by Sir John Macdonald—and when I heard my hon. friend from Halifax impute ignorance to Sir John Macdonald, I really would have given my hon. friend credit for a great deal better judgment. However, I am glad I have these facts in my hands, which I think are sufficient to show that Sir John Macdonald made no mistake whatever in 1871. I will now refer to the difficulties of navigation of the Stikine River and the bonding difficulty, and the difficulty about the location of the railroads. I will take this position, that I think this House and probably the country would risk a good deal and would be willing to expend a good deal of money to give a good all-Canadian route to that country. I am afraid that this contract and this plan that we have before the House is not going to effect that object; it cannot effect it inasmuch as without there is a provision that this road cannot be assigned or conveyed to foreigners, we are not assured that it will be a really all-Canadian route. But even with that there are difficulties in the way of navigation of this Stickine River, there are

difficulties about transhipment, there are difficulties that have been alluded to with regard to the bonding privileges, there are difficulties even in the summer time and still greater in the winter which will render it difficult to use that river: owing to the rapidity of the current the ice would not be sufficiently strong in some parts for winter travelling, probably it may, but there are doubts on that score about the Little Cañon and other parts of that river, and then I think we would have to use American territory in getting up in the winter season. There are all these difficulties in the way, difficulties international and physical, in connection with the Stickine route. But I am willing to admit this, that the railway it is proposed to build from Telegraph Creek to the head of Teslin Lake is apparently in line with what would form a good trunk line, would form a section of a good trunk railway from the navigable waters of British Columbia to Dawson, say from Portland Canal, and on that account I have some feeling for a railway between those two points. But I say the contract we have before us with regard to this line, provides that this shall only be a tramway, a three foot or three feet six gauge—we do not know which it is to be—and it cannot properly furnish even a link in a trunk railway leading from Portland Canal or Port Simpson, or whatever point may be selected in Canadian territory, right up to the Yukon country. Then, again, the enormous consideration we are giving for building the link—not a link, because it will not be of such a character as to form part of a trunk line—that the consideration we are asked to give away is so great that it would, to a great extent, tie our hands in the future with regard to obtaining a through line all the way and paying for it. Now, I have a statement here of the comparative distances. They are approximate—I suppose as nearly correct as we can get—and the estimate is that from Victoria to Dawson by the Stikine River route is 1,638 miles. Of that, 750 miles will be ocean, 178 miles rail; the contract provides for 150, but, I think, it is pretty clear from Mr. Jennings's report that the railway will be at least 178 miles long—and inland navigation on the Stikine River and over Teslin Lake, and the other rivers and streams that connect between Teslin Lake and Dawson, about 710 miles; and the estimate is for an electric railway—I do not know whether it is the intention of the government to build an electric railway, but that is the only information we have of anything of an official character—the estimate is $2,850,000. We have also figures that we gather from Mr. Ogilvie's report that via the Lynn Canal and the Chilcat Pass the distance is 1,585 miles from Victoria to Dawson; 1,000 miles of that would be ocean (250 miles more ocean than via the Stickine), by rail it would be 245 miles by Mr. Jennings's report from the head of Lynn Canal to Fort Selkirk, and the inland navigation 340 miles, and the cost according to Mr. Jennings's estimate of the railway portion would be $5,636,000. There is still another route, via the White Pass, for which there is a charter as far as this parliament of Canada is able to give it, to the British Yukon Canadian Company, and for that route the distance would be 1,000 miles by ocean, 123 miles by rail, and by inland navigation about 600 miles: altogether 1,723 miles, and at a cost for the railway according to Mr. Jennings's report of $3,236,000. These are the three propositions that seemed to stand out boldest for reaching the Klondike. Now, however, we have only the government plan before us, and we have only that to deal with as set forth in this contract, and that is for building a railway from the head of Stikine River to Teslin Lake, and to depend upon water communication for the rest of the journey. And now for the building of that road what is the consideration that we are asked to give? I have already said that if that road were of a broad gauge and of a substantial character, and if a policy were announced of reaching Fort Simpson or the head of the Portland Canal, get an open ocean port there, the building of that road would be a matter well worthy of the consideration of the House and the country. But even then we would have to look carefully into the consideration we were giving for the building of that road. What is that consideration. We are asked first in this contract to give the company 25,000 acres of mineral lands in the North-west Territories for every mile of railway. It is true that that railway is spoken of in the contract as 150 miles long, and there is also a provision that the Governor in Council or the Minister of Railways can object to the

granting of lands for a greater length than is considered necessary to connect the two points Glenora or Telegraph Creek and the head of Teslin Lake. But after going carefully over Mr. Jennings's report I think most of us will come to the conclusion that the railway is going to be more than 150 miles long. It will certainly be very much longer if it starts at Little Cañon as Mr. Jennings thinks it ought to start. In that case it will be 208 miles. Even if it starts at either Telegraph Creek or Glenora and reaches Teslin Lake, after reading Mr Jennings's report we come to the conclusion that the railway is going to be more than 150 miles long, and if that is so there will be more than 3,750,000 acres to give to the contractors as a consideration. I look upon this grant of four or five millions of acres to these contractors as in itself a most extraordinary consideration. My hon. friend the senior member from Halifax pointed out what he thought was a modification of this extraordinary grant. He pointed out the the fact that the company would only be able to claim 92,000 acres at a time, that for every ten miles of railway they would build they would get this proportionate amount, they were not, he said, able to go in and gobble up all the country at once. He thought that ought to be taken into account, as something that would guard the public interest. To my mind it makes the matter more dangerous than it would otherwise be, for then these gentlemen will be able to hold their hand and operate in detail. They will be able to make every miner and prospector that goes into that country an agent of theirs, and when any valuable gold is found before any considerable body of miners can go in there and fix locations the company can strike a base line and gobble up the locality. The mineralized territory is very large, and prospectors will wander up and down that country, and the experience of the past has been that hundreds may pass over ground and find nothing, and the next man may come along and find gold, and gold will be found from time to time in places that were not thought to be richly auriferous at all in the first stages of exploration. But this company having enormous interests there with their surveyors and mining engineers and experts of every kind, that money can command will be able to watch the movements of these miners, and as soon as ever a strike is made in a particular locality which is found to be valuable, they can run a base line, and at once secure the ground. The miner who is in there may be able to remain although there is no provision in the contract that he has the right to use any fuel. There is a reservation of water courses but no reservation of timber for fuel, and any solitary miner who gets into a valuable belt of country would be driven out as soon as the company strike their base line, because he could not use a stick of timber for fuel and we know that in placer mining fuel is absolutly necessary, and it is not very plentiful in that country. The hon. Secretary of State in reply to the hon. gentleman from Victoria pointed across the House and told him "why is the hon. gentleman so alarmed about this grant of land? The British Columbia government have been making enormous grants of land for railways, and why is he so alarmed because such a grant as this is made in the Yukon country far away in the north." Let me tell my hon. friend that I have gone over the acts of British Columbia very carefully and I find no such grant of land as this has ever been made by the government of British Columbia.

Hon. Mr. SCOTT—I beg the hon. gentleman's pardon. There were two or three companies that received land grants, 20,000 acres per mile.

Hon. Mr. FERGUSON—As far as the bare statement of so many acres a mile goes the hon. gentleman may be right, but he is just right that far and no further. How far have mineral rights been given to them?

Hon. Mr. MACDONALD (B.C.)—That is the point.

Hon. Mr. FERGUSON—Yes, that is the point.

Hon. Mr. BOULTON—I should like to ask the hon. gentleman whether he approves of giving lands which would probably develop the resources of the North-west Territories to develop the resources of British Columbia.

Hon. Mr. FERGUSON—I will reach that later. My point is that there is not in the legislation of British Columbia or any province of Canada, or I doubt very much whether there is in the legislation of any

country under the sun such a proposal as to hand over an immense block of mineral lands in the way these hon. gentlemen are proposing to hand over these lands. There are only two cases in the legislation of British Columbia where I have been able to find precious metals have passed at all to railway companies. In granting aid to a railway, on the very same route as this from Glenora to Teslin Lake, there is a grant of aid in the British Columbia statute-book of 5,000 acres per mile on each side of the railway in alternate blocks, and precious metals are entirely reserved. There is no right or privilege given with regard to precious metals at all. There is another Act, and this stands out alone of its character in the statute-book of British Columbia, as far as my investigation has gone—and I have gone over the statutes with a good deal of care—there is what is known as the Cassiar Central Railway aid to extend from the head of the Stickine River to the Dease River in the northern part of British Columbia, and there it is proposed to give a lease of land to this company for 35 years, and there is a process by which the lands are to be selected, and precious metals do pass in that contract, but that is the only one in which they pass. But what are the restrictions in connection with it? They are these: that any free miner notwithstanding the grant of these lands to the company, can go in and locate and work and secure a mine upon any of these lands, with a further provision by which the company may go in as a partner with him, and they can buy him out or sell to him, but it is provided that the free miner shall have every right and privilege there subject to the selling out or buying out. He shall have fuel and he shall have water and every other privilege and right to carry on his business under the mining and land laws of British Columbia. In every other Act of grants of land that I can find on the statute-book of British Columbia there is this general provision:

> Nothing in this Act contained shall prejudice the rights of free miners to search for, get and win precious metals and to use timber for mining purposes, subject to the mineral and land laws of the province.

There is not to be found in the legislation of British Columbia or any other legislation in Canada any parallel to this extraordinary proposition made to this House on the present occasion to grant away absolutely this 4,000,000 or 5,000,000 acres of land to this company as a consideration for building a tramway. Some of the government organs said it took their breath away when they heard it in the first place and I am not surprised because that is the impression it has upon me when I consider it at the present moment. The government say there are 80,000,000 acres of mineral lands there and what signifies 4,000,000? If it were 4,000,000 taken in one slice at the side or any part of that 80,000,000 there might be something in that excuse but even then it would be extraordinary. It is a most extrordinary contract in every way you look at it. Then there is another provision, or lack of provision, in it that is remarkable. In the Acts of the province of British Columbia, I find reservations with regard to town sites. There is here a reservation with regard to arable land. They might safely put that in. I fear there is not much arable land up there and the amount of advantage to the public from reserving the arable lands I do not think is great. But why has there been no reservation regarding town sites? In many of the Acts of British Columbia—I think in most of them—there is a provision of this kind that wherever town sites are laid out the company has to pay the government $5 an acre for the land so laid out and the government reserve one-fourth of all these lands used for town sites. So that the government benefits by the development of the country and the laying out of towns, but there is no such provision here. The company are going to have the town sites, the minerals, the timber, everything in sight, going to have it all and there is no restriction of any kind placed upon them. My hon. friend the Secretary of State said: "oh, but 100,000 acres, if they were free to select it just wherever they liked, might pay for the whole thing." When my hon. friend made that statement he gave away the whole case, because he knows very well that while they will have to take some land which may or may not contain quartz along with the river beds which contain placer mines, they would take very good care they will run no base lines except where they find there are good tracts. They need not be in any great hurry. They can wait and watch. They will spread all the country over with their agents and officers, and they can which their time as I said before when

miners strike rich mines they can go in before many of them get to work or even after they are in, and by the peculiar method of settling the blocks they can freeze them out. I think that altogether the consideration is so enormous that it should be condemned, and I feel almost certain that hon. gentlemen in the government will modify this extraordinary bargain and bring it into some shape yet that they will use their influence with the contractors and have this extraordinary contract shorn of its worst features. The desire which we all have to give relief to those who may go into that country and get the trade of the Yukon country is very great, but the government have brought before us such an extraordinary agreement that it will be impossible to get the people of this country to accept it. What do we find in Mr. Jennings's report? He estimates that 12,000 people going in there and paying five cents a mile and each taking in three-fourths of a ton freight will give in a period of four months earnings amounting to $540,000. He estimates the cost of operating at about $55,000 a year. There will be a clear profit of $209,000 a year on the working of that tramway, after allowing ten per cent for depreciation and interest on the first cost. Capitalize that at four per cent and you have the sum of $5,225,000. Then there are the various monopolies that this company has. There is to be no other company chartered from the head of Lynn Canal except this.

Hon. Mr. MACDONALD—And no taxes.

Hon. Mr. FERGUSON—That also should be estimated, and the preference in royalty of 9 per cent. over ordinary miners. There is a preference which they have with regard to constructing a railway from the head of Telegraph Creek to a harbour in British Columbia, and they have that for ten years. If at any time within ten years the government of Canada is prepared to vote money or land or other consideration for building that railway, and this company is willing to do it, they have to give them the first chance. That is a valuable consideration. They have a monopoly of building railways from any point from the international boundary or at the head of Lynn Canal into this country. These monopolies must be extremely valuable. We know the monopoly the Canadian Pacific Railway had of building branches and they did not give that monopoly up until they received a valuable consideration for it, and now we are proposing to give enormous monopolies, exemptions, preferences, town sites and mineral lands in addition to the earnings of a railway that the government engineer says will be over and above the cost of working and interest on the cost of construction and depreciation, $209,000 a year which represents over $5,000,000 in money. There is the unreserved timber in that country. Although there is not much of what we call valuable timber, it is the best they have and will be very valuable there. They have enormous franchises given them and all that for building 150 miles of tramway. I am astonished that hon. gentlemen would come before the country with such a proposition as this and I hope in the interests of the country that even now they will pause and come to parliament with a proposition to which honest men can give their support. My hon. friend the leader of the House looks at me. I am very far from saying no honest man can be found who will vote for it. If I have said anything of the kind I do not exactly mean it. Honest men may be very misguided sometimes and in this case, if hon. gentlemen will persist in this measure and force it on parliament they and their supporters are very much misguided in my opinion. I think the consideration for the building of this railway is enormous, and it forms no part in the trunk line which we wish to see built from the North-west Territories or British Columbia to the Yukon. The consideration is so large that I am surprised and amazed hon. gentlemen should come before the House with such a proposition. I have many other notes before me, but having spoken so long, I must only thank the House for their attention and take my seat.

Hon. Mr. BERNIER—This debate is very likely drawing to a close. Before it closes I ask the indulgence of the House while I may make a few remarks in connection with a subject which I expected would be mentioned in the speech from the throne and which is conspicuous by its absence. Fortunately the hon. gentleman from Marquette has to some extent supplemented the omission by some of his remarks—I mean the school question. My hon.

friend in his brief reference to the subject, accounted for the absence of any mention of it in the speech from the throne by the reason that, according to his views, that subject was practically out of the range of our deliberations now. Has the hon. gentleman correctly interpreted on that matter the sentiments of the government? Does the government really believe that this subject can be dropped in that way? If that were the case, I must say that no greater delusion could pervade the minds of the hon. members on the treasury benches. And I am bound at this stage of our deliberations to give them a warning. We stand to-day where we have always stood. From the first we have made up our minds that we would appeal to the constitution of our country to remedy the grievances we have, and from that moment we have been decided to leave no stone unturned in order to get justice. We are just as decided now as we were in 1890 to pursue that course. No delay will deter us from pursuing that course, and no obstacles will induce the minority to surrender their rights. These rights have been determined by the pronouncement of the Privy Council. They have been determined more especially by the remedial order passed by the late government. And while mentioning that remedial order it is but fair that I should point out to the statesman to whom we are indebted for the passing of that judgment, which has finally decided the whole case. There he is sitting in this House as an honoured leader of an important group in the Senate. He, a Protestant, he who is personally opposed to denominational schools, saw the justice of our contentions, he saw the necessity of upholding the constitution, and with the uprightness which characterizes him, he had the remedial order passed. To him also and to his friends around him we owe the only serious attempt that has been made to relieve the minority of the distress under which it is labouring.

That remedial order cannot be altered, or modified or withdrawn. The Governor General in Council cannot pass any Order in Council that would modify or destroy that first remedial order; and unless the Imperial parliament interferes that order will stand for ever.

Hon. Mr. BOULTON—Did not the legislation of the province of Manitoba close the question?

Hon. Mr. BERNIER—No, not at all; it left the question as open as ever, because no local legislation can do away with the remedial order unless it completely complies with such remedial order.

Hon. Mr. BOULTON—That legislation of the province of Manitoba was at the desire, or on the instructions of the Governor General in Council and was a settlement between the Governor General in Council and the province of Manitoba on the remedial order.

Hon. Mr. BERNIER—It was at the desire of the government, I do not contradict that; but I say the desire of the government in that respect did not comply with the judgment which the Governor General in Council had before passed and consequently their action, as well as the action of the local legislature, is absolutely inadequate. As a matter of fact, this action far from being adequate to the requirements of the remedial order is the very reverse and would be substantially the destruction of the remedial order of 1895, which this government or any other government have no right and no power to do.

Hon. Sir MACKENZIE BOWELL—Where did the hon. gentleman obtain the information that there was an Order in Council agreeing to any such arrangement? If my recollection is correct the Secretary of State informed me at the time that there were no records at all, and that everything that was done was simply by conversation.

Hon. Mr. BOULTON—The hon. leader of the opposition knows that a commission was sent to the province of Manitoba to negotiate with the provincial government.

Hon. Sir MACKENZIE BOWELL—By whom?

Hon. Mr. BOULTON—By the government of which the hon. gentleman was a member.

Hon. Sir MACKENZIE BOWELL—I thought the hon. gentleman was rererring to the action of the present government.

Hon. Mr. BOULTON—I am referring now to the fact that the government, of which the hon. gentleman was a member, if not the leader, sent a commission for the

purpose of settling this question with the province of Manitoba. That failed to effect that arrangement; then the new government came in and almost in the same terms effected an arrangement with the province as a full discharge of the obligations of the province of Manitoba under the terms of the Order in Council.

Hon. Sir MACKENZIE BOWELL—Oh no.

Hon. Mr. BERNIER—The hon. gentleman is omitting this fact, that in the instructions given by the late government to the commission he refers to, there was this: that commission was instructed not to make an arrangement except with the consent of the minority. That consent we did not give, and as a matter of fact we were never called to give our consent, because the commissioners saw clearly themselves that the government of Manitoba was not willing to come to a satisfactory arrangement, and they returned without accomplishing anything. Let me state again that no arrangement which may fall short of the requirements of the remedial order, can have any effect upon the remedial order without our consent.

Having so stated our position, I must refer to certain facts and to a certain documents which are now of public notoriety. Last year some of the gentlemen supporting the government of the day and some of the cabinet ministers, amongst whom the right hon. premier himself, appealed as against us to a high authority on the other side of the ocean, an authority which always commands the highest respect from the adherents of the church to which I belong. It is of no small importance to remark here that the minority was not a party to that appeal. The minority has always been of opinion they were correctly interpreting the doctrine of their church in matters of education, and they were satisfied that our constitution afforded sufficient means to remedy their grievances. But the appeal having been taken to the authority to which I have alluded, and the answer having come, we must take notice of it. It is well to state that in the document to which I allude our claims are fully sustained and the views of the appellants are not sustained. This document cannot bind in any constitutional or legal way the citizens of Canada, and the Pope does not profess that it can, but although such is the case, that document has been received in Canada with such a marked favour that it would be on our part a dereliction of duty not to acknowledge it. Those amongst our countrymen who do not belong to our faith have no doubt felt that, independent of all religious views, the voice of such an exalted and experienced statesman, the voice of the head of a large portion of the Canadian people in spiritual matters, that voice which has the privilege of drawing the attention of the whole universe when it makes itself heard should be received with deference, and it has been so received by all classes in our community. This is a source of great gratification to us. It shows that there is in the heart of the Canadian people a sense of justice which one day will come to the top and make itself felt in the solution of the present difficulties.

Now, will the hon. gentlemen who have sought this utterance, do what is advised therein? The so-called settlement is condemned in no uncertain sound, their action consequently is censured. Will they comply with the terms of the answer that they have received?

As I have already said that document cannot be ignored but it leaves us as free as ever to fight for the maintenance of the constitution of our country, and we will ever be free to do so.

Hon. Mr. BOULTON—It must be on some different lines.

Hon. Mr. BERNIER—What do you mean? The maintenance of the constitution is a clear line, a clear platform, and a sound and patriotic one too.

Hon. Mr. BOULTON—You cannot make a further appeal to the Governor General in Council.

Hon. Mr. BERNIER—It is not necessary to make a further appeal, because our appeal is still standing; or rather, it has been adjudicated upon. Let the judgment be executed now! Until it is, we will hold to it. No further appeal is necessary to revive our case; it is fully alive still. As I have said, we want simply the maintenance of the constitution. The constitution is the ground on which we have based our hopes for the protection of parental

rights; and parental rights and the constitution will remain the ground on which we will continue to advocate the redress of our grievances. Let the parliamentary compact entered into at the time of the union be carried out, or else let every province in confederation take its own course as before. What is the use of confederating ourselves if each province can at any time disregard the conditions of its entry into that confederation and break the pledges that it has taken. The government of no country can be carried on unless on the principle that good faith must be kept with everybody, with every corporation, with every section of the country, and above all with the constitution itself.

Hon. Mr. BOULTON—Will the hon. gentleman tell me where the province of Manitoba made any pledges?

Hon. Mr. BERNIER—Yes, I could speak for an hour relating all the pledges they have made. I did so in 1894 when speaking here. I then mentioned the pledges they made.

Hon. Mr. BOULTON—You mean the Acts they passed subsequent to confederation?

Hon. Mr. BERNIER—I mean the pledges taken when the province came into the union; I mean the pledges taken by the legislature of the province when the legislative council was abolished; I mean the pledges which the liberal party took in that now celebrated election of St. François Xavier; I mean the pledges Mr. Greenway took when he formed his government; I mean the school legislation passed by the local legislature subsequent to its entry into confederation, which is more than a pledge; I mean the pledges that were taken both by the local authorities and by the federal authorities when they invited the people of the eastern provinces to go and settle in Manitoba in order that the immense resources of that province could be worked up. That invitation was coupled with the assurance that the educational laws in particular afforded protection to the views of everybody, and that they could and would not be disturbed. If such representations had not been made, I for one would not have gone there and worked for the colonization of that province. To-day, all these pledges are violated. It is to the shame of Canada that for eight long years the constitution has been so violated.

Under the circumstances I say that we must maintain our claims. We will not recede one iota from the position we have taken from the first. At the same time I must say this, that while holding such a position, we do not want to put any obstacles in the way of an equitable settlement. We have justice on our side; we have the constitution on our side, we want also to put generosity on our side. In the document to which I have alluded, there is an invitation to every one of us to be moderate, there is an invitation to peace and harmony. We love peace, and we desire peace. We are cheerfully willing to follow the advice that is contained in that document. At present it might be contended that sufficient time has not yet elapsed since that utterance has been made known, to enable the competent authorities to come to a decision. I take it for granted that those who have appealed to Rome have done so with a view to abiding by the decision they should receive. Now, granting that they have not had time to effect anything up to the present, we are willing to be patient, but patience does not mean surrender. If the competent authorities are willing to do what is right, let them do so of their own motion within a reasonable time. If full justice is given, well and good; if not, if no justice at all is rendered to us, or if only partial justice is given us, it will be our duty to maintain our position and to continue the fight we began in 1890; it is our duty to make the government and the country acquainted with our determination to take the constitution into our hands, and without any break in our efforts, ask parliament to redeem the honour of this Canada of ours, which stands to-day, I regret to say, in an unenviable position. The other day the right honourable premier closed a speech in another place by a eulogy of liberty. Liberty is just what we want. But there is no liberty where the constitution is violated. There is no liberty where a crushing injustice is done to so large a portion of the people; and to use the words of Sir A. T. Galt, there is no greater injustice than to force a people to educate their children contrary to their conscientious convictions. As British subjects, as citizens of Canada, we are entitled to the protection of the

constitution and of those who are called to carry on the government of Her Majesty. And this protection we will continue to claim and surely sooner or later we shall get it.

Hon. Mr. BOULTON—Will the hon. gentleman tell us what he expects this parliament to do in the matter?

Hon. Mr. BERNIER—I will tell the hon.gentleman what I wish should take place. I wish that the local government of the province should remedy the grievances of the minority of their own motion. That is our due, first because the local government were the offenders, and second because they are the competent and proper authority to deal first with the question. As an adherent to constitutional principles, I say that since education rests with the local government, I am quite willing to leave it in their hands, but when the constitution is being violated and the local government refuses to redress the grievances that they themselves created, as in this case, and more particularly since the remedial order was passed, parliament is vested with jurisdiction in the matter, and it is the duty of the government to introduce remedial legislation and of this parliament to adopt it.

Before resuming my seat I want to refer to another subject which is not mentioned in the speech from the throne, but which is very important— an insolvency law. Trade generally, as represented by the different boards of trade, has been asking for such a law for some time past. It seems to me that these wishes should receive the favourable attention of parliament. I am not aware whether the government will or will not submit such a bill to our consideration. But it is my opinion that they should. While holding that opinion, I desire to express now some views that I hold about it. The last insolvency law would have been a tolerably good law were it not for two of its features—the facility afforded to some people to put themselves under the operation of the law, while really they were not entitled to enjoy that privilege, and especially the existence of official assignees. I do not wish that what I am about to say should be applied to all the official assignees of the time. I know that there were good men who did their duties in a creditable way to themselves and to those whose interests were laid into their hands. But the reverse, I regret to say, has been the rule. I have known personally official assignees who had agents and canvassers in the country, whose work was to induce people to take an undue advantage of the law. That work was carried out in the most dishonest way, and some of those official assignees should have been thrown in the gaol rather than occupy the responsible position they had. In a new law the office of official assignee should be abolished. The estate of an insolvent should be vested in the hands of a permanent officer, remunerated not by fees, but by a fixed salary, an officer whose position would be similar to a clerk of the court, and to tell all what I think about this I say that an insolvency law should provide for the appointment of a special tribunal—a tribunal of commerce whose functions should be to receive the estate of the insolvents, to administer the same, and to dispose of the different claims that might arise. The whole administration of that law should be organized in a judicial way. I would go as far as taking out of the hands of the creditors the whole matter. This I know would be a bold step perhaps, but I am sure that on the whole the creditors themselves would be the gainers. By this way you would prevent undue preferences. The clerk of that court having no interest in the matter would accomplish his duty as the clerk of any other court does. The members of that tribunal also would look only to justice and to the best interests of the creditors. The difficulty is not precisely to make a law acceptable to the trade, but it is to administer the law. No good administration can be obtained if the doors are open to greed and dishonesty. But if you have a law whose administration is based upon a judicial principle, and carried on by officers having no interest whatever, one way or other, simply holding the responsible position of judges or the like, then I believe you would have a good administration and as a result, satisfaction amongst the trade community. The members of that tribunal should not necessarily be lawyers. Some men of high repute chosen amongst the mercantile community might be introduced in the composition of that tribunal along side with gentlemen of the legal fraternity. These are a few points which I ask the government to consider. To my mind there is no better way of insuring the good working of an insolvency law.

Hon. Mr. CLEMOW—This debate has been protracted to such a length that I do not intend to speak at any length. The leader of the opposition the other day alluded to some measures which he thought ought to be introduced in the speech from the throne. I wish to supplement those mentioned by the leader of the opposition with two other measures which I think are of vital importance, and of such interest to the country that they might have merited a place in the speech delivered from the throne by His Excellency. The first to which I shall refer is the Ottawa and Georgian Bay Canal. This project has been before the country for upwards of fifty years ; the work on this proposed canal was commenced on the route between the two lakes above the city of Ottawa. Owing to the difficulty experienced at that time in blasting the stone in that locality, it was found impossible to continue the excavation. At that time, as you all know, we had not the explosives that are now used, and the work was abandoned. Since that time, although it has agitated the public mind to a certain extent, it has been regarded as merely a local project emanating from the city of Ottawa, and, as you all know, the counties on the St. Lawrence, and in west Ontario were not in favour of it. We had not sufficient influence to carry out this work. The public works constructed about that time, and which have been in progress up to the present time, were of such magnitude that the various governments of Canada have not been in a position to prosecute this very great undertaking. Since that time I am glad to say there is a general feeling prevailing throughout the country that this is a work of vital importance, both commercially and nationally, and now I believe there is a feeling that this canal should be constructed. The benefit to the Dominion arising from its construction would be so great that I believe when the country becomes possessed of the facts they will unanimously agree that the government ought to undertake this work, particularly when such a favourable arrangement can be made as I believe can be made under existing circumstances. The boards of trade of this country have unanimously agreed that this work will benefit the country and will overshadow in this direction any previous undertaking. It is true that the public mind now is very much agitated about the waterways and the canals of this country. We are prosecuting a very serious undertaking in deepening the canals, and enlarging the locks so as to accommodate a larger class of vessels. That can be accomplished. There is no doubt with money and with the ingenuity that men possess at the present time almost any engineering feat can be accomplished, but there are two disadvantages with regard to the existing route, one is the proximity of the St. Lawrence canals to the frontier, and the other is the greater distance from the upper lakes to the sea-board by that route as compared with the Ottawa route. These disadvantages cannot be overcome, and therefore, it is of vital importance that the whole subject should be taken into consideration by the people, with a view to deciding whether it will be in the interests of the whole country to have this work begun at an early date. The great North-west, as you all know, is developing rapidly and before very long it will furnish such a volume of trade as will necessitate better means of transportation than we possess at the present time. I am glad to inform you that this subject is now attracting a great deal of attention in Great Britain Last year it was brought before the business men of England and the newspapers, the *Times* and other papers have commented upon it very favourably, and they entertain the opinion that it is a work that will benefit the empire to a very great extent. As a work for defence, it must be conceded that it will afford a route for naval purposes that cannot be obtained in any other way. Some seventy or eighty years ago the canals on the lower Ottawa between Montreal and Ottawa and the Rideau Canal between Ottawa and Kingston were constructed with a view to defence of the character that was required in those primitive days, but how much greater is that required at the present time.

We all know we may have advanced and that the people in England now are looking forward to having some defences in this country, and there is no way by which it can be better accomplished than by the construction of this canal. All the engineers and scientific men who have given this matter any thought or consideration have come to the conclusion that there is no route so short and so favourably situated as this one for the purpose of transporting the products of the North-west to the sea-shore. Under these circumstances, I think it is a matter which might well have been considered by

the government and should have been alluded to in the speech. I am in a position to state to-day that there is a company organized under the Act passed some time ago, prepared to build that canal and spend some fifteen millions in its construction.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. CLEMOW—And to have it complete and in running order in 3½ to 4 years for six years before they ask this country one dollar. At that time they expect a subsidy for twenty years, and I am informed on good authority that the imperial government will supplement the aid to the extent of one-half of the amount of the federal subsidy. I believe that every Governor General we have had including the present representative of Her Majesty, has been convinced of the desirability of having this canal constructed. All doubt has been removed as to the practicability and necessity of the undertaking, and the contractors who are willing to do this work are the celebrated firm known as Pearson & Co., men who have prosecuted the largest works in the world. They are prepared to undertake this work. They were concerned in the Back Hall tunnel under the Thames and the Halifax naval dock in Nova Scotia, and are now constructing a canal in Mexico, one of the largest in the world. Mr. Benjamin Baker, one of the most celebrated engineers in the world, is to be the engineer associated with Mr. T. C. Clarke, who, as hon. gentlemen know, was one of the parties who surveyed this canal some forty or fifty years ago. Therefore, it is quite apparent that this matter is a live one, and there is every prospect of the canal being constructed provided the government see their way to give the subsidy that I have mentioned, I hope they will do so and I intend to ask the House in a few days to name a committee in order that the whole of the facts may be brought before the notice of the people of this country, and by their decision we must abide. I believe they will find that it will be of advantage to all the people of the country. I am told that a bushel of wheat can be transported from Lake Huron to Quebec or Montreal by this route for less than one cent per bushel which ought to be sufficient inducement for any government to take this matter in hand. There can be no two opinions upon that subject. There is no doubt the people of England recognize this fact, and they are willing to subscribe and pay their money in order to have the advantage of cheap transportation. Every cent and every half cent that you can take off the cost of delivering a bushel of wheat in England reduces the cost to the consumers in that country.

Hon. Mr. SCOTT—And adds to the value of the farms in the North-west.

Hon. Mr. CLEMOW—Yes, that is self evident; but I want the people of this country to know thoroughly that they have a decided advantage in having the canal opened at as early a date as possible. We are now in a state of transition. We are spending a vast amount of money in deepening and enlarging our waterways and canals, with which policy I do not find fault. The St. Lawrence canals have served a purpose in the past, but are quite unequal to meet the necessities of the day. I am informed that of all the grain raised in this country only a small percentage found its way through the natural channels on Canadian territory and the great bulk went through the United States. We can get eminent scientists and engineering men to certify to these facts, and I do not believe they will be controverted. It is the universal opinion that there is no route in the known world which has the same advantages that this canal possesses for the purpose of performing this great work. Some gentlemen connected with railways—there are very few I am glad to say—object to a canal. They say railways are bound to do away with the necessity of canals. That argument is disposed of when I tell you that a barge containing 85,000 bushels of grain can be easily transported by this canal, and it would take more than 180 cars to perform the same work. More than that, I believe the country is developing so much, and the increase in the quantities of grain to be transported is so great that there will be work and employment for all the canals and railways we can build, and they will not interfere with the railways. The Canadian Pacific Railway Company are in accord with this route, and doing all they can to promote it, and are endeavouring to convince the people of England that it is to their interest, as much as the interest of the people of this country, to have this new route in our own territory. I am an advocate of building highways for commerce in our own territory. I want

Canada to be independent of any other country. I want a roadway through our country that we can control at all times and under all circumstances. I do not want to be prevented, as we were in the case of the Sault Canal, from passing through any canal necessary for access to any part of the Dominion. I want a Canadian canal for the benefit of Canada. Just imagine the amount of traffic which will come down the Ottawa canal. The revelation will be so great that it will surprise people that it was not undertaken at an earlier period. However, better late than never. I know we have suffered, owing to the other great works which have been undertaken in other parts of the Dominion. I do not blame any government for it; they could not do otherwise. But now that the country is more prosperous they can afford to attend to the Ottawa route and develop this section of the country. These are the preliminary remarks I intended to make on this important subject, and I hope when I move for a committee it will be unanimously granted. It will afford us an opportunity of inquiring into the matter fully, and then the more the project is investigated and understood the more it will be appreciated. The next question to which I wish to refer is the matter of the insolvency bill. You are all aware that an insolvency bill for a commercial country is an absolute necessity. The commercial credit of the country has been suffering very considerably in England owing to the want of some uniform insolvency law. The conflicting decisions that are given now are extraordinary. I will give the hon. gentleman one illustration. The other day in the province of Quebec, it was held that after an assignment and after a curator had been appointed to the estate, that notwithstanding the assignment and the appointment of the curator and the abandonment of the estate, the judge decided on allowing a previous execution to come in, doing away with the assignment for the benefit of the creditors. It shows there is no uniformity and no knowing how a man is situated in this country as far as the creditor and debtor are concerned. The merchants of England are seriously considering this question, and some of them refuse to have anything to do with us as long as we are without a uniform insolvency law.

Hon. Mr. McCALLUM—So much the better.

Hon. Mr. CLEMOW—But I want our credit to be good. I am perfectly satisfied that the more we manufacture and the less we buy, the better off we are. Still I do not want to see our credit impaired or injured in the English market. This matter was taken advantage of, and Mr. Fielding, Minister of Finance, was interviewed last year, when he was in England, and I am told that he gave them to understand that this matter would receive the attention and consideration at the present session. I hope the government will see its way to take action in the matter.

Hon. Mr. McCALLUM—It is not mentioned in the speech from the Throne.

Hon. Mr. CLEMOW—No, but I hope the government will see the necessity of it. It was intended to call a meeting of the Dominion Board of Trade to consider this matter, but I do not know whether it would be an advantage or not. Some years ago an insolvency bill was passed. My hon. friend the leader of the opposition put a bill through this House which provided for every contingency in insolvency matters. Whether this bill will be reintroduced by the present government I do not know, but I think it is well worthy of consideration and might well have been one of the subjects mentioned in the speech from the Throne. I now intend to refer to a few paragraphs in the speech. First there is the prosperity of Canada. We are accustomed to that. We have always had prosperity in Canada, and at the present time this comes from the gentlemen who formerly saw nothing but blue ruin and decay in this country. I am glad they have changed their tactics and that they find the country is prosperous. The mover of the address wanted to take some credit to the government for this; he admitted that it was not altogether owing to the government, but to the policy that they had pursued, which was in fact the policy of the late government. This is the best vindication for the course of the late government in carrying on their policy for the 18 or 20 years they were in power, the best proof is that when the liberals came into power they found that with no other system could they carry on the affairs

of the country with satisfaction to themselves and the people. We must congratulate the late government upon the fact that the present government were obliged to adopt the policy which they had been in the habit of denouncing in opposition so furiously upon every occasion. I was very much surprised at my hon. friend the senior member for Halifax. He spoke very humbly and quietly, without any of that fire and fury which characterized his speeches when the other party was in power. It is due, I suppose, to the fact that he has come to the conclusion that the country is prosperous. Then in the speech reference is made to the low rate of interest on the loan obtained by the government. We are all delighted to know that the rate is so favourable. However, it requires a very great deal of calculation to find out exactly what the advantage amounts to. The rate is a low one, and we are glad to find that the country stands so high in England, that they take our debentures at two and a half per cent. I congratulate this government as I would congratulate any government on such a favourable transaction. As long as we feel we are prosperous and contented, we should be grateful and satisfied. Of course we may differ in some matters of detail, but on this occasion I cannot differ from the government because they would not abandon the national policy. We were prosperous under the national policy and have continued to be so and should be satisfied. There is one free trader, however, in this chamber who is not satisfied: but we have nothing to do with that. The liberal party, when in opposition, denounced in forcible terms anything approaching the national policy. They have changed their tactics, and view it in a different light now. They may settle that question among themselves. If they have gone back on their previous record, we are not concerned with it. I am perfectly satisfied the government have done what they should have done under the circumstances, and are convinced that there is a benefit arising from the national policy. My hon. friend from Shell River (Mr. Boulton) said that our exports were greater than our imports and that it was something to be deplored. I have always looked upon it that we were better off if we had more to sell and less to buy, but he thinks differently. Another matter referred to is the jubilee celebration in England. I was glad to find a man occupying the position that our premier did, and I appreciate the courtesy extended to him in England. In this country the jubilee was a great success. Every hamlet, town and city did their best to celebrate on that occasion. I was glad to see that all difficulties were removed, alluded to in my remarks of last year, in such a way as to make the celebration here equal to anything in Canada. I was glad to see the Governor General taking part in the celebration, and the military assisted very materially in the celebration. I was grateful to the authorities upon that occasion for showing their appreciation of our efforts, but I regret that some monument has not been erected to commemorate that occasion. I thought it was the intention of the government to make this the Washington of the North, and to build a structure during the jubilee year for the purpose of preserving our minerals. I thought they would have erected a museum, which would have been a lasting monument to Her Majesty's long and glorious reign, and at the same time afford a protection to that valuable collection of minerals and other materials obtained in this country which are now stored in cellar-ways and gateways, subject to destruction by fire. I thought the premier might have taken advantage of that occasion and erected such a building. It would have been a monument to him.

Hon. Mr. ALMON—Why did you not do more for the Victorian Order of Nurses?

Hon. Mr. CLEMOW—I hope the government will take this matter up and erect a building for the purpose of protecting that valuable collection It is necessary not merely in the interest of Ottawa, but in the interest of the whole Dominion. If the building containing that collection were consumed, money could not replace it. There is nothing like taking advantage of every means of protection, and we should build a fireproof building to preserve these things. With reference to imperial trade, so much has been said about it that very little remains for me to say. I should like to see if possible a preference given to Canada in the British market. Whether it is possible is a matter of opinion. Some people think it is possible and others say it cannot be obtained, but I believe if more time had been allowed to the people of England there might have been a

greater inducement to them to give some preference. But they have obtained what they say is an advantage. Whether it will be so viewed or not is a matter to be determined altogether in the future: but there is no doubt that the people of this country stand higher in England at the present time than they ever did before. I believe Mr. Laurier did his duty and acted in the interests of the country, although he did receive this Cobden medal which has been so much talked about. Under all the circumstances, we were well represented by Sir Wilfrid Laurier in England. and it is not the province of conservatives and not the province of men acting as I am in the conservative cause ever to withhold from any man what he deserves or to detract from the credit due to him. I am not one of those who say that no good can come from such a source. I am willing to give credit for anything that is of substantial benefit to the country, and we may feel at any rate that we made some little progress in getting the people of England to view us with more consideration than in the past. There is a feeling in favour of this country and I hope it will continue. I hope our unity with the empire will continue. The people are united and there is nothing to detract from our allegiance to Her Majesty. We are loyal and will continue loyal, no matter what happens. We hear nothing more now of annexation. All that is dead and gone, and we all hope that it may long continue so, and that every man will feel that Canada is a country well worth having and England feel that Canada is one of the brightest jewels in her crown.

The gold discoveries in the Yukon are, of course, a burning question of the present time. It is very gratifying to hear so much about the richness of the country. We hear of men picking up from $50,000 to $100,000, but we do not hear much about those unfortunate miners who pick up nothing. There is a great deal of difference whether a miner is successful or whether he is not. To some, success is a benefit; to others, it is not. From present appearance there is every indication that the Yukon is a very valuable country, and it is proposed that means of communication shall be opened up at the earliest possible moment. I believe it is unanimously agreed that the measure before us aims at this object. The only question is by what means it shall be done. There is such a thing as paying too dear for an advantage. There is an idea throughout the whole country that the arrangement with McKenzie and Mann is one that will not redound to the benefit of this country as much as it should. I am, and have always been opposed to giving away unnecessarily, without due and fair consideration, the valuable assets of this country. Unfortunately, in the past it has been the practice of all governments to dispose of the public assets and receive very little compensation for them. I will instance the timber resources of this Dominion. I say, and I know what I am talking about, that these timber resources should have been from the first day of the settlement of this country safeguarded, and if they had been, we would have had timber wealth in the country sufficient to pay the national debt ten times over. The fact is, we did not appreciate it—we give it away. All a man had to do in the early days was to go to the Crown timber office, select a couple of hundred square miles of timber land, pay nothing for it, keep it and reap the advantage from it. It has been a disgrace to this country that we should have allowed so valuable a heritage, and increasing in value to such an extent, to pass out of the public domain, and get comparatively nothing for it in return. I know myself where parties have abandoned limits after working them for years. I have known them to take off several rafts of square timber and large quantities of saw logs, and then sell the limit for fabulous sums of money. I think we should have retained our timber lands and administered them for the benefit of the people of this country. It has been the same way with our public lands. We have never realized a solitary dollar of profit out of our lands in the old province of Ontario and Quebec. That is most extraordinary, but William Hamilton Merritt made a calculation some years ago, and brought out the fact conclusively, that the public lands were rather an item of expense than of revenue to this country, owing to the cost of administration and the easy terms on which they were disposed of. But as the hon. gentlemen all know, the statement I made about timber applies to-day. Even at the present time there is an immense quantity of timber on public lands for which the country is getting very little. It is true that since the public lands have passed into the hands of the local governments of Onta-

rio and Quebec, the provinces have reaped some advantage from them. Whether they have got what they should I do not know; probably some persons get the upper hand and reap an advantage that they should not have. We are proposing to do the same thing now with our public lands in the Yukon territory. Those lands are either valuable or they are not. If the minerals on those lands are valuable we should keep them. How can we ascertain that? By thorough exploration and examination. If our people in days gone by had taken the trouble to explore the vast forests of this country and ascertain that from actual knowledge whether a section of the country was fit for a settlement or not, and if they had excluded the whole of the lumbering district from settlement or sale at any price and kept it in the hands of the government, selling only such lands as were fit for settlement they would have taken the best course in the interest of the country. They did not do so, and I am very sorry for it. I believe the same thing will occur again if this arrangement in the Yukon country is carried out. This country is supposed to contain an immense amount of gold. There is no possibility, I suppose, of telling what it will be worth, whether $50,000,000, $200,000,000 or $500,000,000—no one can tell, but the parties who make this arrangement. I rather think they know something about it; I cannot believe that any business men would go into a transaction of this kind without having some knowledge of what they are going to receive from it. It is true that this railway ought to be built and there are difficulties we all admit, but at the same time, the contemplated traffic upon that road will be immense. In my judgment it will be sufficient to recoup the parties who build that road in a very short time. If we are going to have such an immense trade, the contractors can well afford to build that road and to trust to what they will realize from the transportation of freight and passengers to recoup them for their expenditure. The transportation charges, of course, will be, and must necessarily be, very large; but at the same time, when the road is constructed the company will be able to realize their expenditure in a very short time, and a very large profit as well; and they will deserve it and ought to have the advantage of their enterprise. My suggestion, as a business man, is this: let us known what country we have, let us find out exactly from examination, and then we will be able to come to a conclusion; and then say to the people of England and the people of this country, go and examine for yourself, make us a bid and tell us what you can do. I think that course should have been adopted, and in the place of having to give anything away, we would receive a large amount of money for the privilege of building that road into that country. Of course, these are all suppositions, but there are people, particularly at the present time when money is so plentiful in England and men are so anxious to get contracts, who will run great risks for the purpose of prospecting. I have nothing to say against Messrs. Mann and Mackenzie making the best arrangement they could, but are there only two men in this country, in this world financially able to undertake this work? I have better opinion of the people of this country, who generally undertake affairs of this kind, than to suppose that it is only in the hands of two men. Urgency is the plea that is raised in extenuation of this contract. Urgency may be all very well in some cases; but urgency is not always the best justification. The Ottawa Canal was never viewed as a matter of urgency, but still I believe it is of far more importance to Canada and its effects will be far greater to the province of Quebec and Ontario and the country in general than even the building of a road into this great gold country. It will yield greater and more substantial advantages; it will confer great benefit to this country, yet in this matter we are left to paddle our own canoe. Now, hon. gentlemen, I am afraid I am trespassing upon your patience. You have heard this talked over and reiterated a great many times, and therefore it is merely going over the same ground. Let us calmly consider this matter, and when it comes down before us we will be able to judge carefully of its effects and defects, and if it is found to be in the interests of the country that this contract should be accepted, then let us so decide and know that we have performed our duty. If I had my way I would have built that line through the Edmonton district. In this country we have men; our lumbering men I believe would think no more of making a road through that country than they would have of eating their breakfast.

They have had difficulties to surmount in the north far greater than what they will have in the Klondike. Take 50 or 100 of our bush men who are accustomed to that kind of work, and I believe they would make a road through our own country from Edmonton without interfering with any foreign land, and in the end it would be a benefit to the country and no one would have any cause for complaint. But, as it is now, there is a lurking feeling that this measure is one which had not been well considered. Of course, I am not going to blame any one man or set of men. It may have been on account of great difficulties with which I am not acquainted. There may have been international questions of which we know nothing, as the Minister of Justice intimated the other day. I may say I did not like the way the hon. gentleman mentioned it; it seemed to me that it was almost an attempt at intimidation as if there were matters that if we knew of them we might alter our opinion. I like to hear everything discussed rightly, and everything called by its right name; I like to call a spade a spade and to know exactly what is the course of the government, and I think they should take the country in their confidence if there is something behind it. I do not wish to detain the House any longer. I have taken up a good deal of time. I have stated merely on my own view of certain facts as a business man. I hope we will in all sincerity do the best we can and that when we arrive at a conclusion we will find we have discharged our duty honestly and faithfully to our premier and to the country.

COMMITTEE OF SELECTION.

MOTION.

Hon. Mr. MILLS moved:

That pursuant to Rule 79, the following Senators be appointed a Committee of Selection, to nominate the Senators to serve on the several Standing Committees, namely:—The Honourable Messieurs Scott, Sir Mackenzie Bowell, DeBoucherville, Lougheed, Miller, McDonald (B.C.), Clemow, Power, and the mover; and to report with all convenient speed the names of the Senators so nominated.

He said:—I have substituted Mr. Macdonald in the place of Mr. King, according to the wish of my hon. friend (Sir Mackenzie Bowell) opposite.

Hon. Mr. PROWSE—I call the attention of the hon. leader of the House to the fact that there is no member on that committee from the province of Prince Edward Island. I know it is a very small province and we have not many senators here—less than our usual number at present, but I wish to call attention to this fact that this is merely a committee to nominate senators to serve on the several committees of the House, and it is desirable that every province should be represented on that committee. Prince Edward Island has not been represented before, and the result was that on one committee we had three representatives from Prince Edward Island, while on other important committees there was no member from the Island at all; and I would suggest that the leader should add to that committee the name of the Hon. Mr. Ferguson.

Hon. Mr. DEVER—What the hon. gentleman has said also applies to New Brunswick. I do not see a senator from that province upon it. Mr. King was on it, but he is put off. I think we ought certainly to be entitled to one as well as Prince Edward Island, and it is hard to see why a new member, and a competent member, should be put off and another placed on the committee at the *ipsi dixit* of a member of this House.

Hon. Mr. BERNIER—The same remark would apply to Manitoba.

Hon. Mr. MILLS—The committee is exactly as it was last year, except that I substituted Mr. King for Mr. McInnes, and as Mr. McInnes was from British Columbia and my friend Mr. King did not care to serve on the committee, I suggested the name of Mr. Macdonald of British Columbia.

Hon. Mr. DEVER—I dare say you have done your duty, but at the same time, injustice is done to New Brunswick.

Hon. Mr. PROWSE—I trust the case that appeared in the selection of the committees last year will not appear this year, that is, that certain provinces will be excluded from most important committees, such as the Railway Committee, and three members from Prince Edward Island placed on one committee, and that a joint committee of both Houses.

Hon. Sir MACKENZIE BOWELL—I think my hon. friend opposite did precisely as I did when I was leader; I took the position as it had formerly stood without any change.

Hon. Mr. CLEMOW—I will withdraw my name from the committee.

Hon. Sir MACKENZIE BOWELL—As my hon. friend for Rideau has expressed his willingness to withdraw from the committee, I do not suppose the hon. leader of the House would have any objection to this, and if there is any other member of the committee who would give way cheerfully, a member from New Brunswick might be added.

Hon. Mr. DEVER—I do not wish to be on the committee myself. I would not accept the position now if it were offered, but I have taken notice of the fact that men have been made prominent by making them chairmen of committees for the last twenty years, to the detriment of other men.

Hon. Mr. PROWSE—I wish it to be understood that I do not wish to be on the committee either. I suggested the name of Mr. Ferguson. There was very good reason for making some radical change in this committee, knowing as we do that the report of the committee last year was very unsatisfactory to a great many members of this House.

Hon. Sir MACKENZIE BOWELL—Well, that is moved.

Hon. Mr. DEBOUCHERVILLE—The provinces of Nova Scotia, New Brunswick and Prince Edward Island have 24 members in this House, and three of them are members of this committee. Ontario has 24 senators, and it has four members on this committee; the province of Quebec, with 24 members in this House, has only one member on the committee. Therefore, if we are going to decide according to the number of representatives from each province, I should like to see more members from Quebec on the committee.

The motion as amended, substituting the name of Mr. Ferguson for that of Mr. Clemow, was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 16th February, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

EXCLUSION OF JAPANESE FROM YUKON DISTRICT.

MOTION.

Hon. Mr. MACDONALD (B. C.) rose to

Call the attention of the government to the necessity for prompt action being taken for the purpose of excluding all persons of the Japanese race from recording and working mineral claims in the Yukon District.

He said:—I hope the House and the government will recognize the great importance of this question. It will be a very serious matter if we allow hordes of Asiatics to come into our country, and take up our mineral claims. At present Chinamen are taxed for coming in, and Japanese come in free of taxation. I have no objection to their coming in as labourers, but the whole country objects seriously to their being allowed to come in and take up mineral lands. I noticed the other day in the newspapers a report that there were 5,000 of them coming from the Sandwich Islands under a company to work mineral claims in British Columbia, and after that I saw it reaffirmed that this had really been done, that the men had now been engaged, and would leave for British Columbia before long. I have nothing further to say on the subject, but I hope the government will see its way to prevent them taking up mineral claims by issuing instructions early to the officials in the Yukon district. It will be necessary also that this should be done speedily to prevent those people leaving their homes, and the Japanese consuls in Ottawa, Montreal, Vancouver and other places should be cognizant of the fact that they will not be allowed to take up mineral claims in Canada.

Hon. Mr. MILLS—Japan is recognized as a civilized state lying within the domain of international laws, and subject to the same rights, privileges and duties as every civilized state within that same domain. The hon. gentleman used the word "Asiatics."

I do not think the people of Japan stand exactly in the same position as other Asiatic nations, and especially at the present time when, in all probability, the government of the United Kingdom will find it necessary to draw closer to Japan, Japan having become a powerful as well as a friendly nation. I, certainly, speaking my own individual opinion, feel that it would be highly impolitic to adopt towards the Japanese people, as a nation, any line of conduct that would put them upon a different footing from the inhabitants of other civilized states. I may say to my hon. friend that the subject has not been before the government for its consideration, and I do not suppose for a moment that the Japanese government would consent that the inhabitants of Japan should be denied rights and privileges that are conceded to the citizens or subjects of other civilized nations.

Hon. Mr. ALMON—I am very much astonished at the resolution which has been moved by my hon. friend, the member for Victoria. I always understood that he had a more enlarged mind than he has exhibited on the present occasion. He was always, I thought, in favour of the Chinese being allowed into the Dominion. He has often spoken very strongly about the way in which the Chinese were treated in Victoria and other places on the Pacific coast, and I do not see why he should object to the Japanese. We have been deluging Japan with missionaries, male and female, who have gone out there without knowing anything of the Japan language or religion, when the people of those islands were more civilized than those sent to teach them religion. If we could prevent the missionaries, male and female, going from Canada out there, it would be a wise thing to do. I do not see the hon. member from Sarnia before me, or I would ask him as to the appropriateness of a quotation. I refer to one of the earliest prophecies I have heard, that Japhet would come to dwell in the tents of Shem. Now, Japhet is the oriental and Shem is the civilized man. Therefore, I think we are flying in the face of the holy scriptures, besides flying in the face of common sense, if we object to the Japanese, when everybody knows just now one of the great supports of our fleet out in the Asiatic field is the Japanese. We ask the Japanese sailor or soldier to risk his life in defending British interests, and we are expected to tell him after all that is done, "do not dare to put your foot on Canadian soil." I trust the government will take my advice. I have not much sympathy for the government, and they may not follow my advice, but if they do they will have nothing to do with the resolution moved by the hon. gentleman from Victoria.

Hon. Mr. MACDONALD (B.C.)—My hon. friend is quite mistaken. I have no objection to the Japanese coming into the country, or the Chinese either, but I do object to their taking up our mineral and farming lands. I ask the Minister of Justice whether he knows if aliens could take up land in Japan and work the minerals. I do not know the laws of that country, but I venture to say that aliens could not get mining claims. It is a large mining country, and there is a great deal of gold and silver being mined in Japan. I am of the opinion that no foreigners are allowed to take up land there. If that is the case, why should not we with equal justice, prevent them taking up land in our country? I hope the government will consider the matter. England is, no doubt, anxious to be on friendly terms with Japan, but we have not called upon them for assistance. Most likely they will call upon us first.

THE HALF-BREED POPULATION IN THE NORTH-WEST.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government if they have recently, or since coming into power, taken the census of the half-breed population of the North-west Territories, and if so, for what purpose have they taken such census?

He said:—I have heard that the government have taken a census of the half-breeds in the western part of the North-west Territories. I have not heard that they have taken the census of the half-breeds in the eastern districts.

Hon. Mr. MILLS—No census has been taken of the half-breed population in the North-west Territories.

THE LIQUOR TRAFFIC IN THE YUKON COUNTRY.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government if one Mr. Chamberland of Oak Lake, Manitoba, or any other person, have been granted a permit to take spirituous intoxicating liquors into the Yukon country?

He said :—I have heard that the government have issued permits for liquor to be taken into the Yukon territory and sold. I ask this question for the purpose of ascertaining the facts on that point. There is a very strong feeling all over the western part of Canada against either the local or the Dominion government sanctioning the sale of liquors in the Yukon territory. I regret to learn, however, that the government of the North-west Territories has sent an official into the Yukon country for the purpose of taking control of the sale of liquor in that part of the Territories. There seems to be a difference of opinion as to which government has jurisdiction over the sale of liquor in that part of Canada. I have heard that a certain gentleman has received a permit from the Dominion government. That is in conflict with the opinion which prevails in the local government on that matter, and it is for the purpose of getting correct information on the subject that I ask this question.

Hon. Mr. MILLS—No permit to take spirituous liquors into the Yukon country has been issued to Chamberland. Permits, however, have been issued to William Chambers and other parties. This is the answer which has been sent me by the Minister of the Interior.

Hon. Mr. PERLEY—Who is this Mr. Chambers and where does he reside ?

Hon. Mr. MILLS—I cannot say.

Hon. Mr. PERLEY—Is Mr. Chambers a Manitoba man ?

Hon. Mr. MILLS—I cannot tell the hon. gentleman. I have read the whole of the answer put in my hands in reply to this question.

Hon. Mr. PERLEY—It is a matter of no importance where he resides. I merely wanted to know the fact.

Hon. Mr. MILLS—I will make further inquiry for the information of the hon. gentleman.

A PROPOSED ADJOURNMENT.

Hon. Mr. DEBOUCHERVILLE—Is it the intention of the government to have an adjournment of this House ?

Hon. Mr. MILLS—The government in that respect are in the hands of the House. If an adjournment is desired the government will give effect to the wishes of the House.

Hon. Sir MACKENZIE BOWELL—It has been intimated to me by quite a number of senators that, as there is very little business to be transacted for a week or two, it might be as well to adjourn. Of course, we have to consult the interests of the government, so far as their measures are concerned, but if an adjournment is to take place it should be of such a character, if it will not interfere with the public business, as to enable those who live at a distance to reach their homes and spend a few days there before they return.

Hon. Mr. PROWSE—There has been an agitation for some years in this House to get the government to introduce some of their important measures in the Senate and thus expedite public business. An adjournment at the present time would be of little benefit to members from the maritime provinces. It would be much more convenient for us to have an adjournment later in the session. There should be enough work to keep us occupied here for a month to come, and then if there are no measures to be discussed we might adjourn for a week or two.

Hon. Mr. MILLS—I agree with the hon. gentleman that, as far as possible, the measures of the government should be introduced in the Senate so that the business of legislation may go on simultaneously in both Houses. There are many measures which, as the hon. gentleman knows, from their nature cannot be introduced here, but as far as we can we shall this session endeavour to meet the views which the hon. gentleman has expressed.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 17th February, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE LIQUOR TRAFFIC IN THE YUKON DISTRICT.

NOTICE OF MOTION AMENDED.

Hon. Mr. PERLEY—I wish to give notice that I will ask to amend the notice of mo-

tion that I have given for to-morrow. It is not as complete as I should like to have it. I desire to ask who gets the revenue derived from the sale of those permits, the government of the Territories or the Dominion government?

Hon. Mr. MILLS—I would suggest to my hon. friend that, instead of putting a question, he should move for a return, and I will endeavour to have it brought down as soon as possible. It will give him all the information he seeks. It would require some little time, of course, but it would be more satisfactory if he would simply change the question into a motion for a return.

Hon. Mr. PERLEY—Very well, I will do so.

THE ADJOURNMENT.

Hon. Mr. MILLS moved:

That when the Senate adjourns on Friday next it do stand adjourned until Tuesday, the 8th March, at eight o'clock in the evening.

Hon. Mr. MACDONALD (B. C.)—I would ask the minister if, in proposing this long adjournment, he has taken into account the very important bill that is now before the other branch of parliament? It is quite possible that that bill may come up before the 8th March.

Some hon. MEMBERS—Oh, no, no.

The motion was agreed to.

INSPECTION OF HULLS AND MACHINERY OF VESSELS IN BRITISH COLUMBIA.

MOTION.

Hon. Mr. MACDONALD (B.C.) moved:

Resolved, that it is expedient that special instructions be issued forthwith to the Dominion Inspector of Hulls and Machinery in British Columbia to exercise the most rigid inspection of hulls and machinery of steamers plying between southern and northern British Columbia ports and ports in Alaska.

Resolved, that instructions be issued forthwith to the proper official in British Columbia to carry out the law strictly as to the number of passengers and tonnage a vessel or steamer is allowed to carry, the number of boats and the deck load prescribed by law.

He said: The motion I am making to-day is an important one, because every little craft in British Columbia is now called into requisition to carry passengers and goods to the northern ports of the country, and there are vessels there which are quite unfit to go anywhere—small steamers with rotten hulls built of green timber, with very poor machinery. I hope the government will exercise the greatest strictness in passing those vessels and preventing them leaving port in an unseaworthy condition. In regard to the matter of the tonnage and number of passengers carried by these vessels, a steamer left Victoria in a most dangerous condition, filled with horses and cattle, and hay piled up higher than the deck. I consulted the agent of the Marine and Fisheries Department in Victoria, to see that that vessel had boats enough in case anything happened, and the consequence was they had to get two extra boats and two extra rafts, as a matter of safety for the passengers. I do not know what the government will do in the matter. It requires attention immediately, but I suppose that they have officers at that port who will look after it.

Hon. Mr. SCOTT—The subject to which my hon. friend has referred is one that is now of very great importance, more particularly in view of the fact that a United States vessel went down in Lynn Canal a few days ago. So far as we have been able to learn, nobody was saved. The accident was due to the bursting of a boiler. The boiler had been condemned. The subject to which the hon. member's motion refers has already received the attention of the Department of Marine and Fisheries. The chairman of the Board of Steamboat Inspection has been despatched to British Columbia with instructions to give this matter careful attention, and to see that no vessels are allowed to leave unless they comply with the law. I suppose the hon. gentleman will withdraw his motion, since the department have already taken action in the direction indicated.

Hon. Mr. MACDONALD (B.C.)—I should like to ask the Minister if, in the case of foreign vessels coming into our ports and leaving them crowded, the department can exercise any jurisdiction over them. I know that United States vessels come to our ports overloaded and crowded with passengers, and leave without complying with our laws and regulations.

Hon. Mr. SCOTT—I do not think that we exercise any control over United States vessels, although our neighbours practically

do over ours. I know that they exercise a restriction, which we have not exercised over United States vessels.

The motion was withdrawn.

THE STANDING COMMITTEES.

MOTION.

Hon. Mr. SCOTT moved the adoption of the report of the Committee of Selection to nominate the senators to serve on the several standing committees as follows :

JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT.

The Honourable the Speaker, and the Honourable Messieurs Allan, Almon, Baker, Boucherville, de, C.M.G., Drummond, Gowan, C.M.G., Hingston, Sir William, Kt., Landry, Masson, MacInnes, Poirier, Power, Reesor, Ross, Scott and Wark.—17.

JOINT COMMITTEE ON THE PRINTING OF PARLIAMENT.

The Honourable Messieurs Armand, Bernier, Carling, Sir John, K.C.M.G., Dever, Dobson, Ferguson, Fiset, King, Macdonald, (P.E.I.), Mackeen, McKindsey, Merner, O'Donohoe, Ogilvie, Perley, Power, Primrose, Reid, Sanford, Sullivan, and Wark.—21.

COMMITTEE ON STANDING ORDERS.

The Honourable Messieurs Aikins, Bellerose, Carling, Sir John, K. C. M. G., Clemow, Macdonald (P.E.I.), Macdonald (Victoria), McDonald (Cape Breton), McKay, and Prowse.—9.

COMMITTEE ON BANKING AND COMMERCE.

The Honourable Messieurs Aikins, Allan, Powell, Sir Mackenzie, K.C.M.G., Casgrain, Clemow, Cochrane, Cox, De Blois, Drummond, Ferguson, Forget, Hingston, Sir William, Kt., Lewin, MacInnes, McMillan, Miller, O'Brien, Primrose, Sanford, Scott, Smith, Sir Frank, Kt., Temple, Villeneuve, Wark, and Wood.—25.

COMMITTEE ON RAILWAYS, TELEGRAPHS AND HARBOURS.

The Honourable Messieurs Allan, Almon, Baker, Boulton, Bowell, Sir Mackenzie, K.C.M.G., Clemow, Cochrane, Cox, Dickey, Forget, King, Drummond, Landry, Lougheed, Lovitt, Macdonald (Victoria), MacInnes, Masson, McCallum, McDonald (Cape Breton), McKay, McKindsey, McLaren, McMillan, Miller, Mills, Owens, Poirier, Power, Ross, Sanford, Scott, Smith, Sir Frank, Kt., Snowball, Vidal.—35.

COMMITTEE ON MISCELLANEOUS PRIVATE BILLS.

The Honourable Messieurs Adams, Armand, Baird, Bellerose, Bolduc, Boucherville, de, C.M.G., Dandurand, Dever, Dobson, Fiset, Gowan, C.M.G., Landry, Lougheed, Macfarlane, Merner, Mills, Montplaisir, O'Brien, O'Donohoe, Ogilvie, Prowse, Reid, Snowball, and Sullivan.—25.

COMMITTEE ON INTERNAL ECONOMY AND CONTINGENT ACCOUNTS.

The Honourable Messieurs Bernier, Bowell, Sir Mackenzie, K.C.M.G., Casgrain, De Blois, Forget, King, Kirchhoffer, Lovitt, Macdonald (Victoria), McCallum, McDonald (Cape Breton), McKindsey, McLaren, Miller, Montplaisir, Owens, Perley, Power, Prowse, Scott, Thibaudeau (de la Vallière), Temple, Vidal, Villeneuve, and Wood.—25.

COMMITTEE ON DEBATES AND REPORTING.

The Honourable Messieurs Bellerose, Bernier, Boulton, Bowell, Sir Mackenzie, K.C.M.G., Ferguson, Macdonald (P.E.I.), McCallum, Mills, and Vidal.—9.

COMMITTEE ON DIVORCE.

The Honourable Messieurs Baird, Baker, Boulton, Gowan, C.M.G., Kirchhoffer, Lougheed, Mills, Primrose, and Wood.—9.

COMMITTEE ON THE RESTAURANT.

The Honourable the Speaker, and the Honourable Messieurs Almon, Bolduc, Lougheed, MacKeen, McKay, and McMillan.—7.

THE PRINTING OF PARLIAMENT.

A message was received from the House of Commons informing the Senate that they had appointed certain members of the House of Commons to act on the joint committee on the Printing of Parliament.

Hon. Sir MACKENZIE BOWELL—I should like to call the attention of the hon. leader of the House to the message from the House of Commons as laid on the Table. They have selected the same number that they selected last year, twenty-two instead of twenty-one. If the Commons persist in keeping the number twenty-two, I would suggest the propriety of changing our rules, so as to have an equal number of senators on the committee.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 18th February, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

OTTAWA AND GEORGIAN BAY CANAL.

MOTION.

Hon. Mr. CLEMOW moved :

That a select committee be appointed to investigate and report upon the feasibility of, and the advantages

which would accrue to the Dominion from the construction of a canal uniting the waters of Lake Huron with those of the St. Lawrence via the Ottawa River, the said committee to consist of the Honourable Messieurs Sir Mackenzie Bowell, Scott, Casgrain, McMillan, Dobson, Bellerose, De Boucherville, Ogilvie, Owens, Almon, Miller, McKay, Power, Bernier, Boulton, Perley, Macdonald (P.E.I.), Prowse, Reid, and the mover; with power to send for papers, persons and records, and to employ such persons as the committee may deem necessary for the purpose of the investigation, and to report from time to time.

He said:—I stated the other day that it was my intention to move for a committee to inquire into this subject. I desire the opportunity of proving by reliable parties the feasibility of this project, and the only way, apparently, would be to bring those parties here to give their evidence. It is the intention to summon the parties interested in the proposal for the purpose of obtaining this information. One of them is on his way from Mexico, and will be here in a few days. It is also the intention to summon scientific men, who know all about it, and whose evidence will be of great assistance in coming to a conclusion as to whether this route is feasible and should be constructed under the terms foreshadowed in the few remarks I made the other day. I do not intend to elaborate the question at the present time. Hon. gentlemen are aware of the circumstances, and I think the investigation will satisfy the House and the whole country that it is a step in the right direction, and that we may expect to realize the importance of this great channel of communication between the northern country and the seaboard. I do not know whether I would be in order if I were to ask the House, in the event of its being necessary, that this committee should sit during recess. It may not be necessary, but if these parties arrive here in a few days, it would be very desirable, if we could get the committee together, to have an opportunity of taking their evidence in order that there might be no delay.

Hon. Mr. MILLS—Most of the members will be away.

Hon. Mr. CLEMOW—Very well. I thought possibly it might be done.

The motion was agreed to.

THE LIQUOR TRAFFIC IN THE YUKON COUNTRY.

MOTION.

Hon. Mr. PERLEY—On behalf of the prohibition people of Canada I desire to move:

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate, the number of permits that have been granted to persons for the purpose of taking spirituous and intoxicating liquors into the Yukon District, the date of such permits, together with the name of the person to whom a permit has been granted, and the number of gallons covered by such permit, and the fee charged by the government per gallon.

I should like to ask, also, which government gets the fee, the Dominion or the Territorial?

Hon. Mr. MILLS—There is no objection whatever to the motion being granted. The return which the hon. gentleman has moved for will be brought down. I notice that in giving my reply to the hon. gentleman's question, which he put yesterday or the day before, a number of newspapers have it that I said that I had issued several permits for the sale of liquor in the Territories. I did not say so, and I never did so. My department has nothing whatever to do with the matter.

Hon. Mr. FERGUSON—The government did it though.

Hon. Mr. PERLEY—Will the hon. gentleman be good enough to add the information that I have asked for—who gets the fees for the sale of the permits?

Hon. Mr. MILLS—The hon. gentleman will see that this Yukon country is still in an unsettled condition. When we bring in our bill—which I hope will be immediately after we meet subsequent to the adjournment—that matter will be regulated by the bill about to be introduced. With regard to the permits that have already been issued, that I apprehend is under the authority of the North-west Territories Act and the revenue is disposed of by the terms and provisions of that Act. My present recollection, without looking into the matter, is that it is part of the revenues of the North-west Territories.

Hon. Sir MACKENZIE BOWELL—Could the Minister of Justice inform the

House whether permits have been issued by the Dominion government and also whether that power has been exercised by the North-west Territories? Under the North-west Territories Act, as it now stands on the statute book, that power would be vested in the government of the North-west Territories, and not in the Dominion government.

Hon. Mr. MILLS—Vested in the lieutenant governor of the North-west Territories.

Hon. Mr. FERGUSON—The hon. Minister of Justice stated yesterday that no permit had been given to a Mr. Chamberland, but he said that a permit had been granted to a Mr. Chambers, and I understood him to say that that permit was granted by the Dominion government. Was that the reply?

Hon. Mr. MILLS—I gave the hon. gentleman the answer that was put into my hands, by my colleague, from the department of the Interior, whether that referred to the North-west Territories or to the Yukon country. I suppose it related to the Yukon country, from the question put by the hon. gentleman, and in that event the permit would be issued by some officer in that territory, but as to the whole matter I cannot say. I am not aware that any permits have been issued in the Yukon country by the government of Canada; I do not think any have been. I am speaking, however, without having inquired specially on the subject. If my hon. friend wants information on these subjects, which are outside of my department altogether, he will have to give notice, and I will get the information for him.

Hon. Sir MACKENZIE BOWELL—That information will be covered by this motion?

Hon. Mr. MILLS—Yes, I think so.

The motion was agreed to.

SUB-AQUEOUS MINING CLAIMS ON YUKON RIVER.

ENQUIRY.

Hon. Mr. MACDONALD (B.C.)—Before the House adjourns there is a matter of some importance to which I desire to call the attention of the Minister of Justice. I presume the regulations for mining in the Yukon have been approved by the Governor in Council, and that there can be no deviation from those rules without having recourse to the Governor General in Council in the same way. In these regulations I see that no one can take up a sub-aqueous mining claim of more than five miles in a river; but a company or person can take up thirty miles of the river, and no more. That is stated emphatically in the regulations. I observe two or three reports in the newspapers to the effect that Chevalier Drolet had got a lease of 150 miles, and a Mr. Russell had obtained a lease of 380 miles in the Yukon, and Mr. Mercier of Quebec had received a lease of 280 miles. How could these persons have received these leases—if they have done so—when the regulations say that they can only receive thirty miles? I hope the Minister of Justice will be able to tell us that these reports are quite unfounded.

Hon. Mr. MILLS—This is a question which is not on the notice paper. I am wholly unable to answer it, but I do not think it at all probable that any such leases as he mentions have been made. However, I will make enquiry and will be able to give the hon. gentleman the information when we meet again.

Hon. Mr. POWER—With respect to the case of Chevalier Drolet, I think I noticed the paragraph to which my hon. friend refers, and my remembrance of it is that his right to dredge was in the Saskatchewan River.

Hon. Mr. MACDONALD (B.C.)—That is in the North-west also.

Hon. Mr. LOUGHEED—It is a notorious fact that the government are making leases of nearly all the rivers in the North-west. In view of the rapid development of those mining claims, it seems to me the government is recklessly alienating very important interests which certainly deserve greater consideration than they are receiving. It is utterly impossible from the statements already made by the Minister of Justice and the Secretary of State that the government can possibly have any information with regard to the interests which they are disposing of in very large quantities,

because many of those leases run up to thirty and fifty miles. I say it is impossible for the government to have had the information as to what they are disposing of to those parties. It is a matter which the House should be informed upon, and I hope my hon. friend from Victoria will take steps, at the earliest possible date, to ask for a return of all papers in regard to this particular question. Disposing of those immense interests in such a wholesale way must necessarily strike the House as being a matter of very grave importance, and I hope that at an early date we will be put in possession of full information upon the question.

Hon. Mr. MILLS—I shall certainly bring down the information when we meet again. I shall consider the observations which have been addressed to the House as a notice, and ask my colleague, the Minister of the Interior, for the information.

Hon. Sir MACKENZIE BOWELL—If my recollection serves me right, I read in the *Citizen* this morning that the hon. Minister of the Interior informed the House of Commons, in answer to a question last night, that 150 miles had been granted to one of these gentlemen, Chevalier Drolet.

Hon. Mr. POWER—I think it was in the Saskatchewan.

Hon. Mr. LOUGHEED—That lease was granted many months ago.

Hon. Sir MACKENZIE BOWELL—I do not suppose that makes any difference. They are all in the North-west Territories, and the rules and regulations apply not only to the Saskatchewan, but to the Yukon, Stikine and other rivers.

Hon. Mr. LOUGHEED—As a matter of fact, there are several hundred applications now before the Minister of the Interior, and it is expected that action will be taken upon them immediately. The policy of the department seems to have been to grant leases upon application being made, entirely irrespective of whether the government was in possession of information upon them or not.

Hon. Mr. SCOTT—There are now published, as the hon. gentleman is aware, regulations affecting sub-aqueous mining. There may have been—I think there was—at least one or two leases issued before. I cannot now recall them, but I noticed the observations in the paper that some considerable mileage had been leased and I intended to have asked the Minister of the Interior about it to-day, but it escaped my attention.

Hon. Mr. LOUGHEED—The present regulations provide for leases being granted on application being made.

BILLS INTRODUCED.

Bill (A) "An Act for the relief of Robert Augustus Baldwin Hart."—(Hon. Mr. Clemow.)

Bill (B) "An Act incorporating the Central Canada Loan and Savings Co."—(Hon. Mr. MacInnes.)

DELAYED RETURNS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—Before the House adjourns, I should like to call attention once more to that return which I moved for some eight or ten months ago. I should certainly like to know whether the government intends to comply with the order of the House, and whether we can have it at some period of time. I think it would be much better if the government would lay down the principle, when a motion is made asking for information or returns, of refusing to grant it, giving their reasons for that course, rather than appear to consent to grant it and never bring it down. We have waited quite long enough for that return. There are other returns much in the same position. It is my particular duty just now, perhaps, to repeat what the hon. Secretary of State used to say when I was leader of the House: I hope he will not fall into that error with which he charged us and which I am not prepared to say existed to the extent that they have been practising it.

Hon. Mr. MILLS—The return having been asked for by the House, the House is entitled to the return, and I know my hon. friend is anxious that it should be brought down. The wish of the House will be complied with in this regard. I entirely concur in the observations which the leader of the opposition has addressed to the House on this occasion, that if the government think it is not in the public interest that a return should be brought down, the fact ought to

be stated at the time and the return should be refused, but if it is agreed that the return should be brought down, then that agreement should be strictly kept and I do not know yet that that is not the intention. Certainly I have no reason to suppose that the government did not intend to comply with the motion to which they assented. I may say to my hon. friend that I also agree with the observations that were addressed by the hon. Secretary of State to the hon. gentleman at the time to which he refers—that our predecessors in this regard were very frequent sinners, and it is a case in which we should avoid walking in the footsteps of those who preceded us.

Hon. Mr. KIRCHHOFFER—I am in the same box with my leader in the fact that I moved for a return at the very commencement of the session last year, and although the hon. Secretary of State again and again promised to produce it shortly, we were left to the end of the session without having received it. He led us to understand at one time that a large portion of the return had been made up, and that he would turnish us with an instalment of it, and I think on one occasion I agreed to accept an instalment on account, because it was all I could get, apparently. But we did not get any part of it at all, not even the instalment. I hope the remarks which the leader of the House has made with reference to the returns asked for by the leader of the opposition will be extended so as to apply to my motion as well.

Hon. Mr. SCOTT—I think the return moved for by the hon. gentleman who has just resumed his seat was to be included in the return asked for by the leader of the opposition.

Hon. Mr. KIRCHHOFFER—No, it was a separate motion.

Hon. Mr. SCOTT—I thought it was the same information.

Hon. Mr. KIRCHHOFFER—No, quite different.

Hon. Mr. SCOTT—All I can say is that the requests were made on the departments at the time, and repeated frequently since, and personal letters written to the ministers calling their attention to the importance of complying with the order of the House, because it necessarily is very embarrassing to be placed in the position of not complying with an order passed by the House. A portion of the return asked for by the leader of the opposition was completed. That may possible also have been the case with the return asked for by the hon. gentleman from Brandon, but I understood from the leader of the opposition that it was not desirable to bring down fragmentary returns. I think they are all in except from two departments—the Department of Railways and the Post Office Department.

Hon. Mr. FERGUSON—I think that was the last announcement.

Hon. Mr. SCOTT—Those two departments are the defaulters.

Hon. Mr. KIRCHHOFFER—That was the understanding with the hon. leader of the opposition, but on the principle that half a loaf was better than no bread at all, I desired to have an instalment of the return that I had asked for if I could get it.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 8th March, 1898.

The SPEAKER took the Chair at Eight o'Clock.

Prayers and routine proceedings.

NEW SENATOR.

The Honourable WILLIAM TEMPLEMAN was introduced and took his seat.

EXAMINATION OF YUKON ROUTE.

INQUIRY.

Hon. Mr. FERGUSON rose to call the attention of the Senate to the following telegram which appeared in the Montreal *Star* of the 8th of December last:—

VANCOUVER, B. C.—Messrs. Corthew and Wilkinson have returned from the Yukon. They went there for the Canadian government to locate an all-Canadian route. Their official report is not yet out, but it is a foregone conclusion that their route will be chosen. It starts at Ketimat from an inlet on the

Alaskan route running straight through Canadian territory to Teslin Lake. Mr. Corthew has been exploring for eighteen years in that section. He says there is no short cut. Sixty miles inland on the route which will be accepted, they discovered vast deposits of quartz. Several tons were brought home and assayed $50 to $500 in mineral, mostly copper. The route to Teslin Lake is through a valley, sparsely timbered, almost as level as Broadway, New York. The valley is without doubt the old bed of the Skeena River. Game is abundant and whitefish block the stream in season. Already the Canadian Pacific have applied for a charter to run a road from Ketimat to Teslin Lake. The official report will be out in one week. It will mention this route as the one chosen, and millions of dollars will be spent in opening it up. An ocean liner could anchor within a stone's-throw of Ketimat.

And inquired whether the surveyors above named made an examination of the route to the Yukon for the Canadian government? If so, has a report of such examination been made, and will it be submitted to parliament, and when?

Hon Mr. MILLS—I may say, on behalf of my colleague, that there has been no examination made of the route to the Yukon for the Canadian government, and there is no report to submit.

Hon. Mr. FERGUSON—These men were not employed at all?

Hon. Mr. MILLS—No.

CENTRAL CANADA LOAN AND SAVINGS COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACINNES moved the second reading of Bill (B) "An Act incorporating the Central Canada Loan and Savings Company." He said: The purport of this bill is to empower the company to do business in the Dominion. At present it is confined to the province of Ontario, and the object of the bill is to give them power to extend their business throughout the Dominion generally. The bill contains all necessary provisions for the protection of the creditors of the company. It appears to me to be a perfectly legitimate bill, and there cannot be any reasonable objection to it.

The motion was agreed to.

MR. FARRER AT WASHINGTON.

INQUIRY.

Hon. Mr. MILLS moved that the Senate do now adjourn.

Hon. Sir MACKENZIE BOWELL—Before the House adjourns I should like to call the attention of the leader of this House to a paragraph which has appeared in the newspapers purporting to come from Washington, in reference to some negotiations which have been going on before a Committee of the Senate, in which a Mr. Farrer appears to have taken a very prominent part, and from the tenor of the telegram one would suppose he was there as a representative of the government of Canada. I scarcely conceive it possible—though I know that this gentleman is on very intimate terms with some of the hon. gentleman's colleagues—that a man who was detected some years ago in a secret correspondence with leading members of the Senate of the United States, suggesting to them a mode by which Canada could be coerced into asking for annexation, and suggesting to them how they might obtain concessions from Canada of rights which Canada enjoys under the treaty of 1818, and other treaties between these two countries. I do not know that my hon. friend would object to my putting this question without notice, for I take it for granted that it being so plain and simple a question—the answer to which is Yes or No—he would have no objection. I am desirous that this country should know whether the government has employed Mr. Farrer as their agent to negotiate terms of reciprocity, or to make any suggestions as to what they, as a government, are prepared to concede in return for favours and privileges in the Yukon district. The telegram which appeared in the newspapers, dated Washington, Feb. 18th, reads as follows:

Edward Farrer, of Toronto, is here in consultation with Senator Hansborough and several other members of the Public Lands Committee, in regard to bonding privileges at Wrangel, which the Alaska bill refuses unless the Dominion government rescind the monopoly given to the Yukon Railway.

Mr. Farrer addressed the committee and made a very plausible case. With regard to the refusal of Canada to permit American fishermen to ship their catch free of charge in Canadian ports on the North Atlantic, in his opinion the Canadian government would agree to the appointment of an international commission to provide for the uniform administration of the bonding system on the North Atlantic as well as on the North Pacific. He added that it would be all the better in his judgment if the commission was given authority to deal with reciprocity of trade in one of the two leading natural products like coal, barley and pulp wood, and also in one or two lines of manufactured goods.

I do not know that I should have called the attention of the Senate to this, were it not for the remarks made by Mr. Hansborough, when the question was before the United States Congress, as to the adoption

of that resolution declaring that no concessions shall be made to the Canadians at Wrangel, or at any other port in the North Pacific, or on the Alaskan coast, unless we consented to give certain privileges to the United States fishermen in the North Atlantic ; and also, the admission of goods to the extent of 1,000 pounds to each miner, free.

Hon. Mr. SCOTT—2,500 pounds.

Hon. Sir MACKENZIE BOWELL—The resolution says, "Exceeding in quantity 1,000 pounds." Perhaps that has been increased ?

Hon. Mr. SCOTT—It was increased to 2,500 pounds.

Hon. Sir MACKENZIE BOWELL—So much the worse. When this bill was under consideration, the following discussion took place :

Mr. Turner (Washington), moved to strike out that part of the section, which related to the entering of Canadian ports by American fishermen. He did not, he said, make the motion, because he was hostile to the New England fisheries, but because he deemed it unfair to burden this measure with a demand upon the Dominion government that it yield a contention it has made for 100 years.

Mr. Hale (Maine), inquired if Mr. Turner did not think it would be of advantage to the United States to obtain the fisheries concession from Canada.

Mr. Turner replied that it would be of advantage if we could obtain it, but he did not believe it could be obtained.

Mr. Hansbrough (North Dakota), said that the committee on public lands was in possession of information that Canada would accept the conditions imposed by the section. He was firmly of the opinion that the Dominion government would yield on the fisheries question in view of the concessions made to it by the bill.

Now the only inference that one can draw from the statements made by Mr. Hansborough is this, that Mr. Farrer assured the Public Lands Committee that the Canadian Government were prepared to make these concessions ; and if he made any such statement or gave any such assurance to that committee, one can scarcely conceive that he had the audacity—if I can use so strong a term—to make any such promises, unless with the consent of the Canadian Government. If he did, then he should be repudiated at once by the government of Canada, and the United States people should be told that this gentleman was not authorized either to appear before that committee or to make any promises of concessions on the part of Canada, and that the Canadian people should learn at as early a day as possible that an arch-traitor, like Farrer has proved himself to be, in the past—and we have no reason to know that he has reformed—is not acting on the part of the Canadian Government.

Hon. Mr. MILLS—I may say to my hon. friend that the government of Canada have no agent at Washington other than the British Ambassador.

Hon. Sir MACKENZIE BOWELL—He is not our agent.

Hon. Mr. MILLS—We are a part of the British Empire, and as a part of the British Empire we are represented at the capital of the United States by the British Ambassador, as much so as the people of the United Kingdom are, and I did not apprehend that the government of Canada were going to undertake to create for themselves other channels of communication on matters of political importance than those which under the law and the constitution are already provided. The government of Canada have, as such, no agent at Washington at all. We regard ourselves as adequately represented by the agency that is provided for us, the British Ambassador, Sir Julian Pauncefote. With regard to the report which my hon. friend has read of what transpired in the Senate of the United States, of course we are not responsible for what happens there. If any citizen of Canada happens to be in Washington and is called upon for information, he is at liberty, of course, to give such information as he possesses, and it is a matter of discretion with him as to what statements he will make, and he may, if he chooses, say what his opinions are. We, of course, cannot control the opinions of Mr. Farrer or any other party from Canada who may visit Washington. Then, as to the fisheries, my hon. friend knows well that the fisheries on the Atlantic coast are regulated by the treaty of 1818, that the fisheries upon the coast of British North America, are the property of the people of Canada and under the jurisdiction of Canada, subject to the concessions, the liberties or licenses granted under the treaty of 1818 to the people of the United States. Of course, we cannot take from them any rights which they possess, but it is wholly within our discretion whether

we will make any further concessions or not, and the government of Canada and the parliament of Canada have so far seen proper to exclude the people of the United States from the privilege of transhipping fish in bond from Canadian ports to ports in the United States, except where they choose to take out a license for that purpose. Now, with regard to our rights on the Pacific coast, our neighbours over the way, with whom we are anxious to be on good terms and to have a good understanding, so far as our self-respect and our regard for our own interests will permit us, may adopt such policy as they deem proper for themselves, but not without regard to our rights of navigation in the Stikine and other rivers mentioned in the treaty of Washington. We have the right to use those rivers for commercial purposes, and, as an incident to that commercial use, we have a right to tranship our goods from sea-going ships to those that are suited to river navigation. We have the right to moor our ships to the shore or bank of the river where it is necessary to do so, and we have these incidental rights without being subject to any duty or any charge on the part of the government of the United States, other than that which they might make for their own citizens under like circumstances, and so we do not anticipate, whatever the Senate may declare in this matter, that Congress, as a whole, will ultimately adopt a course in contravention of the rights that we possess under the treaty of Washington or that they will attempt any breach of faith. It is our intention to pursue our own course, to maintain our own authority, to adopt those measures which we believe in the interests of this country and the proper development of our territories. We are doing nothing to interfere with our neighbours, or to exhibit towards them any hostile spirit. We have permitted all other foreigners who chose to come into our country, to engage in mining operations in the Yukon territory. We have subjected them to such burdens as we think are in the public interest, and it is the intention of the government to pursue that course and to adopt all those measures necessary to ensure law and order in that country and maintain our authority and to uphold the sovereignty of Queen Victoria in the Yukon country.

Hon. Mr. MILLER—I was somewhat startled when I read the proceedings in the Senate of the United States to which the hon. member from Hastings has referred, and I had prepared myself to bring the subject before this House, pretty much in the same way that the hon. gentleman has brought it, until I found that it had been brought up in the other branch of parliament and fully discussed, and full information given to the public in regard to it. I must say I was somewhat alarmed when I read that in the discussion in the United States a statement had been made to the effect that it was well understood that the fishing rights of the maritime provinces of this Dominion could easily be obtained in exchange for customs concessions at Wrangel or elsewhere on the Pacific coast. I say I was surprised at the confidence with which that assertion was made in the Senate of the United States by men who seemed to be thoroughly and authoritatively informed. My fears, too, were not without some reasonable foundation. I called to mind the occasion on which the premier of this country, shortly after he was installed in the high office which he now fills, visited the United States and gave an interview to a leading journal in that country in which he spoke of the restrictions of the treaty of 1818 and generally of our invaluable fishing rights as liable to be given up to the United States on very small consideration. Elsewhere he had spoken of these restrictions as relics of a barbarous age. The fishery products of this country amounted last year to over $20,000,000—and I may say the province that I represent is more deeply interested in the fisheries than any other province of the Dominion, producing nearly one-third of the whole production of that industry in the Dominion—and I say I was alarmed at the confidence with which those statements were made in the Senate of the United States when I called to mind the utterances of the Prime Minister both before and after he had attained office. I was reassured, however, when I read the report of the discussion in another place yesterday, and very much pleased with the emphatic manner in which the Prime Minister repudiated any intention of mixing up the settlement of the fisheries question on the Atlantic coast of the Dominion with any difficulties that might have to be settled with the United States government upon the Pacific coast. I hope if ever the day comes when we shall be called upon to negotiate for a surrender of our fishing rights it will

be recollected that those rights are a most valuable heritage of the maritime provinces, that they are looked upon with extreme jealousy, and it is only men who do not understand the conditions under which the Treaty of 1818, was signed and executed who talk about those rights as having been acquired in a barbarous age. They are rights which will bear the strictest criticism and defence at the present day, and they are the only means we possess to bring about a fair settlement of any international question affecting the maritime provinces with the United States; they are the only lever we have to use, and therefore, should be made the most of. With regard to the license system which now prevails, I wish to express an opinion: I think the time has arrived when we should cease to grant licenses to United States fishermen. After the rejection by the Senate of the United States of the treaty negotiated by Mr. Chamberlain and Sir Charles Tupper, acting on behalf of Canada, we agreed to prolong for a year or two the privilege of granting licenses to United States fishermen, with the expectation that the United States would come to some reasonable settlement and would grant some equivalent for the great privileges which they ask to participate in with the fishermen of the maritime provinces. We see no indication of any desire or intention on their part to do anything of that kind; on the contrary, we see indications of unfriendliness and worse than unfriendliness, because no person who has any acquaintance whatever with the rights of navigation which this country possesses by treaty on the rivers of Alaska, can regard in any other light the recent action of the Senate of the United States than a gross violation of our treaty rights. Any one who has studied the question and understands the unassailable rights that we possess for commercial purposes over those rivers, could hardly imagine that a civilized nation would adopt such legislation as the 13th clause of the bill which has recently passed the Senate of that country. If such legislation had emanated from some semi-civilized South American republic we might regard it with some indifference, and I have no sympathy with those gentlemen who stand up here and speak of the United States as a country which should be treated with friendliness by us, because on every occasion our neighbours show an aggressive spirit, discreditable to so great a nation as they undoubtedly are. I hope, however, that if it ever does come to be the duty of this government to make any negotiations relative to our fisheries, they will recollect that they will be held to strict account for the slightest surrender that may be made without a thorough equivalent for anything we give up. These fishing rights are prized by the people of the maritime provinces—prized in a way that you gentlemen who come from the interior of the country cannot understand, and it might be the worst blow struck at the integrity of the Dominion if any sacrifice of those rights were attempted by the government, because I am sure, if those rights were given away to a foreign country without a full equivalent it would create great disatisfaction among a large class of people.

Hon. Sir MACKENZIE BOWELL—I studiously avoided, in the questions that I put, discussing the merits or demerits of the resolution passed by the Congress of the United States, and I did so for the very reason that my hon. friend from Richmond (Mr. Miller) gave for not bringing the matter before the Senate; that is, that the subject had been thoroughly thrashed out in the Lower chamber. What I desired to ascertain was whether Mr. Farrer—that point was not discussed in the House of Commons—was the accredited agent, or acting on behalf of any member of the Canadian government in Washington when he appeared before the Committee on Public Lands and made the statement which has been published. My hon. friend the leader of the House did not answer fully my question. He said that the Canadian government has no agent in Washington. I did not require to be told that; I know that the Canadian government has no agent in Washington in the common acceptation of the term. I know also that Sir Julian Pauncefote represents England, and not Canada, except when his attention is called to matters affecting this country. I know also during the administration of all governments they it had been the habit to send gentlemen to Washington to bring under the notice of the British minister, and through him, to the notice of the government of the United States, certain matters which effect this country. I understand all that, so that the hon. gentleman's answer, that the government have no agent in Washington, is literally true. Every one in Canada knows

that to be correct, but what I want to know is this—has Mr. Farrer been sent there even in an unofficial capacity by any member of the government.

Hon. Mr. MILLS—I said no.

Hon. Sir MACKENZIE BOWELL—My hon. friend will find, when the report of his speech is printed, that he did not answer that question. The only answer that he gave was that they had no agent, and then he went on to discuss the merits of this resolution passed by Congress and to assure the House that the rights of Canada, whatever they may be, will be upheld wherever the British flag floats on this continent. If I were to discuss the resolution to which my friend called the attention of the Senate, I should agree with him. I am only speaking from a layman's standpoint. I have not the advantage of a legal education that the hon. gentleman has, but in reading the treaty and particularly the terms of the treaty of 1871, under which the right of navigating the Yukon and other rivers was conceded to us, I can say that I came to the same conclusion that my hon. friend has enunciated here to-night. He will excuse me if I press him for a positive answer to my question whether Mr. Farrer, whose history we all know, is in Washington on behalf of the government, or at the instance of any member of the government, if so, who sends him and who pays his expenses there. That every gentleman going to Washington has a right to express his views we all know, but we know how intimate Mr. Farrer is with members of the present government, that confidential relations exist between them, and we also know from statements, he made there that he assured the authorities at Washington that he had reason to believe the Canadian government were prepared to make certain concessions, and on the strength of those assurances Mr. Hansborough made his speech to the Senate. If the Yukon bill ever gets to this House, and we come to discuss the question, I shall be prepared to express my opinion, as a layman, as to the rights of this country, and I think I shall not find myself in a very different position on that subject from that of the hon. gentleman opposite.

Hon. Mr. MILLS—I supposed that I had been sufficiently explicit in the statement I made to the House. The hon. gentleman asked whether Mr. Farrer was the agent of the Canadian government at Washington, or whether he had been sent there to act in that capacity, and I said to my hon. friend that we had no agent at Washington except the regular and properly constituted agent, the British Ambassador at Washington. I thought that that was a sufficient negative to the question, which my hon. friend put. I so intended it. I supposed that my hon. friend would so understand it. And I say now that Mr. Farrer is not in Washington and has not been in Washington as the agent of the Canadian government.

Hon. Sir MACKENZIE BOWELL—Or on behalf of the Canadian government?

Hon. Mr. MILLS—Or on behalf of the Canadian government.

Hon. Sir MACKENZIE BOWELL—Very well, that will do.

Hon. Mr. MILLS—Nor was he authorized to speak for us, nor do I suppose that Mr. Farrer has said anything which would have led the hon. gentleman to suppose that he professed to speak in the name or on behalf of the Canadian government.

Hon. Sir MACKENZIE BOWELL—You have not read the telegram.

Hon. Mr. MILLS—No, I have not, but I have listened to the telegram read by my friend.

VACANCIES IN THE SENATE AND DEATH OF SENATORS.

Hon. Sir MACKENZIE BOWELL—There is another matter to which I propose to refer. It was the complaint of the hon. gentlemen opposite for a great many years that vacancies in the Senate were not filled up as rapidly as they should be. I hope the hon. gentlemen is not going to fall into what he then termed were the errors and crimes of commission and omission on the part of their predecessors. In the province in which I live, there is one vacancy. I should like to ask the hon. gentlemen when that will be filled. There is also the vacancy in Prince Edward Island, caused by the lamentable death of one of our colleagues, to which I think no reference has been made. With the permission of the Senate, I think it is only

due, following the practice of the past, to refer to the gentlemen who have passed away. We must all feel regret at the death of a gentleman who has been a member of the House for so many years, I refer to the Hon. Theodore Robitaille. He occupied a very prominent position in the politics of this country, not only since confederation but before it. He was a descendant of one of the oldest French families in Lower Canada. He served in the parliament of Canada in 1869, and one of his ancestors served in the old parliament of Canada from 1809 to 1829. Mr. Robitaille himself was first elected to parliament in 1861, and remained in the parliament of Lower Canada until confederation, after which he occupied a seat in this House and also in the local legislature. He devoted his whole time afterwards to the service of his country in the parliament of Canada. He was sworn in as Receiver General in 1873, and remained in that office until he was appointed governor of the province of Quebec, where his services were given to his country for four or five years. He afterwards became a member of the Senate which position he occupied until the time of his death. We all know that he was for years so sorely afflicted that he could not bring to the service of his country that vigorous intellect which he possessed, as he had done in years long past. It was my good fortune to be acquainted with Mr. Robitaille since confederation. He occupied a seat in the House of Commons in 1867 when I was first elected, and I think I can say for him, on behalf of all who knew him, that a more genial and kind hearted man, and a man of finer intellect—which of course was impaired by illness of late years—would be difficult to find, and we must all deeply regret his death, although it was long expected. Another colleague, with whom we, as senators, had been acquainted but a very short time, is no longer with us, I speak of the Hon. Mr. Arsenault. My short acquaintance with him led me to form a very high opinion of his character as a man of honest, straight forward integrity. He was, as I understand it, a typical Acadian. He served his country from 1867 to 1895 in his own province. He was in the Executive Council of that province, two or three times, and was representing his constituency when he was called to the Senate. Those who knew him best I have no doubt will be able to speak more at large upon his merits, but I think every man in this House who had the honour and privilege of an acquaintance with Mr. Arsenault will come to the same conclusion that I have reached, and that is that he was a man of high character, and one whom everybody, whether agreeing with him politically or not, would hold in high esteem. I deeply regret, for myself, that both these gentlemen have gone from us, but it has been my painful duty in the four years that I have occupied a seat in this House, to call attention to senators who had been taken from us in the past.

Hon. Mr. MILLS—My hon. friend has inquired with regard to vacancies in the Senate; he wants to know how soon these vacancies will be filled. I can assure my hon. friend that I have no doubt whatever that they will be filled at an early date. These vacancies have not existed very long. I could not help noticing how much more vigorous my hon. friend is in this direction when he is on that side of the House than when he was on this side, and that while he is very anxious to have vacancies filled when we have the power of recommendation he was not perhaps quite so energetic when the appointment depended on his advice. Perhaps I do my hon. friend an injustice, because I remember when he was emancipated from some of his colleagues that he made a good many appointments in a very short time, and so perhaps it would be doing my hon. friend less than justice if I were to say that he was tardy in this regard. Personally, I am inclined to think that the tardiness was attributed rather to some of his colleagues than to the hon. gentleman himself. My hon. friend has alluded to the loss, by this Senate, of two distinguished members who were with us last session who are here no longer. One of these hon. gentlemen, it was my good fortune to know well as a colleague in the House of Commons, Senator Robitaille. He was a man of ability, who took a prominent part in the discussion of public affairs while a member of the House of Commons. He was entrusted by the Crown with the discharge of high and important duties as a citizen of Canada, and a subject of Her Majesty, and he was subsequently appointed by Her Majesty a member of this chamber. My hon. friend has also alluded to a gentleman who was a member of this House, but whom I had not the good fortune to be

intimately acquainted with, the hon. member from Prince Edward Island. I have no doubt that that hon. gentleman possessed all the qualities which my hon. friend has ascribed to him. We may differ, hon. gentlemen, in our view of public matters. We may be sometimes arrayed with some heat against each other on questions of great public moment. We differ: we may honestly differ on those questions, but when we come to discuss the character of men who are no longer with us, it would be indeed a most ungracious thing, if it were possible, to speak otherwise than kindly of those who can no longer appear in this chamber and speak on their own behalf. I am sure that those who are associated with me have none other than the most kindly recollection of both hon. gentlemen who have ceased to be members of this chamber since the last session. My hon. friend who is associated with me in the government, and who has been much longer a member of this House than I have been, of course knows the hon. gentleman from Prince Edward Island more intimately than I had the good fortune to know him.

Hon. Mr. FERGUSON—It is usual on occasions like this to allow the remarks of the leaders on both sides of the House to stand as expressions of opinion of hon. gentlemen generally, but I cannot allow this occasion, when reference has been made to a former colleague of my own in the provincial government of Prince Edward Island, and my colleague in this House, and a gentleman with whom I had been intimately associated privately and publicly for a very long time, to pass without adding my tribute of respect for his memory. The Hon. Mr. Arsenault was not a man of what we would call very brilliant abilities as a public man, but he had worth in a very great degree, very strong native worth. He was a man modest in his demeanour, tolerant in his views and loyal to his friends and his principles. My hon. friend, the leader of the opposition, spoke of him as though he had entered public life in Prince Edward Island in 1873 for the first time. In that respect my hon. friend was not correct. He entered public life in 1866, and he enjoyed the confidence of the same constituency for 29 years. In all the changes and vicissitudes of that length of time he retained the confidence of his constituents who comprised English and French, Protestant and Catholic. He sat in the provincial government as a colleague of my own for 12 years. He was a member of two administrations before that time, and he enjoyed, as I have said, the respect of his opponents as well as of his political friends through the course of his long political life. He was a business man of the strictest integrity, and no man ever lived in Prince Edward Island who bore a fairer or more honourable name than the Hon. Joseph O. Arseneault. I regret that just at this moment the Acadian people of our province have lost both their representatives. The gentleman who represented them in the House of Commons died a very short time ago, and the hon. gentleman who represented these people in the Upper House has also died. I trust that the government will not lose any time in appointing a gentleman to fill the position that has been made vacant by the death of the Hon. Mr. Arsenault. It is rather unfortunate for a little province like ours, to have lost two of its nine representatives since last session. I trust the leader will carry out the promise he has been good enough to make, that these appointments will be made at a very early date.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, March 9th, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

CROW'S NEST PASS RAILWAY STOCK.

INQUIRY WITHDRAWN.

The following notice of inquiries was called:

Has the Canadian Pacific Railway Company applied to the government for authority to increase its capital stock on the Crow's Nest Pass Railway under the authority of the Act of 1893, which requires the sanction of the government thereto? Has the government any knowledge of preference shares being issued under the authority of the same Act but which does not require the sanction of the government, or bonds being issued under the authority of

the charter giving the company power to build branch lines?

Hon. Mr. BOULTON said: With the leave of the House, I beg to withdraw this notice, as the information is contained in the annual report of the Canadian Pacific Railway, which has been issued since I placed the notice on the paper.

The motion was dropped.

RAILWAY RATES ON PURE BRED STOCK.

INQUIRY.

Hon. Mr. FERGUSON rose to—

Call the attention of the government to the announcement recently made by the Grand Trunk Railway that the railway companies had decided to charge only one-half fares hereafter on pure bred stock, and inquire if a similar concession will be given on government railways.

He said: I daresay it is known to hon. gentlemen that a very strong complaint has been made, in the interests of the farmers of the Dominion of Canada, with regard to the rate charged by the different railways, government as well as company railroads, on farm stock, more especially on pure bred stock for breeding purposes. Speaking for the farmers of my own section of the Dominion, it is found that an economical manner of improving the blood of live stock in many lines is to buy from the advanced farmers and importers in the province of Ontario; but it is found that the rates charged by the railways for the carrying of single animals is almost prohibitive. It makes the expense very great indeed. Where a party imports by the car load, the rates are still very high; but when that is done, they are not so oppressive as they are when the ordinary farmer has to buy a single animal of any of the different lines of stock for the purpose of improving his herd. This has been a subject of complaint, and the Dominion Breeders' Association has taken up the matter, and the Breeders' Association of the Maritime Provinces also has the matter under consideration. It affects them not only in the matter of the improvement of herds, but also in exhibiting at the various exhibitions. The rates have been so high that competition at exhibitions is confined almost to the farmers in the immediate locality where the exhibition is held, whereas if more reasonable rates of freight were charged the competition would become more general and opportunities would thus be given farmers living at distances from the great centres to compete, to purchase stock there, it may be, and to improve their herds by bringing stock home, or to selling what they had to dispose of. I notice by an item in one of the Ottawa papers that this matter has been represented to the railway companies, that a deputation consisting of the Hon. John, Dryden, J. I. L. Hobson and J. W. Hodgson, representing the Agricultural Department of the Government of Ontario, and the Dominion Breeders' Association have interviewed the Grand Trunk Railway, and as a result of that interview the company has announced that a concession of one-half is to be made on the rates charged for the shipment of pure bred stock on the railways owned by the railway companies. I presume from that statement that it includes the Canadian Pacific Railway as well as the Grand Trunk Railway and the other railway companies of Canada, but there is no statement here as to whether the government railways, the Prince Edward Island Railway and the Intercolonial, have agreed to this concession, and my object in bringing that matter before this hon. House is to ask my hon. friend the leader of the House whether the government railways have made the same concession, or are prepared to make the same concession as has been made by the Grand Trunk Railway and which appears to be made by the other different railway companies.

Hon. Mr. SCOTT—The notice of the hon. senator appeared for the first time this morning and the leader of the House had not observed it. I noted it about an hour ago and spoke to the Minister of Railways on the subject. His attention however had not been called to it, but he said he would be very glad to give the matter some consideration. I may state that the rates on the Intercolonial Railway and also on the Prince Edward Island Railway are considerably below the rates on the Grand Trunk Railway.

Hon. Mr. FERGUSON—I think not on this class of freight.

Hon. Mr. SCOTT—So I am advised. However, it is not a matter I am prepared to discuss now. Mr. Blair said he would take the matter into consideration and let me

know later on what his conclusions are. I do not think the attention of the government had been called to it by any of the Breeders' Associations to which the hon. gentleman has referred, because the subject seemed to be new to the Minister of the Railways, and I had only an opportunity to bring it to his notice a few minutes before I came into the House. He said he would look into it and send an answer later on.

Hon. Mr. FERGUSON—I am quite satisfied since the hon. gentleman has promised to look into it and give a reply. When will he be able to give his answer—say Monday next?

Hon. Mr. SCOTT—I will confer with Mr. Blair.

Hon. Mr. FERGUSON—I hope the Minister of the Railways will look carefully into the statement made by the hon. gentleman that the government railways already have been charging a lower rate.

Hon. Mr. SCOTT—I did not state it as absolutely correct. That is my impression, but I may be wrong.

SECOND READING.

Bill (A) "An Act for the relief of Robert Augustus Baldwin Hart."—(Hon. Mr. Clemow).

BILLS INTRODUCED.

Bill (C) "An Act for the relief of Edward Heyward."—(Hon. Mr. Clemow).

Bill (D) "An Act for the relief of James Pearson."—(Hon. Mr. Clemow).

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 10th March, 1898.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (E) "An Act to amend the Canadian Mining Regulations for the Yukon."—(Hon. Mr. Boulton).

Bill (F) "An Act to incorporate the Pacific and Yukon Railway Navigation and Mining Company,"—(Hon. Mr. Lougheed).

DRUMMOND COUNTY RAILWAY SUBSIDIES INVESTIGATION.

MOTION POSTPONED.

The Order of the Day being called :—

That a Special Committee of the Senate be appointed—

1. To inquire into the amount, source, and expenditure of all subsidies granted to the Drummond County Railway Company, and of all other moneys received and expended by the said company, and the times and manner of such expenditure,

2. The capital stock of the company, proceeds of all sales of same by the company, subscriptions of stock, names of subscribers, amounts subscribed, calls made thereon, and amounts paid on same, transfers of stock from time to time, and to whom.

3. The financial position of the company, its liabilities, matured or accruing, inclusive of bonds sold and their proceeds, of loans, or advances made to or by the company, and the application of the same, together with particulars of all guarantees or endorsements given to or by the company in relation thereto.

4. The particulars of all offers, or negotiations for the sale, lease or transfer of the company's property.

5. The classification and condition of said railway and equipment, at any time or times, together with all matters and things relating to the said Drummond County Railway Company, inclusive of all negotiations and dealings with the Government of Canada in reference to the said company.

Said Committee to be as follows :—The Honourable Messieurs Clemow, Cox, De Boucherville, Ferguson, Kirchhoffer, King, Loughheed, Landry, Miller, Mills, Macdonald (B.C.), Power, Prowse, Primrose, Thibaudeau (de la Vallière), Wood, and the mover; with power to send for papers, persons, and records, and to employ such persons as the Committee may deem necessary for the purposes of the said investigation, and to report from time to time.

Hon. Sir MACKENZIE BOWELL said: I move that this notice be discharged, and that it be set down for Monday the 21st of this month. My reason for asking this postponement is the fact that an investigation is now going on in the other branch of parliament, and on looking into a somewhat analogous procedure in the House of Lords some years ago, I find that, while their lordships agreed upon the important fact that the House of Lords has the same rights and privileges as had the House of Commons in investigating matters, particularly the finance of India, their lordships agreed, after a discussion of some little time, upon the one point which was then discussed, and that was the power and right of the lords to proceed at the same time that the Commons were proceeding with their investigation. The Duke of Argyll, who took part in the discussion, intimated that he it thought

would be better, in the interests of the subject which was then before their lordships, that they should wait for a short time until they could ascertain how far the Commons committee had gone in the investigation of the finances of India, and then he wound up with this language :

> Should any suggestion emanate from the Commons committee, of which the government and their lordships might doubt the propriety, it would be their lordships' duty to institute a full inquiry before passing any measure founded on it.

Or in other words, that if the Commons Committee did not make a thorough investigation, or if they made any suggestions which their lordships might think were not in accordance with the evidence and facts, then it would be the duty of their lordships to proceed further with the investigation, and if their contention should be sustained, then it would be the duty of the House of Lords to reject any measure which might be presented to them founded on the report of the Commons Committee. I have no desire —and I am quite sure that the hon. gentlemen who voted as they did when the question of the Drummond County Railway was before the House, had no desire—to duplicate expense and the trouble that would follow in this investigation, it would therefore be quite proper for the Senate to postpone for a time, at least, the investigation, until we ascertain how far the Commons Committee are prepared to go in the investigation of this question. If they should fail in obtaining or seeking that information which I have asked for in that motion, then it will be the duty of the Senate to proceed with the further investigation and ascertain whether the contention of the Senate when they rejected that bill at the last session is correct or not. For these reasons I ask that the order be discharged and set down for Monday the 21st.

Hon. Mr. MILLS—I have no objection to the postponement that the hon. leader of the opposition suggests. I stated last year that the proper place for an examination into the expenditure of public money, was the House of Commons, and I referred to the precedent in the House of Lords that my hon. friend has mentioned to-day, the appointment of a Committee to investigate into the financial expenditure of India. If I recollect, that was a proposition for a joint committee. Disraeli at the time objected to the House of Lords investigating the matter, on the ground that the expenditure of public money was a matter which solely belonged to the House of Commons, but in reply to him Mr. Gladstone said that that objection, if taken against an appropriation made by the House of Commons in England for expenditure within the United Kingdom, would be strictly correct, but that the expenditure of money of the people of Hindostan was a matter which was as open to the House of Lords to investigate as it was to the House of Commons, because it was an investigation into the expenditure of money which had not been appropriated by the House of Commons and therefore did not come solely within its jurisdiction. My hon. friend, I noticed in the resolution that is before us, has as the first resolution :

> To inquire into the amount, source and expenditure of all subsidies granted to the Drummond County Railway Company, and of all other moneys received and expended by the said company, and the times and manner of such expenditure.

Now that is an inquiry into the expenditure of public money. It has happened in the House of Lords that they have inquired into the expenditure of public moneys, but it has not been the express object of the inquiry. It has been the mere incident of the inquiry, and if my hon. friend were to suggest that there should be an inquiry into the management of the Drummond County Railway and into the finances of that railway as an incident to that, there would be a right to inquire into the expenditure of the moneys which had been appropriated from any source, no matter whether it was a public source or not. I am not going to discuss the character of the resolution to-day. We shall consider that when my hon. friend reaches his resolution at the time to which he proposes its consideration shall be postponed.

Hon. Mr. MILLER—I am somewhat taken by surprise at the course which has been pursued by the hon. gentleman who has this motion in charge. There may be a good deal of force in what the hon. gentleman has said, that it might be wise for us not to duplicate the expense of investigating the affair of the Drummond County Railway here while a similar investigation is going on in the House of Commons, but that information was in the possession of my hon. friend at the time he made this motion, and it should

more properly have precluded him from moving it at all until the necessity was called for by the refusal of the Commons Committee to make an investigation as fully as we thought it ought to be made under the circumstances. With regard to the question of the power of the Senate to deal with a question of this kind, I, for one, am for standing up for the rights and powers of the Senate as far as we can do so consistently with the provisions and terms of the British North America Act. I do not admit that we are on all fours on constitutional privileges and powers with the House of Lords. We all know that the House of Lords is an evolution of centuries of government in the old country, whereas this Senate, although intended to be modeled in the main on the House of Lords as to our general constitutional powers, is created by a written constitution and has clearly defined powers given to it by that constitution, which are not possessed by the House of Lords. I say I do not think that in this House we should be the first to question our own rights and powers. We should leave that to others. We should stand up on all occasions for the rights, powers and privileges of the Senate, even when there is a doubt, and if the case should be decided against us by competent authority, it would then be time enough for us to submit, but I do not believe in giving away anything we can properly claim in this House with regard to an investigation of this character or any thing else. There is a very sweeping clause in the British North America Act, which I quoted last session, in which it says that the rights, powers and privileges of the Senate and House of Commons shall be the same as those of the British House of Commons under certain restrictions and qualifications. If we can, under that power, claim larger powers than are possessed by the House of Lords, why should we do not do so? It is in the public interest that we should try to do so, because we have here a more impartial tribunal for the investigation of delicate questions of this kind than the House of Commons, where party feeling is more bitter than in this branch of Parliament. I do not intend to enter into an argument with my hon. friend the Minister of Justice who has no doubt given this subject a great deal of study, and no doubt is sincere and candid in the views he expresses, but it must be remembered that my hon. friend has never looked on this House with a great deal of favour, that in early days he was not one of its champions, but very much the reverse, and although I hope, now that we have him amongst us with a comfortable portfolio he will look upon this House in a more friendly spirit than formerly, still we should regard with suspicion any action of the hon. gentleman when he undertakes to curtail in any way the rights and privileges of the Senate. Party feeling is as likely to sway my hon. friend as any one else. There are members on the government benches of this House, who sometimes stand up for the rights of this House as strongly as anyone could wish. Sitting behind me is an hon. member (Mr. Power), who published articles in the Toronto *Globe* in defence of the Senate, yet he was willing enough last session to go back on his previous utterances and to coincide with my hon. friend in his view of the rights and privileges of this House, and he dropped the remark, when some reference was made to the Franchise Bill, that he understood that was merely a domestic matter belonging to the other House, whereas we all know there is no question in British history on which the House of Lords has more frequently, and at the risk of its existence come into collision with the House of Commons, than on that question. Where party feeling does not come in, I would trust my hon. friend to advocate the rights and powers of this House to any extent, but where party interests are to be subserved it is surprising how the clearest headed men are led astray. With regard to the constitutional powers of the Senate, I want to call the attention of the House to another very important fact, and I think it will have a good deal of influence on hon. gentlemen in this House. We had as leader of the Senate last year, the predecessor of the present Minister of Justice, Sir Oliver Mowat, who was admitted to be, when he was in parliament, the ablest constitutional lawyer and the most profound jurist in public life. I do not think any other member of the legal profession in parliament attempted to dispute his eminence or to rival him while he was in the Senate. When this question came before the Senate last session, that hon. member was especially anxious that it should go over for investiga-

tion until this session, and he pledged his word of honour, as a Minister of the Crown and the leader of this House, that the investigation should take place this session. But the point I wish to allude to is this, during all that debate, in which the then leader of the House spoke on several occasions, notwithstanding his eminent ability as a constitutional lawyer, he never once raised a doubt as to the power of the Senate to enter into an investigation such as is contemplated by the resolution of the hon. member from Hastings. It had great influence with me, because I know if the then Minister of Justice conceived there was the slightest ground for objecting to the constitutional powers of the Senate to make an investigation of this kind, he would certainly have done so, but he did not do so. I ask hon. gentleman to look through the debate which took place on that occasion and they will find that although Sir Oliver Mowat spoke four or five times, he never raised a doubt as to the constitutional power of the Senate to deal with such an investigation as is now contemplated by the motion before us, and he never controverted for a moment the clause in British North America Act which I cited and which I claim gave us power clearly and distinctly. I conclude by saying that I regret that my hon. friend has postponed this motion. It would have been better not to have made it when he did than to postpone it from day to day, because it would appear as if the Senate was not really in earnest in proceeding with this investigation, and I came into the House to-day with the intention of asking my hon. friend to drop my name from that committee if he did not intend to proceed with it at once. I shall not ask him, however, to do that to-day, as he has concluded to take his present course after consultation with his friends. I leave the responsibility with him, but I cannot say it is a course of which I approve

Hon. Mr. FERGUSON—I think the leader of the opposition has pursued a proper course, and I am sure if my hon. friend had followed him as closely as I was able to do, sitting near him, he would have found that he gave an excellent reason for the course he had taken. He showed that when a similar situation arose in Great Britain no less an authority than the Duke of Argyll said, that as the House of Commons had undertaken to investigate it would appear to be better to delay until it should be found whether this committee which the House of Commons had moved would institute a complete inquiry, and he then intimated that if a complete inquiry was not instituted by the House of Commons, it would be competent for the House of Lords and perfectly right for them to go on and institute a complete and thorough inquiry of their own, before they would consider any suggestion which would emanate from this committee.

Hon. Mr. MILLER—Will my hon. friend tell me whether the committee of the House of Lords was asked for before or after the committee of the House of Commons?

Hon. Mr. FERGUSON—On that point I am not sure. I am not sure how it originated, but anyway the House of Commons had got ahead of the House of Lords in appointing a committee, and that being so, in order to prevent the appearance of jealousy, the course of the House of Lords was, as announced by the Duke of Argyll, to wait until they would find whether the House of Commons committee would make a thorough and exhaustive investigation, and reserving to themselves the right to proceed with an independent inquiry before they would pass any legislation emanating as a suggestion from the House of Commons committee. Therefore I think my hon. friend, the leader of the opposition, has excellent precedent to guide him in the course he is pursuing at the present moment. I was, like my hon. friend from Richmond, somewhat surprised to hear the hon. leader of the House again, as he did last year, question the right and power of this House to institute an inquiry of this kind. I know very well that it is the usual course for the members of the House of Lords, as it is indeed for members of the House of Commons, to assert to the fullest extent the rights and privileges of the House of Parliament in which they sit, and this course is certainly expected when a gentleman leads a branch of parliament, and I felt a little surprised, that my hon. friend the leader of the House should once more question the right of this House to institute an inquiry of this kind.

Hon. Mr. MILLER—After a unanimous vote last year in favour of a committee.

Hon. Mr. FERGUSON—After a unanimous vote last year in favour of a committee.

Hon. Mr. MILLS—I have no objection to a committee.

Hon Mr. FERGUSON—If so, I misunderstood entirely my hon. friend. He referred then to the question of a joint committee that was proposed in 1871, in England which has been referred to by the hon. leader of the House, and said that it was then settled, as far as the opinion of Mr. Disraeli and others was concerned, that the House of Lords should not properly form part of a committee to investigate that subject, and the reply which was made by Mr. Gladstone and others was, that as it was not an inquiry into the public accounts of the United Kingdom it was quite proper for the Lords to take part. My hon. friend, if I understood him right, seems to take the same ground to-day that he took last year, that it was conceded on all hands that the House of Lords had no right to enter into an investigation of the financial affairs of the United Kingdom of Great Britain and Ireland.

Hon. Mr. MILLS—Perhaps my hon. friend will allow me briefly to state my position. It is this—not that an inquiry should not be made into the affairs of the Drummond County Railway, but I say when the House is expressing a determination to inquire into the amount of subsidies granted, that the House is by that form of expression, and that declaration as to the object of the inquiry, encroaching on the jurisdiction of the Commons.

Hon. Mr. FERGUSON—That does not materially affect the manner in which I understood my hon. friend. He took the ground that this House of parliament had not a constitutional right to inquire into the Drummond County matter in the manner in which it is proposed to make the inquiry by the motion of my hon. friend the leader of the opposition in this House. I think my hon. friend has escaped a very important feature in regard to this question, showing its entire dissimilarity from the case that occurred in 1871 in Great Britain with regard to the inquiry into the financial administration of India. The proposal that was then made was an inquiry into the general financial administration of India, and I agree with my hon. friend that all the speakers who took part in the discussion, both in the House of Lords and House of Commons, were agreed upon this, that the House of Lords had no right to introduce an inquiry or to take part in a joint committee in an inquiry into the general financial affairs of the United Kingdom. That point was settled; but it was not settled, it was not questioned, they did not enter into the discussion at all as to whether the House of Lords had or had not the right to inquire into particular expenditure in regard to the financial affairs of Great Britain and Ireland. That point was not reached, was not touched at all in the discussion. I have gone over the matter very carefully. I have extracts from the speeches then made in my hand, and I take the ground, and take it with all confidence, that the point was never reached, either in the House of Lords or in the Commons at that time as to whether the House of Lords had or had not the right to inquire into the expenditure of any special department, in the affairs of the United Kingdom; but apart from that—this is the only authority that is quoted—I can refer to an instance in our own parliamentary practice. I can refer my hon. friend, the leader of the House, to a case which occurred in 1870, when the Hon. Senator Wilmot, a member of this House, proposed a resolution. I have the remarks that were made upon that resolution, if I have not the resolution itself. It was a resolution that the Senate of Canada should appoint a committee to inquire into the general public accounts of the Dominion of Canada, and here is what Sir Alexander Campbell, the leader of the House, and a very eminent authority with regard to legal and constitutional questions generally, said upon that occasion:

> He said he did not differ from the mover as to the power of the House to appoint select committees, but he did differ from him as to the power of such committees to deal with the general public accounts and expenditure. The Senate could properly appoint a committee for a specific purpose, say, for instance, to examine into the expenditure on Rideau Hall, which had been alluded to by the mover, but they could not appoint a public accounts committee.

The ground taken by Sir Alex. Campbell, which was properly taken, and with which we will all agree, was that it would not be proper for the Senate to appoint a public accounts committee to perform the work the

House of Commons committee is doing with regard to the financial administration of Canada, but while taking that ground, Sir Alex. Campbell was equally specific in his statement, and pointed out to Mr. Wilmot that expenditures in connection with Rideau Hall, to which he had referred in his speech, were expenditures, although voted by the House of Commons—and that is precisely a case which meets the objection of the hon. gentleman—was a subject within the power of the Senate of Canada to inquire into. Another gentleman spoke on that subject as well as Sir Alex. Campbell, the Hon. Mr. Hazen, who was known by many gentlemen in this House who sat with him. He said :

He was satisfied, as far as his researches had gone, that the Postmaster General (Sir A. Campbell) had correctly stated the practice of the House of Lords. That body appointed a select committee to inquire into the particular matters of expenditure and not on public accounts.

And Mr. St. Just, at that time an eminent member of this House, proceeded to speak on the subject :

The House could not perhaps appoint a committee for the direct purpose stated by the mover, but they could appoint committees to examine into the expenditure of the different departments, and although they could not go so far as the committees of the other House, they could give the opinion, that the particular department of expenditure had not been excessive. He would suggest that the motion be allowed to stand over so that it could be altered to establish the right of the House to inquire into the expenditure of any particular department.

Mr. St. Just went even further than Sir Alexander Campbell in his declarations, and all these gentlemen were unanimously of opinion that while the House could not, on the motion of Mr. Wilmot, appoint a committee to inquire into the general expenditure of the Dominion, they could appoint a committee to inquire into the expenditure of one department, and that is very much more than is proposed to be done by this resolution. It is not necessary to cite these authorities. We have in our minds precedents. Hon. gentlemen in this House will remember, and most people in the Dominion of Canada will remember, that during 1878 Sir David Macpherson, at that time a member of this House, made several important motions—I have them before me—challenging the public expenditure generally and on the strength of that, long and very important discussions took place in this House.

Hon. Mr. SCOTT—But not an inquiry by a committee.

Hon. Mr. FERGUSON—There was an inquiry by a committee, and I thank my hon. friend for reminding me of that. My hon. friend surely sat in this House when Sir David Macpherson made his famous motion for a committee with regard to the expenditure on the Fort Frances lock.

Hon. Mr. SCOTT—And answered that, too.

Hon. Mr. FERGUSON—Surely then, if my hon. friend admitted so far that Sir David was right, and that the House had the power to examine by committee into the expenditure in connection with the Fort Frances lock, he will not stand up now and say that we have no right to inquire into this Drummond railway matter. Another member, Mr. Girard, in the same year, in the Senate, made an equally important and searching inquiry by a committee into the harbour improvements and other large expenditures incurred at Fort William and Port Arthur. These committees were granted and they sat, and very voluminous evidence was taken and appended to the journals of this House during that year. The Hon. Alexander Mackenzie, premier of Canada, appeared before one of these committees and gave evidence, and if this House has not the right to inquire into such a matter as this, it is very strange the discovery of the fact has been left to this day.

Hon. Mr. ALMON—I am not only surprised but somewhat grieved to hear this motion proceed from the hon. knight who leads the opposition in this House. It will be in the minds of everybody that during last year, not only in the newspapers but on the floor of this House and the Commons, the Drummond County Railway matter was held up as almost as great a scandal as the Baie des Chaleurs deal, and we were told by the newspapers that the Senate should step in and interfere and prevent the purchase of that road, which was said to be a most scandalous transaction. After all this it is proposed to let the matter drop and leave it entirely in the hands of a committee in the House of Commons I am not speaking disrespectfully of the House of Commons, but I think we pretty well know what the report will be, where party feeling runs so high. Hon. gentlemen may say, "if the report of that committee does not suit us,

we will have a committee of the Senate to investigate the matter." Would it not be better not to have a fight with the Commons? Let the Commons attend to their business and we will attend to ours, without having a collision with the Commons. Supposing the hon. gentleman says the report of the House of Commons is not what was borne out by the evidence taken, and we will appoint a committee of our own? Is not that a gauntlet thrown down to the Commons to stand up for a fight? I do not think the purchase of the Drummond County Railway was spoken of in stronger terms than this railroad deal we will have before us shortly, and should we lead the public to believe that we will get into a fury one session and denounce a contract as a scandal and as a disgrace, and demand a committee to investigate into it, and then let it drop? What will the papers say? How will we feel ourselves? We will feel that all this abuse we have heaped upon the Klondike deal is a mere bagatelle and we are going to treat it just in the same way as the Drummond County Railway. We will have that dropped. I must apologize for the course I have taken, in opposing the resolution of the leader of the opposition. I do not acknowledge any leader in the House myself, nor do I think the opposition should have a leader. I think we should act according to our own views. I am under no government except my own conscience, and having that I am induced to make these remarks. I think we are stultifying ourselves and we are lessening our influence in the country and all we have to say about the Klondike matter will amount to nothing. They will say that we will treat that just as we did the Drummond County Railway matter.

Hon Mr. POWER—The House will allow me to say a few words in respect to this matter, inasmuch as I have been in a rather unexpected manner brought into the discussion. I speak only for myself. I quite agree with the hon. gentleman from Richmond (Mr. Miller) in saying that we have the constitutional right, the strict legal right, to inquire into a question concerning the expenditure of money just as the House of Commons have the right to inquire into it, but every one knows that the English constitution and English parliamentary practice are a matter of precedent, and a matter of compromise, and a matter of etiquette and convenience.

Hon. Mr. BOULTON—So is ours.

Hon. Mr. POWER—So is ours very largely. Now it may be that, under the strict wording of the British North America Act and the Act passed in amendment of it in 1876, our committees have a right to inquire into questions like the one which is now under consideration, and it is barely possible we might have the right to amend a money bill, but this House has never undertaken to exercise the right to interfere with a money bill in any way, and I remember that the hon. gentleman from Richmond when he occupied the chair of this House—a chair which he filled with great dignity has ruled resolutions out of order because they indirectly dealt with the expenditure of money.

Hon. Mr. MILLER—Have you the citations?

Hon. Mr. POWER—I was quite unprepared for this discussion, but I can get the citations, as I was myself a victim of my hon. friend's ruling on two occasions. We have, perhaps the strict legal right to deal with this matter, but I think the position taken by the hon. leader of the opposition is on the whole a sound and judicious one. One of the reasons given in the discussion on confederation in the Canadian parliament of that day why it was thought that the upper house should not be elective was that an elective upper house would think it had the same right to deal with money questions which the lower house has, and that a nominated upper house would not be so likely to trench upon ground which was supposed to be peculiar to the lower house and there would be less danger of conflict between the two houses. Notwithstanding that view, if the public interest called upon us to inquire into any expenditure of money, we should make the inquiry, but I do not think at the present time that the public interests do call upon us. We could not vote the moneys which were expended in connection with the Drummond County Railway and we could not have controlled in any way the Act under which they were appropriated, and consequently it seems to me the more reasonable thing is that if an

inquiry into the expenditure of those moneys is to take place, it should be in the chamber which alone has the right to vote the money and decide upon the manner in which it is to be expended. If that chamber fails in its duty to inquire into the alleged misappropriation of public moneys, then I think it would be our duty to exercise our legal right, and have the investigation. But that is not the position to-day. A committee has been appointed in the other chamber for the purpose of inquiring into this subject. The opposition, the party to which the hon. leader of the opposition in this House belongs, is ably represented on that committee. There are two of the best lawyers in parliament representing the opposition on the committee, and there is an ex-Minister of Railways; so I do not think there is any fear whatever that the investigation before that committee will not be fairly satisfactory. If it is not satisfactory, then it will be our duty to act, and as I have said, the leader of the opposition has taken a perfectly proper view of it. If the committee of the other House, which is more properly charged with an inquiry of this kind is actually making the inquiry, why should we interfere? Why should we duplicate their work? I do not think there is any reason for it at all. It is true we are not busy, but still there is no object in our undertaking to duplicate here the work which is going on at the same time in another place. There is another technical difficulty that might arise, that documents necessary to use as evidence before our committee might be impounded by the other committee and when we came to inquire into the matter we might have very great difficulty in getting them. I hope I shall always be, as I have been in the past, an upholder of the rights and privileges of this House. But then we must be reasonable, and when no harm is going to be done, and when convenience is to be served by not acting, there is no reason why we should act. When there is occasion for our acting, when it is necessary to uphold the authority of this House, as I said just now, I hope that I shall be always as ready as any other hon. gentleman to do so.

Hon. Mr. McCALLUM—This appears to me to be an extraordinary circumstance. The government carried out, during last year, a certain contract for which it had no sanction of parliament. We threw out the government measure, yet they went on with the contract. To say now that we have no right to inquire into the matter sounds rather strange. The government, I consider, are going contrary to the law and to the constitution. I remember very well what occurred last year. They went round the corner, and even played sick, in order to get their measure through, yet we are told that we have no right to inquire into the proceedings of the government. If we have not that right, the Senate is no longer of any use and we might as well go home. I say, go on with the committee. I care very little for what the Duke of Argyll may have said in the House of Lords. I look at the common sense of the matter and I say we should inquire why the government have ignored the vote of this House. By a sleight of hand trick the money of the people has been expended contrary to the vote of this House, and yet we are told that we should not make an investigation. I, for one, say that we should go on with our inquiry; otherwise the people of Canada will think very little of us.

Hon. Mr. BOULTON—The hon. gentleman from Halifax said that at the confederation debates, when this House was being constituted, it was made an appointed instead of an elective House, largely because an elective House would have power to interfere with the public expenditure, and that, therefore, that was *prima facie* the reason why senators should be appointed. Now, there is a vast distinction between the position we hold with regard to expenditures included in the budget and other expenditures. We have the power to throw out the Supply Bill, but we cannot amend the principle of taxation contained in it, which, under our constitution, is especially reserved for the representatives of the people; but when a measure authorizing public expenditure, a separate matter from the Supply Bill, comes before us, that is quite a different matter. We are called upon to pass the Supply Bill, but if we think there are any reasons why there should be an investigation into the expenditure of the money, we have the power, and it is in the public interest, to make that investigation, and the people will be very thankful and support whatever action this House may take in such a case. As I understand the position at present, the Senate inaugurated the inquiry last session.

This session, the hon. leader of the opposition put his notice on the paper. That was followed by a notice being put on the notice paper in the House of Commons.

Hon. Mr. MILLER—The notice in the House of Commons was first.

Hon. Mr. BOULTON—Last year a promise was given that an investigation should take place by the Senate committee. That has been to a certain extent forestalled by the action of the House of Commons but there is this difference between the motion in that House and the motion in the Senate—the motion that is before the House of Commons deals only with a portion of the subject embraced in the motion before this House. Whether it is wise for us to abrogate our rights and abandon a position that we are justified in taking, and which it is our duty to take, is just one of those questions which have been very ably discussed by my hon. friend from Richmond. Having asserted our right and obtained the promise of the government that this investigation should be held, some better reason should be advanced than any we have heard before we give up the investigation.

Hon. Sir MACKENZIE BOWELL—Before the motion is put, I wish to set myself right with regard to a remark made by the hon. senator from Richmond in that introductory remark. He said, as I understood him, that I knew a committee had been appointed by the other House when I put my motion on the notice paper.

Hon. Mr. MILLER—Yes.

Hon. Sir MACKENZIE BOWELL—That is not correct according to the records. No committee had been appointed by the House of Commons when I gave notice of my motion.

Hon. Mr. MILLER—What I said was this, that my hon. friend knew that a committee had been moved in the House of Commons when he gave this notice. The committee had not been appointed, but notice of its appointment had been given by the premier.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is quite right in his statement, but if he will read the notice put on the paper by the premier he will find that it was confined exclusively to an investigation into the expenditure of moneys granted by the Dominion. It was as follows:—

> Resolved, That a special committee of the House be appointed to inquire into the expenditure of subsidies granted by the parliament of Canada in aid of the construction of the Drummond County Railway and into all negotiations and transactions between the government of Canada and any member or officer thereof, or any person in its behalf, and the Drummond County Railway Company, or any director, officer or person in the company's behalf, relating to the acquiring of the said railway by the government; with power to send for papers, persons and records, and to report the evidence to this House, together with the opinion of the said committee thereupon.

Hon. Mr. MILLER—That fact tells against the hon. gentleman's position. That is the reason why he should go on with his motion.

Hon. Sir MACKENZIE BOWELL—I desire to take exception to the hon. gentleman's reference to myself, when he said that I was aware of certain things when I put my notice on the paper, and that, therefore, I should not now ask for a postponement of the appointment of the committee. I have not asked the House to drop the question, as has been intimated by some hon. gentlemen who have spoken; I have no more desire to drop this inquiry than any one else has, or to do anything which would reflect upon the independence and honour of the Senate. I gave my reasons for asking a postponement for a short time. I did not intimate any intention not to ask for a committee unless circumstances should arise to justify it. When the right hon. premier put his notice on the paper in the House of Commons, it was simply to make an inquiry into the expenditure of subsidies granted by the Federal government. On seeing that notice, I at once drafted this motion which I thought covered all the points that it was necessary to investigate, my object being to inquire not only into the expenditure of subsidies which had been granted by the Dominion government, but also into the expenditure of subsidies given by municipalities and by the Quebec government, whether in money or land—to ascertain whether they had really been spent in the construction of the road, in order to ascertain whether we should be justified in ratifying a bargain which we believed to be extravagant and improvident. That was the idea I had at the time, and I think that was the idea of those who approved

of putting the notice on the paper. Since then, at the instance of the opposition in the House of Commons, the inquiry in that branch of parliament has been enlarged to a certain extent. Whether it will go far enough can only be ascertained after they have proceeded with their investigation. The hon. senator from Halifax put the matter very clearly and fairly—there are a number of documents now being laid before the House of Commons committee which it would be necessary for us to place upon our records in case we go on with the investigation, and if at the time mentioned in my motion, a week from next Monday, we come to the conclusion that the Commons committee is not making a thorough and exhaustive investigation into this whole question, my hon. friend will find that I shall be quite prepared to move for the appointment of the committee and go on with the investigation as vigorously as possible. I had no idea that the general question of the rights of the Senate was to be discussed on this motion, and I shall refrain from citing precedents until I move for the appointment of the committee. Then, if it should be necessary, we can have a thorough discussion on the subject. I have given this explanation in order that the Senate may distinctly understand that the postponement of the motion is not indicative of a desire on my part to drop this question or to place the Senate in a false position before the country. The Senate has a duty to perform in relation to this as to other matters. There is another important matter before the country now, and it is a grave question whether a committee of the Senate should not be appointed to ascertain whether the course pursued by the government in reference to that matter is a justifiable one.

The motion was agreed to.

INTERNATIONAL ARRANGEMENTS AT THE ALASKA BOUNDARY.

Hon. Mr. BOULTON rose to—

Ask the government if it is the intention of the Minister of Trade and Commerce to go to Washington to facilitate international arrangements that may be mutually beneficial to the citizens of both countries in crossing their respective national boundaries to the mining regions of Alaska and the Canadian Yukon?

He said: This motion has been standing upon the paper for some time, and if I had not been slightly indisposed before the Senate adjourned, I should have asked the question some time ago before the recess. However, I do not know that the time was more opportune then than it is now, in consequence of the recent action of the United States Senate with regard to the very subject that I desire to deal with in reference to this matter. The time is opportune to ask this question, and for the government to consider the advisability of ascertaining upon what grounds the common interests which exist in the north-western part of this country, on both sides of the international boundary, can be best promoted. I do not know that it is necessary for us to look upon our neighbours as natural enemies. They are rivals in trade and commerce, and they compete with us in various ways, but beyond that I do not know that we should regard them other than friends. But what I wish to point out is this: Our neighbours, in their legislation, take advantage of the leniency of our laws in order that, by their legislation, they may direct the trade and commerce of this country to their advantage in a manner quite different from that in which our legislation designed to place it. Take for instance first of all the question of our lumber trade. We have two classes of limit holders in this country, the limit holders of the United States who take the logs across free into the United States territory and manufacture them there and distribute the products in their own country. We have on the other hand the limit holders of Canada who manufacture the logs into lumber in Canada and distribute it in Canada and the markets of the world. The logs that are cut by the United States limit holders in the Canadian woods go to the United States free, while the United States government impose a duty of $2 per thousand on boards manufactured in this country. The consequence is that the United States limit holders are benefited by a discrimination of $2 per thousand, while the Canadian limit holder is placed at that disadvantage as far as the United States market is concerned. The tendency of that legislation is to give a monopoly of Canadian timber limits to American holders, and gradually drive the Canadian lumberman out of his own country. That is one instance in which the United States legislation has been turned to the detriment of Canadian interests in consequence of the concessions that we give to our neighbours. The only

way that could be stopped is not to allow the logs to go out of the country. That is a question of policy that I do not propose to discuss at the present moment. I am merely pointing out the manner in which United States legislation is turned to our disadvantage in that respect. Then take our fisheries. Fish are admitted into the United States free if caught with United States nets by United States companies, but if caught with Canadian nets or by Canadian companies they are not admitted free into the United States, so that United States fishermen come into our country and catch our fish beside our fishermen and by that species of legislation are enabled to monopolise the fishing trade of the country. Right in my own part of the country, at Lake Winnipegosis, the Buffalo Fishing Company is operating, and every year sends a number of men there to catch fish and freeze them for shipment to the United States market. Those fish are admitted into the United States free, while fish caught by the Canadian fishermen beside them are taxed at the border. That is another instance in which our trade is interfered with quite contrary to the intention that we have in allowing United States fishermen to come over here and catch our fish. The only way to prevent that is to prepare our fish for other markets, and divert our trade where such unequal privileges do not exist. We have found that every time we have been driven out of the American market by hostile legislation, we have found better prices and readier sales elsewhere. Then, again, pulp wood is another instance. Pulp manufactured in this country is excluded from the United States market, while the United States legislation admits pulp wood free to be manufactured by their own people. Then we come to the question of our fisheries on the Atlantic coast. The United States Senate has lately passed legislation in regard to that matter. They tack on to a resolution with regard to the mining regulations in the Yukon territory of Canada a condition that we should give up the rights that our fishermen enjoy on the Atlantic coast under the treaty of 1818. That treaty accorded to our fishermen the exclusive right to land and get bait on our own coasts, and also to take the short cut across our own territory to the United States market. The treaty gives us that right, and the United States was accorded that right with the right of fishing also within the three-mile limit by the treaty of Washington. Since the expiration of the fisheries clauses of that treaty we have been generous enough to concede to United States fishermen the right to catch bait in our harbours, and also to tranship fish. The only condition we attach to it is the payment of a small fee, I think $1.50 per ton, and these fees, in the aggregate, amount only to about $4,000 a year, so that we have practically, in the most generous way, given to the United States of our own free will and accord, the right that they now attempt to take under conditions attached to a bill recently passed by the United States Senate. With regard to that particular question, it would be impossible for the people of Canada to give up the rights of our fishermen on the Atlantic coast in order to purchase some rights for Canadian miners on the Pacific coast. To consent to such a proposition as that would be entirely out of the question, and a most unstatesmanlike attitude in our internal government. Any negotiations in regard to our Atlantic fisheries must rest upon their own merits. Then, take the action of the United States Senate in regard to the coasting laws. Hon. gentlemen are well aware of the regulations that appertain to the navigation of certain rivers on the Pacific coast. As hon. gentlemen know, from Mount St. Elias down to the border of British Columbia, the United States claim a very narrow strip of land all along the coast; while we own the hinterland, the coast line is in the possession of our neighbours. They obtained that right by the purchase of that country from Russia. How far inland that peculiar strip along the Pacific coast extends is an open question yet, and it is also an open question as to how far the United States are infringing upon our rights. As I understand it, we agreed upon fixing the 141st meridian, and upon taking Mount St. Elias as a starting point; then our dividing line comes down the coast, the treaty says that the line passes on the coast range of mountains, but if the coast range should be further than ten marine leagues from the shore, that is 30 miles, then ten marine leagues from the coast belongs to the United States, but if the coast range should come nearer than 30 miles, then the territory beyond is Canadian territory. The unsettled state of that question is leading to difficulties

between the two countries at two most important points, that is Dyea and Skagway, which are used for ingress into the Canadian Yukon. The whole difficulty of ingress into that country is in the passes of these high mountains. There are three passes within some seven or eight miles of the towns of Dyea and Skagway, which indicate that the coast range passes close to the coast at the head of the Lynn Canal, and is the dividing line between Canadian and American territory, even if the American contention that the coast line conforms to the indentations should hold good, and yet the United States claims have extended 30 miles from Dyea and Skagway for the purpose mainly of reaching the head waters of navigation of the Yukon at that point, in order that they may claim the independent right of navigation. It is necessary that a boundary commission should be appointed in order first of all to ascertain what coast range is meant by the treaty, and the mountains that mark the international boundary and how far fixed points mentioned in the treaty justified the American interpretation of the delimitation, and in case the boundary commission cannot hit upon the exact interpretation of the treaty, then that there should be an arbitration in order that there may be no disputes about these questions of territorial rights. It is a very important question for us to decide, but it is quite possible for us to overcome all those difficulties by approaching the question in a friendly spirit. If the two governments can only approach one another in a friendly spirit and recognize the rights that belong to each respectively, then I think all these questions could be settled to the manifest advantage of the great interests that are springing up in the north-west corner of this continent. The rights that are owned by Canada and the United States are about equal. The United States own that great peninsula of Alaska which is practically a closed territory to them for something like eight or nine months of the year. The only access that they could possiby have to it is by the Yukon River, which is some 1,600 miles long up to the 141st meridian, and any ports that are north of Skagway, I fancy, would be so blocked by ice that they would be practically impossible for navigation or to be utilized, and, therefore, the great part of Alaska is closed, commercially, for eight or nine months in the year. They want to reach the eastern boundary of Alaska, in order to prosecute the mining industries, which exist very largely in conjunction with us on the Canadian side of the boundary. They can only reach the southern portion of Alaska in the winter time through Canadian territory. Without our sanction, no railway could be built and no mode of ingress to that country, in which there are very rich mines, could be obtained by the United States without crossing our territory. Now, we are not in that dependent position that they are, so far as reaching the peninsula of Alaska is concerned. They reach their own boundary on the coast line as far south as British Columbia, because they have navigation to that district, but to get beyond and to carry on any kind of business in the winter time, they are dependent entirely upon concessions made by Canada in order to carry that out. We, on the other hand, would like to have free access to our own territories through the ports that exist on the Pacific Ocean. It is not a matter of vital importance that we should have it, but still it is a great deal better that our people on the Pacific coast should have all the advantages that they believe are necessary to them in the prosecution of mining and trade in the large districts springing up in the Yukon region. When we come to realize that we are both in the same position, that our interests are identical, that the interests of the miners on both sides are identical, and are about equal in advantage of one another and in disadvantage, that are intent both upon identically the same thing and that is to develop the industries that exist to a very great extent, it is a basis upon which a friendly and a mutual understanding could be arrived at. It is not wise for either government to hold the other at arms' length. It is far better that we should recognize one another as friends, intent only upon one object and that is the promotion of the best interests of both people, the care of the unfortunate miners who are subjected to enormous hardships because the proper facilities have not been afforded to them in the progress of their industry, an industry which is producing great wealth throughout the country, an industry which is going to distribute immense advantages to the country if the fullest advantage can be taken of what exists there. There is no reason in the world why the two governments should be

passing resolutions and bills counter to one another in order to restrict the prosecution of that industry rather than to make the most of it and to do the very best that we possibly can. Now, hon. gentlemen, I will read you clause 13 of the bonding bill that has been lately passed by the United States Senate. The bill was introduced because of the complaints that were made by United States miners that we forced them to go and get their free miners' licenses at inconvenient points—forced them to go to Victoria, Vancouver or Dawson City, in order to force people to come and trade at these ports. To offset that the United States Senate take up the question and passed a bill which contains this clause :

That under rule and regulations to be prescribed by the Secretary of the Treasury, the privilege of entering goods in warehouses and merchandise in bond or of placing them in bonded warehouses at the port of Wrangel, district of Alaska, and of withdrawing the same for exportation to any place in British Columbia or the North-west Territory without payment of duty is hereby granted to the government of the Dominion of Canada and its citizens, or citizens of the United States, whenever and so long as it shall appear to the satisfaction of the President of the United States, who shall ascertain and declare the fact by proclamation, that no exclusive privilege of transporting through British Columbia or the North-west Territory goods or passengers arriving from or destined for other ports in Alaska is granted to any persons or corporations by the government of the Dominion of Canada, and that the privilege has been duly accorded to responsible persons or corporations operating transportation lines in British Columbia or the North-west Territory of making direct connection with transportation lines in Alaska, and that the government of the Dominion has consented to, and is allowing on behalf of the citizens of the United States, the entry free of duty of all miners' outfits and a supply of provisions and clothing, the whole not exceeding in quantity 2,500 pounds for each citizen of the United States proposing to engage in mining in British Columbia, or the North-west Territory ; and that the government of the Dominion of Canada has removed all unequal restrictions as to the issue of miners' licenses to all citizens of the United States operating or intending to operate in British Columbia or the North-west Territory. And further, that fishing vessels of the United States, having authority under the laws of the United States to touch and trade at any port or ports, place or places in the British dominions of North America, shall have the privilege of entering such port or ports, place or places for the purpose of purchasing bait and all other supplies and outfits in the same manner and under the same regulations as may exist therein applicable to trading vessels of the most-favoured nations and of transhipping their catch to be transported in bond through said Dominions without payment of duty in the same manner as other merchandise destined for the United States may be thus transported.

The debate on this section of the bill was quite spirited, and brought into the controversy the old fisheries question on the New England coast, which has been pending between the United States and Great Britain for 100 years. The statement was made on the floor of the Senate that there was every reason to believe that by the passage of the bill the fisheries question could be settled without great effort, as assurances to that effect had been received from a large and influential element in Canada.

Now, that is the bill which has been passed by the Senate of the United States, it reads on the face of it what its intention is —to force the Canadian government to place the free miners' licenses at the disposal of United States citizens at points convenient to them and not according to our own regulations. It further imposes upon the Canadian government the obligation of admitting a ton and a quarter of mining supplies free of any duties we may see fit to impose. It also claims equal fishing rights in Canadian territory. That legislation is on a par with the legislation which has conferred the advantage of $2 a thousand on lumber manufactured from Canadian logs in the United States over lumber manufactured in Canada, and legislation which gives United States fishermen an advantage in our waters over Canadian fishermen, and so on. As an offset to that resolution of the Senate I would call the attention of the honourable House to the mining regulations of the United States :

United States mining laws and regulations thereunder, relative to the reservation, exploration, location, possession, purchasing and patenting of the mineral lands in the public domain.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.

MINERAL LANDS OPEN TO EXPLORATION, OCCUPATION AND PURCHASE.

Sec. 2318, R.S.—In all cases lands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

Sec. 2319.—All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States, and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable, and not inconsistent with the laws of the United States.

4th July, 1866. 10th May, 1872.

Now, hon. gentlemen will see the condition under which the mining licenses are granted in the territories of Alaska, only United States citizens or those who have taken the first steps to become United States citizens shall be allowed to mine in that country at all. You see, hon. gentlemen, what a disadvantage that places Canadian miners at. The United States citizens, under the present law, are allowed

to come into our territories and secure claims under our regulations coincident with British subjects wherever they may come from, and can go over the line into Alaska and get a double advantage. The United States miner can divide his time between the two and do just what he chooses. That is a disadvantage we should not continue to labour under. Here are two contiguous territories, one belonging to the United States government and the other to the Canadian government. The United States miner has the right to mine in Canada, but his government excludes the Canadians from mining in the United States territory, although the natural conditions are exactly equal, and the United States miners cannot reach the mining country in Alaska excepting through Canadian territory.

Hon. Mr. MACDONALD (B.C.)—Oh, yes, they can.

Hon. Mr. BOULTON—What way?

Hon. Mr. MACDONALD (B.C.)—The Yukon River and other ways.

Hon. Mr. BOULTON—But they have to traverse five thousand miles in order to reach the territory I am speaking of. They can only utilize the Yukon River about three months in the year and the steamboat can make only two trips in the season, so you see the difficulties they have to contend with, they are absolutely excluded from that territory excepting during the three months and a half when navigation is open. They want to have continuous communication in prosecuting the industry if it is to grow to any size at all as a mining industry and that is the position in which they are placed. The position they place us in is claiming the right to mine in Canadian territory while excluding the Canadians from mining in their territory. I say the Canadian government should approach the government of the United States and say "If you will equalize things, if you will allow the same advantages in the matter of transportation to Canadian citizens across the Alaskan coast strip that you ask of us in the hinterland, and that we are giving to United States citizens in our own territory, it is a very easy thing for sharp shrewd men like the United States people to see that it is to the advantage of miners that their industry should be prosecuted upon the basis of equality and upon a basis that will give advantages to the miners of both countries and not place restrictions and create contentions and make difficulties which affect the miners themselves, and instead of the miners of the United States and the miners of Canada working harmoniously shoulder to shoulder doing their best and assisting one another, they are made contentious in consequence of the difficulties that their respective governments place in the way of their operations. Now I look upon it that that is a most unfair condition to leave our people in after having read the bill of the United States Senate and the mining regulations of the United States. I have therefore introduced a bill into this House to-day to amend the Canadian mining regulations for the Yukon. The bill reads as follows :—

AN ACT TO AMEND THE CANADIAN MINING REGULATIONS FOR THE PROVISIONAL DISTRICT OF YUKON.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The regulations governing placer mining in the provisional district of Yukon, North-west Territories, as established by Order in Council, dated 18th January, 1898, are hereby amended by striking out section 1 thereof and substituting the following:—

1. Every person over, but not under 18 years of age, if he is a British subject, or if he has taken and subscribed, as provided by section 8 of the Naturalization Act, chapter 113 of the Revised Statutes of Canada, the oaths of residence and allegiance, or the oaths of service and allegiance, and every joint stock company, if a majority of its directors are British subjects or have so taken and subscribed the said oaths, shall be entitled to all the rights and privileges of a free miner, under these regulations and under the regulations governing quartz mining, and shall be considered a free miner upon taking out a free miner's certificate. A free miner's certificate issued to a joint stock company shall be issued in its corporate name. A free miner's certificate shall not be transferable.

2. This Act shall not come into force until a day to be named by proclamation of the Governor General.

3. At any time after this Act has come into force, if it appears to the satisfaction of the Governor in Council,—

(*a.*) that, by the mining laws and regulations of the United States of America in force in the Territory of Alaska, British subjects may, in the Territory of Alaska, explore, occupy and purchase mineral deposits and the lands in which these are found and may obtain patents for public lands of the United States of America in the Territory of Alaska, without in either case being required to become citizens of the United States of America or to declare their intention to become such citizens; and

(*b.*) that facilities the same as or, in his opinion, equivalent to those afforded by Canada to citizens of the United States of America for the transport of persons and goods through the province of British Columbia and the Provisional District of Yukon, are afforded by the United States of America to British subjects for the transport of persons and goods through the territory of Alaska;

the Governor in Council may by proclamation declare that, on and after a day to be named in such

proclamation, this Act shall not apply to citizens of the United States of America; and if such declaration is so made this Act shall not so apply.

4. At any time after this Act has come into force the Governor in Council may, from time to time, by proclamation, except from the application of this Act the subjects of any foreign power or powers other than the United States of America.

That is practically copying in their spirit the mining regulations of the United States. That bill will come before this honourable House in its proper time, when hon. gentlemen will have the opportunity of discussing its merits and the necessity that exists for our taking such a course. That is a preliminary to what I conceive to be a statesmanlike position for the government to assume in negotiating with the United States government for an equality of rights and privileges in that territory, where the conditions are so equal as they now exist. In order to show hon. gentlemen that we are not at all dependent upon the good-will of the United States in regard to navigation of the coast line and the ports on the coast line which they hold, I would just give you a comparison of the distances and the different routes that exist to reach that territory.

Hon. Sir FRANK SMITH—Might I ask the hon. gentleman if he is not going a little too far with that bill. A measure of that character should be placed before this House by the government of the country, and they should take the responsibility of negotiating with the United States government. I think a bill of that kind introduced by a private member is out of place.

Hon. Mr. BOULTON—The hon. gentleman will understand that I am quite within my right in introducing this bill, and I am not exceeding the powers that are conferred upon me as an individual member of this Senate. It is a question of policy on my part, whether it is a wise one or not. I would be very glad indeed to fall in with the view expressed by the hon. gentleman, if the government adopt the view I advocate in regard to this matter.

Hon. Mr. MACDONALD (B.C.)—Do not discuss the bill now; it is not before us.

Hon. Sir FRANK SMITH—Did not you say that you would introduce the bill?

Hon. Mr. BOULTON—I have done so this afternoon, but I have no desire to take it out of the hands of the government. If the hon. leader of the government approves of the bill I should be only too glad to hand it over to the government and let them assume the responsibility. Since introducing this bill I am told that a smilar bill was introduced by a private member in the House of Commons. I have not seen what form it is in, but I have been told that it is a bill to the same effect.

Hon. Mr. MACDONALD (B.C.)—That is true.

Hon. Mr. BOULTON—So that I seem to be only following a precedent which has been recognized as a proper one in the lower House.

Hon. Mr. MILLER—The two bills cannot pass.

Hon. Mr. BOULTON—I quite understand that, at the same time I am told the bill that was introduced yesterday in the House of Commons, is an amendment to the Alien Act while this is an amendment to the Mining Act, in which case they will not clash. I am introducing this bill to give force to the argument I am using now in regard to the mining rights of Canadians in that North-west Territory, and looking at it from that standpoint, I feel quite justified in taking the position I do in regard to it. I want to bring to bear all the points I can in order to show that we are not dependent upon our neighbours for any concessions or advantages, that we can prosecute our industry quite independently of them, or anything that they have it in their power to withhold from us or restrict us in, and I was just going to show the various routes that exist in order to reach that territory. There is the Stikine route, 1,542 miles, 700 of which is ocean route. Then from Skagway it is 1,581 miles.

Hon. Mr. MACDONALD (B.C.)—From where?

Hon. Mr. BOULTON—From Vancouver to Dawson, and the Dyea is 1,575 miles, of which 1,000 is ocean. The Dalton route is 1,507 miles, of which 985 is ocean, The ocean route by St. Michaels is 4,450 miles—that is to the eastern boundary of Alaska, United States territory. Then we come to the Edmonton all-rail route, which is 1,342, or some 200 miles shorter than any one of

those routes. The Ashcroft route is also all-rail 1,540 miles. The Prince Albert route by water is 2,889 miles, and the Prince Albert route by Edmonton is 1,550 miles. There are the various routes any one of which is open to Canadian miners. I would like to show hon. gentlemen the advantages the Edmonton route possesses. All the other routes are 1,550 to 1,581 miles, and the Edmonton route is 1,342.

Hon. Mr. MACDONALD (B.C.)—From where?

Hon. Mr. BOULTON—From Vancouver to Dawson.

Hon. Mr. MACDONALD (B.C.)—But by the Edmonton route.

Hon. Mr. SCOTT—He is calculating from Edmonton—not from Vancouver.

Hon. Mr. BOULTON—I am merely calculating from Edmonton as the objective point. Of course when you come to discuss the question, you must recollect that there are five million people east of the Edmonton route who desire to obtain the most favourable route that they can in that district.

Hon. Mr. MACDONALD (B.C.)—There is no objection to that certainly.

Hon. Mr. BOULTON—And I suppose three-fourths of the trade on the Pacific coast will always be done by our United States neighbours and therefore we are practically subsidizing a route for the benefit of a trade which is one-fourth Canadian. The Edmonton route is 1,342 miles, but of course there is this feature about that route, that from Calgary to Edmonton is 200 miles and Calgary to Vancouver is 650 miles and therefore you have to take off 450 miles from the 1,342 miles by Edmonton which you save between Calgary and the coast. You understand that if you take any one of the coast routes you have to travel 450 miles on the Canadian Pacific Railway that you would not have to travel if you took the Edmonton route. There is a saving of 450 miles of railway in reaching the interior of that mining country. Therefore that reduces the Edmonton route in comparison with the other routes to about 900 miles.

Hon. Mr. CLEMOW—From where?

Hon. Mr. BOULTON—From the Northwest Territories, travellers on any train from Ontario or Quebec or the Eastern States save the distance from Calgary to the coast, and you take a northerly route. The distance from Calgary to the ocean is 650 miles. Allow the 200 miles to go north to Edmonton and there is a saving of 450 miles. Then if you take 200 miles off between Fort Selkirk on the Yukon and Dawson City and you actually reduce the mileage necessary to travel to about 700 miles, as compared with the mileage by the coast route. I show the immense advantage of the interior route over any of the coast routes. I am not arguing in this way in order to detract from any of the coast routes. but to show the people of the United States that any effort that they make to exclude us by an inimical policy will operate against themselves very much indeed by excluding them from any advantage they might otherwise possess. I do not wish to enter into a discussion of this question upon its merits, because the Yukon Railway Bill, which is now before the House of Commons, will probably be before us soon, but I do not wish to let the opportunity pass to reply to the position that has been taken by the Senate of the United States in regard to the bill that they have seen fit to pass for the purpose of capturing, by their legislation, rights that we have been conceding to their miners and fishermen as a free gift. We have been allowing them to enter our country and take any claims they choose ; we have put them on a par in every way with British subjects. We have made no distinction or difference. The only condition we imposed was that they should call at Vancouver to get their free miner's license, and because we did make that distinction the Senate of the United States saw fit to pass their bill to exclude us from the coast and hamper us on those water routes that are confirmed to us by treaty rights. I immediately saw that it became necessary for us to let the United States know the concessions that we were giving to United States citizens, that we were allowing them equal rights and equal privileges with British subjects, and that they could not claim a continuance of them in the face of the hostile legislation that they saw fit to put on their statute book. Now, hon. gentlemen, I believe that it is the best interest of this country to grant a charter to a railway from

a point on the Lynn Canal, Pyramid harbour, without a subsidy, and reserve our financial force until we are better informed. Three hundred miles of railway will place our joint trade on the main Yukon from that point, and the value of that route is sufficient to attract capital without any assistance. Of the 300 miles, 290 passes through Canadian territory, and it will prove the speediest way of developing it under present circumstances, but as the largest share of the coast trade would be American, it would be unnecessary for for us to subsidize it. I think I have made out a case for the information of the government. The object I have in view is to suggest to the government that they should try and make it as easy as possible for the miners of that country. I do not know who they are, but humanity demands that we should be as generous in our ideas towards the United States miner as the Canadian miner in the difficulties they have to contend with in that north-west country, and that we should, in addition, jointly with the United States, endeavour to make the road as easy as possible, not only in the interests of humanity, but also in the interests of the trade that can be developed on both sides of the boundary line; and, therefore, I think an arrangement could be made by which equal advantages could be accorded to the citizens of both countries in regard to miners' licenses and transportation. It need not interfere necessarily with the general mining act of the people of the United States. We have a mining act designed for the Yukon district, and if the United States were to pass an act specially designed for the Alaska district, they could easily legislate giving equal advantages to the miners of both countries, and both countries would work shoulder to shoulder and develop that country for their own individual benefit and for the benefit of Canada and the United States in the north-west part of this continent, within their respective bounds.

Hon. Mr. MILLS—I do not know whether my hon. friend looks for a reply to his speech. In reply to his question I would say that it is not the intention of the Minister of Trade and Commerce to go to Washington to facilitate international arrangements.

Hon. Mr. MACDONALD (B.C.)—Hear, hear. They are there too often.

Hon. Mr. MILLS—Whether those arrangements would be beneficial to both countries I am not prepared to say at the present time. My hon. friend has alluded to the bill pending before Congress and which has been adopted by the Senate of the United States. That bill legislates, as far as it goes, in many respects in a manner inconsistent with our undoubted rights. I do not think the Senate proposed that bill with the expectation that it would become law, but with the idea that it might interfere with the financial arrangements of the gentlemen who have the contract with the Canadian government subject to the approval of parliament, and it may be for the purpose of furthering the interests of those who want to construct railways by Dyea and Skagway, which my hon. friend seems to favour.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. MILLS—My hon. friend says hear, hear. I am not in favour of constructing a railway into territories that are the property of Canada through United States, territory that may at any moment be controlled by the United States and closed to the people of Canada. My hon. friend knows right well that the people of this country, while the United States had a canal connecting the waters of Lake Superior and Lake Huron, nevertheless felt it was in the interests of Canada, not simply for commerce, but for paramount political considerations, to construct a canal at Sault Ste. Marie and not to put it in the power of the United States government, when any notion seized them, to embarrass this country in maintaining its rights to territories beyond the waters of Lake Huron. Now, there was infinitely less necessity for that work, on political grounds, than there has been for the establishment of a Canadian line of communication between the settled portions of this country and that territory in which gold has been discovered, and which we trust will at an early date become a settled portion of the territories of Canada. It would be manifestly inconvenient on my part to undertake to discuss a question that is inseparably associated with that enterprise of connecting the North-west Territories and the

Yukon country, but when that measure comes before the Senate I have no doubt that my hon. friend beside me and myself will be enabled to give a satisfactory account to this House of the course which the government has taken and of the reasons for adopting that course. Upon a question put upon the notice paper this House will not expect me to go into a discussion of the policy of the government with respect to that matter.

Hon. Mr. MACDONALD (B.C.)—I am very glad to hear the announcement of the hon. minister that it is not the intention to send any minister to Washington. I think we have had plenty of that kind of thing in the past and that we have nothing to expect from Washington. If they want anything from us they can notify us. We want nothing from them and have nothing to give them. With regard to the speech of the hon. member of Shell River, it is very inconsistent. First of all he preached conciliation and good-will and seeing what could be done to bring about a better feeling between the two countries. That is all very well, and I think that part of his speech ought to have been made in the Senate of the United States. They are the first to be aggressive and to try to coerce Canada and take away some of the rights to which we are entitled and give us nothing in return. They tried by threatening to force from us concessions which they have no right to. There is no use making that speech here. The hon. gentleman after preaching conciliation brought in a bill of retaliation.

Hon. Mr. BOULTON—Or coercion.

Hon. Mr. MACDONALD (B.C.)—And so the hon. gentlman's line of argument is not consistent?

Hon. Mr. BOULTON—Oh, yes, it is.

Hon. Mr. MACDONALD (B.C.)—Although I fully agree with him that if we do not get similar concessions from the United States to those which we give, we ought to meet them with blow for blow.

Hon. Mr. MILLER—There are now two bills. He wants to give them a double dose of their own medicine.

Hon. Mr. MACDONALD (B.C.)—We have nothing to expect from them at all. The only thing they hold over our heads is the bonding privilege, and I think this country would get over that to-morrow if it was withdrawn. Commerce now coming to United States ports would come to our own ports. It might disarrange our railway system and traffic, but after a time we would get over it, and they would lose more than we would. I am not going to discuss the question of routes now. I do not know whether the hon. gentleman intends the Minister of Customs to traverse those routes on his way to Washington. I hope not. When the Yukon bill comes before us we can go into routes and distances, but in addition to whatever routes we may have this side of the Rocky Mountains, we must have routes on the west. There is enormous traffic there, and whatever route you have here we must have our route, whether built by the government or by private enterprise.

Hon. Sir MACKENZIE BOWELL—I do not know whether this is the proper time to discuss this question I wish to call attention to one or two remarks of the Minister of Justice. I understood him to say that the desire of the government was to construct a road which would not be subject to the interference of the United States, and that he was opposed to the building of a road through any portion of the country which might ultimately fall into the hands of the United States. If I understand the geography of that country at all, the port which the government propose to make the port of departure to the Yukon country is Fort Wrangel, which is in the United States. If the contention of the Canadians be correct, then Pyramid Harbour, Dyea and Skagway are within Canadian territory, so that if the proposition of the hon. gentleman from Shell River is carried out it is possible that these ports will be found to be exclusively within British territory while Fort Wrangel never will be. Even under the Washington treaty Fort Wrangel will always be subject to whatever regulations may be adopted by the United States custom authorities, and by such regulations they can virtually destroy British trade going into that section of the country. What I should like to know is how my hon. friend reconciles these facts with the other fact that Fort Wrangel is without dispute in United States territory, while the other ports, which are con-

sidered to be much better and afford access to a much better route as some contend, may be, after the line of demarcation between the two countries has been defined, found to be in Canada.

Hon. Mr. SCOTT—The hon. gentleman is no doubt aware that, under international law, where two countries have an equal right to a river running through the territories of both, the incidents of lightering and transhipping have always been permitted. The contention of the Canadian government is that we have the right to tranship at the mouth of the Stikine River. In the treaty between Russia and Great Britain in 1825 the words which gave Canada the right to use rivers running into the Pacific Ocean were very much broader than the words of the treaty of Washington. The latter treaty, however, is very clear in its language. It says that the Stikine River shall be free, for the purposes of commerce, to both countries.

Hon. Mr. MILLER—Subject to——

Hon. Mr. SCOTT—Subject to such regulations as either country may make.

Hon. Mr. MILLER—Subject to such customs regulations as the United States may make.

Hon. Mr. SCOTT—We can make regulations so far as our portion of the Stikine Rives is concerned, and they can make regulations so far as their portion is concerned. It is a singular fact that some 22 or 23 years ago we were discussing the question of the navigation of the Stikine River as we are to-day. At that time the United States approached Canada in the interest of United States vessels going up the Stikine. The centre of the gold mining at that time was in the Cassiar district, and the United States miners frequented those mines by going up the Stikine River. There was no Canadian port then nearer than Victoria, so that United States vessels bound for the Stikine River were obliged to report at Victoria. The United States government asked the Canadian government to grant them facilities to enable them to utilize the Stikine River in Canadian territory. They argued in this way—unless you make regulations to enable us to freely use the river, you are controverting the terms of the treaty, and so, in accordance with the request of the United States government, a Canadian custom-house was established some 15 miles from the mouth of the Stikine, and a conventional line was drawn at that point to enable the United States miners to enter Canadian territory.

Hon. Mr. MILLER—But bulk was not broken?

Hon. Mr. SCOTT—Yes, it must have been, because vessels loaded at United States ports and sailing to the Stikine could not ascend the river without transhipping to lighter vessels any better then than they can now. There was no friction whatever between the two countries at that time. For some time an international boundary was defined where it crossed the Stikine—a conventional boundary, for the convenience of United States traders who were passing up the Stikine to enter Canadian territory. At that time—about 1875 or 1876—correspondence was entered into with the United States government with a view to establishing the boundary between Alaska and Canada. It was then looming up as a section of the country that was of some importance. The United States was asked to unite with Canada in locating the boundary line. The president of the day and the government at Washington acquiesced in the proposition and a bill was submitted to Congress appropriating a sufficient amount to define the boundary between this country and Alaska. Congress refused to vote the money and from that day to this the United States have thrown obstacles in the way of locating the boundary line. The late government brought the question up for the consideration of the United States authorities several years ago, but all that has been so far obtained is the issuing of a commission to locate the 141st meridian which runs from Mount St. Elias northward. That is the extent to which the boundary has been so far defined.

Hon. Mr. MILLER—That is from Mount St. Elias, northward?

Hon. Mr. SCOTT—Yes, but there it is merely a matter of astronomical calculation.

Hon. Mr. MILLER—We lost territory by the point that was agreed upon at that time.

Hon. Mr. SCOTT—Yes, in order to meet the wishes of the United States government to make the apex of Mount St. Elias a starting point, our government consented to declare it the starting point no matter whether it was on the Canadian side or not. It is not a matter of very great importance, because the meridian does strike the mountain about 20 miles west of its apex. However, that is not the most essential point between the two countries now, it is the defining of the boundary from Mount St. Elias southward to the southerly point of Prince of Wales Island.

Hon. Mr. MILLER—The Yankees would not have made that concession to us; we are always making concessions.

Hon. Mr. SCOTT—It is a matter of very great regret that although 22 years have passed since that time we are as far from settling that boundary as we were then. The United States took possession, without reference to Canada's claims, of a portion of that territory which we claim is within our line. Up to within a few years the importance of that country was not regarded as of sufficient magnitude to warrant any remonstrance. There was perfect freedom between the citizens of the two countries up to a very recent date.

Hon. Mr. MACDONALD (B.C.)—Is it true that the Canadian custom-house has been removed east from Ingish Lake?

Hon. Mr. SCOTT—I am not aware, a boundary—I will not say a boundary, but a point has been taken possession of by the customs authorities under the belief that they were well within Canadian territory, I could not exactly locate the point.

Hon. Mr. MACDONALD (B.C.)—Has there been any remonstrance by the United States on that subject?

Hon. Mr. SCOTT—Not that I am aware of.

Hon. Sir MACKENZIE BOWELL—The statement made by the hon. Secretary of State is very interesting. I am sure all are very grateful to him for the information he has given us in relation to the boundary, but he has not met the question that I have put. I understood the hon. Minister of Justice to inform the House that the government intended to have a road exclusively within Canadian territory, and that he was opposed to the construction of any road starting from a point which might ultimately fall into the hands of the United States or become United States territory. What I pointed out was this, that Fort Wrangel, the point of departure, is in United States territory and will remain in United States territory even if the contention of the Canadian government be sustained by any commission which may hereafter be appointed, while Dyea, Skagway, Pyramid Harbour and the other points from which it is proposed to build the road, other than Fort Wrangel, will be in British territory if the contention of the Canadian government is affirmed by the commission. If Wrangel is to be the point, it will always be under the control of the United States. I know what the hon. gentleman's contention is in reference to the rights of Canada under treaty, and as a layman I am inclined to think he is correct, but still, there will always be annoyance at Wrangel. What the Secretary of State has said about the attitude of this government towards the United States is quite correct. Some years ago, when I was Minister of Customs, it was found necessary to establish a custom-house at a point on the Stikine River where it was supposed the boundary would be, in order to facilitate trade, and United States trade in particular, in going up the Stikine to the Cassiar district; but there is this difference between the United States government and our own government: during my long experience in the Customs Department no privilege which was not inconsistent with the proper collection of our revenues was ever asked for, that was denied to the United States, even to the carrying of goods through our country, while if we desired to go over a neck of land in their country from one part of Canada to another, a custom-house officer had to be employed and the importer was required to pay an excessive allowance to the United States official, sometimes as high as $9 a day. I remember one instance, in connection with the Rossland district, when it was brought down to $3 a day, but what the hon. Secretary of State says is quite correct, that these concessions have always been made by the Canadian government in a friendly manner, but we have never had a

return for it, and the sooner we adopt a policy in this country on the line of the bill introduced by the hon. member for Shell River, the sooner our neighbours will learn that we are an independent people and capable of governing ourselves.

Hon. Mr. MILLER—It is rather an unusual thing to have a bill introduced under a notice of inquiry, but for my own part I heartily agree with the spirit and substance of the bill and should be glad to see the plain word "retaliation" applied to the United States in every matter where this country could properly apply it. We should give them a Roland for an Oliver in every instance in which they attempt to interfere with us unjustly. The sooner we do that and show them that we can assert our own rights, the sooner we will cease to be troubled with such legislation as we have recently seen enacted by the United States Senate wherever the least controversy arises. Under the Washington treaty the free navigation of the St. Lawrence was given over for ever to the United States, subject of course to the customs laws of Canada, just as the free navigation of the Stikine and the Yukon on the Pacific coast was continued to Canada as those privileges had been exercised when that country was owned by Russia. What would be thought of Canada—and I think the parallel not a far-fetched one—if this parliament were to pass a bill declaring that the United States would not have the free navigation of the River St. Lawrence unless they gave us permission to kill seal on the Pribiloff Islands? It would be almost the same as to say we shall not have the free navigation of the Stikine and Yukon under the same conditions as they enjoy the navigation of the St. Lawrence unless we give them up our rights to our fisheries on the Atlantic coast. What would be thought if we introduced such legislation as that and it passed this Senate even though it never became law? As the hon. Minister of Justice says, I do not think the bill which passed the Senate of the United States will ever pass both branches of Congress, much less do I believe that it will ever receive the signature of the president, but if we passed a bill of that kind here what would be said of us? Still it would be a parallel case to the action of the United States Senate in connection with the Stikine and Yukon Rivers.

SUBAQUEOUS LEASES IN THE YUKON DISTRICT.

INQUIRY.

Hon. Mr. MACDONALD (B.C.)—Inquired:

Have subaqueous leases in the Yukon district for more than thirty miles in length been granted to a certain Mr. Russell of New Brunswick, and a certain Mr. Mercier of Quebec—or to any other person or persons? If so, on what date were the leases executed? How many miles have been granted to each person or company? Has the amount of rental in full been paid in each case?

He said: Last session the rumour appeared that some parties were to get a lease of one hundred miles of the Stewart River, in the Yukon district, and a number of hon. gentlemen on this side of the House took objection to that, and said it was too much to give to any person or company. We have never heard anything more of that lease. This session, just before the House adjourned for two weeks, I called the attention of the hon. Minister of Justice to a report which appeared in the papers that a Mr. Russell had obtained a lease of some three hundred miles, and a Mr. Mercier a lease of some two hundred and eighty miles. At the time the hon. Minister of Justice could not give the information that I wanted, and that is why I put the inquiry on the notice paper. I hope the reports are not true, and that the government have not been guilty of giving away such large stretches of river to individuals or companies. The government themselves, by their own regulations, limit the extent of any lease to thirty miles.

Hon. Mr. SCOTT—I am advised by the Minister of the Interior that 30 miles is the extreme limit granted to any party, and that neither Mr. Russell nor Mr. Mercier has been granted any such stretch of river as the hon. gentleman states. I am informed that no leases have yet been granted, though parties may have applied and paid in money. The better way would be for the hon. gentleman to move for the papers, and then we can get at the exact facts. It would appear, from what I have seen in the papers, that a number of persons have applied for leases.

Hon. Mr. MACDONALD (B. C.)—I merely wished to call the attention of the government to the fact and state that such leases should not be granted. If one man

can get, at the outside, only 30 miles, another man should not be allowed to get 100 miles.

Hon. Mr. SCOTT—The limit fixed by the regulations of the department is 30 miles, and each application must be accompanied by the amount required for the lease. If the hon. gentleman will move for the papers we will be very glad to bring them down.

Hon. Sir MACKENZIE BOWELL—The government papers, particularly the Montreal *Herald*, have published a list of persons to whom leases were granted, and in that list there are some 15 Merciers, and eight or ten Guerins. If they come within the regulations adopted by the Department of Interior, permitting only 10 miles to be given to any one person, every member of the Mercier family including the father, mother, sons, daughters, nephews and nieces, must have obtained a lease. That is the conclusion to which every one must come when he reads the list. I presumed it was correct, seeing it in a telegram from Ottawa and appeared in a government organ.

Hon. Mr. MILLS—The regulation, if I remember rightly, is that the distance of five miles is leased, and the party may have five of these grants, but he must put a separate dredge on each one and work it. I have not seen the list to which the hon. gentleman refers. I will make the inquiry and see what the facts are. My hon. friend knows that newspapers are sometimes mistaken and sometimes they confound applications with leases.

THE ALASKAN BOUNDARY.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—If it is not inconsistent with public policy, I should like the hon. gentleman to tell us what steps have been taken for the settlement of this question of the boundary between Canada and the southern portion of Alaska.

Hon. Mr. MILLS—The matter has been referred to the Colonial Office, with a view to having it communicated to the Foreign Office.

DELAYED RETURNS.

Hon. Sir MACKENZIE BOWELL—I must again remind my hon. friend the Secretary of State, of a very old complaint that I have again to make. I am anxious to know when I shall have that return that I have so often asked for.

Hon. Mr. SCOTT—I think I have them all now but one, and I am doing my best to get that one.

Hon. Sir MACKENZIE BOWELL—Send a search warrant for it.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 11th March, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

EXPORT OF WHEAT FROM MANITOBA.

INQUIRY.

Hon. Mr. WARK moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a statement showing :

The quantity of wheat imported into the Dominion since 30th June last.

The quantity exported during the same period ; and

The quantity exported from Manitoba during like period.

He said :—I will not occupy very much time in explaining this motion. I make these remarks on account of a statement which appeared in the Montreal *Witness* the first of this month, made by James Campbell, that a very small quantity of Manitoba wheat went to Montreal. He said ten bushels to one went to New York. I could hardly credit it. I think he must have gained his information from some unreliable source and that is why I make this motion to bring down the figures. It would be a most unfortunate thing if the wheat of Manitoba should go to New York. Under the reciprocity treaty Montreal occupied an inferior position as an exporting city. I

think it was the eighteenth or nineteenth in the ports of Canada. When I saw this statement to which I have referred, I studied the tables of the Trade and Navigation returns for some years and I find that taking the whole of the three years 1895, 1896 and 1897, only three million bushels in the whole three years were exported by Manitoba to a foreign country, and I think that was made up by United States millers. During the same three years 35 million bushels were shipped to Montreal and perhaps all of it was Manitoba wheat.

Hon. Mr. BOULTON—Before that motion is put, I should like to explain to my hon. friend from Fredericton in regard to the figures he refers to relating to the province of Manitoba, that the Trade and Navigation returns, as to these exports, are misleading. Manitoba being an inland province, shows no exports or imports except those that go out by way of the United States to Duluth via the Northern Pacific. The exports that go out over the Canadian Pacific Railway are shown as exports of the province of Ontario. That is the reason why these figures show, as the hon. gentleman who has just spoken says, that in 1895, 1896 and 1897, the gross exports from the province of Manitoba appear to be only 3,000,000 bushels for the three years. Of course, everybody knows that that is incorrect, and it would be advisable if the Trade and Navigation returns were so prepared that the true exports and the true imports of the province of Manitoba and the Territories should be properly shown. It is an injustice to have it otherwise. Our exports and imports east and west go to swell the trade returns of Ontario and British Columbia, and which I am happy to see has attracted the attention of my hon. friend from New Brunswick. As a matter of fact, we exported this year 18,000,000 bushels of wheat, 11,000,000 bushels of which went by Buffalo and New York in bond, and were exported to England; 4,500,000 bushels came east for consumption in the eastern provinces, and 1,500,000 bushels went to the port of Montreal for export to Europe. That is the destination, as far as I can ascertain, of the 18,000,000 bushels of wheat which the province of Manitoba had to export this year. It must be referred to, as a matter of very great regret indeed, that 11,000,000 bushels of the wheat which is grown in the province of Manitoba should find its way to Europe, its destination, through foreign ports. Not only is it a loss to the transportation service of the country, but it is a great loss to the farmers who grow the wheat, because, in the state of New York, there is a system of mixing or manipulation of some kind that transfers a portion of the profit, that should go to the farmers, into other hands. One of my neighbours, where I live in the county of Russell, who had gone home to England this year to spend the winter there, wrote to me that he had been on the Corn Exchange and there had seen a sample of Manitoba wheat, which was a most wretched sample. That is the way he expressed himself. He is a man of experience, a farmer who grows the grain, and he goes to the Liverpool Corn Exchange and finds the wheat, which can top the world for the excellence of its quality and everything else, placed on the Stock Exchange, and as he describes it, a very poor sample indeed, in a year, too, that had not an inferior sample of wheat in the whole crop. The reason is that our wheat goes through foreign channels and it is so manipulated that somebody else gets a large portion of the profit of the excellent grain we grow. There are various causes which operate in regard to that, and the government should inquire into how far it can be remedied. The main cause is the competition, the very large competition, that exists in American transportation, which reduces the rate much more than the Canadian marine, which is a close corporation, will carry it for, and a trade for which the C. P. R. and G. T. R. will not compete. The Canadian marine is a close corporation, and it is limited in its power to transport. It prefers to take the four or five millions required for consumption in eastern Canada and make a good profit on that, and let the eleven millions go by the United States, rather than admit of competition. We have the satisfaction to know that, so far as taking a portion of the wheat from the west is concerned, this railroad which passes through Ottawa, the Parry Sound, has built a one million elevator at Parry Sound and a six hundred thousand bushel elevator at its eastern terminus in Prescott. The Huron and Ottawa Canal will be an ally of the Canada Atlantic, but its trade will go to Montreal, not New York.

The Canada Atlantic is preparing to carry a large portion of the wheat from Duluth for export to New York. Whether it will carry any portion of the wheat from Port Arthur is a question. I very much doubt if it will. The reason I give for that is that the Canada Atlantic can take advantage of the marine competition between the American port Duluth and the Canadian port at Parry Sound, but between the two Canadian ports of Port Arthur and Parry Sound the marine transportation is confined to a close corporation, that prefers a small trade with ease to a large trade that taxes their energies too severely. If that should be the case, we will have the peculiar anomaly of Duluth wheat going through Ontario for export to Europe, and Canadian wheat going through Buffalo and New York for export to the same destination for diametrically opposite reasons. These are facts which any of us who live in the west are well acquainted with, and I am very glad of the opportunity that the hon. member for Fredericton has given me to make this explanation on behalf of the export trade.

Hon. Mr. MILLS—I cannot say how far the statistics which the hon. member from Fredericton has submitted to the House are accurate, but I have no doubt the House is interested and will be glad to get the information for which my hon. friend has moved. I have no doubt that all the members of this House feel, like the hon. gentleman who has made the motion, an interest in seeing a larger portion of the products of the North-west finding their way to the Atlantic seaboard through Canadian channels. That no doubt will, in the early future, largely depend on the energy and enterprise of those engaged in the transportation trade and especially those of the city of Montreal. I am sure that every effort the railway companies that have termini in Montreal put forward to furnish greater facilities for storing grain there and for transhipment, will be watched with interest and will be cordially seconded by this House. I have no doubt either that this House, or the other chamber, will be pleased to see that the government look with friendly regard on every step that is taken to secure the entire transportation trade, or at all events a very large proportion of it, for Canadian channels. I have no doubt whatever that the amount of trade to-day is far less than it ought to be, but further accommodation will have to be provided at Montreal and Toronto and other lake or river points for the purpose of securing to the North-west facilities for the transhipment of the products of that country.

The motion was agreed to.

THE ALASKAN BOUNDARY.

INQUIRY.

The following notice was called:

If negotiations are now proceeding between the United States government and the Dominion government with reference to the boundary between Alaska and the North-west Territories and British Columbia? If so, are there reasonable grounds to expect that a settlement, fair and honourable to both countries, will be come to at no distant day, without referring any question which may be in dispute to arbitration?

Hon. Mr. MACDONALD (B.C.)—Before proceeding with the inquiry off which I have given notice, I wish to refer to a despatch in the Montreal *Gazette* which is germane to the question I am bringing up, and I intend to ask the government whether there is any truth in that report. The despatch to which I refer is as follows:

ALASKAN BOUNDARY

A Reported Settlement With the United States. News Comes via New York Though it is Alleged to have Originated in Ottawa it Bears Washington Earmarks.

New York, March 10.—The Press has the following from Ottawa:—

Sir Julian Pauncefote has informed the Canadian ministry officially that he has arranged a convention with the United States whereby the Alaskan boundary dispute has been settled. Under the terms of the convention the British government has conceded the claim of the United States that the three marine leagues should be measured from the shore of the mainland and should proceed along the shores of the inlets, which are thus recognized as arms of the ocean, and not as rivers.

The contention of the British and of the Canadian governments was that the three league limit should begin on the oceanward side of the island, and that the delimitating line should be run across the inlets and not follow their shores. These inlets are numerous, and extend into the mainland a great distance and the decision, therefore, is of much importance to the United States.

The United States has agreed to the British retaining the boundary on the limit of Chilkoot Pass and the White Pass, because in the Russo-British agreement of 1825 the line of demarcation was fixed as one running along the tops of mountains.

The decision, while not entirely unexpected by the cabinet, is regarded with disfavour. It was understood that the British government was irritated at the forwardness of the Canadian ministry, but it was not thought that the surrender would be so sweeping as it is.

Is there any truth in this report.

Hon. Mr. MILLS—None whatever.

Hon. Mr. MACDONALD (B.C.)—I am very glad to hear that. It only remains for me to say that I hope the government will press for a settlement of this boundary question as soon as possible. The longer it is delayed the more difficult it will become, for this reason, the United States government have taken possession up to the limits of their own contention and are now occupying with settlers and in other ways territory which may properly belong to Canada. The longer a settlement is delayed, the more difficult it will be to end the dispute, because it will be most difficult to oust any party, either an individual or a company, that may be settled in the disputed territory. With regard to those inlets spoken of in the dispute which I have read, it is contended by many persons who have gone into the question that the Lynn Canal, on which are situated the town of Juneau and the villages of Dyea and Skagway, belongs to the Dominion of Canada by right. And if that is the case, it would make a very great difference to our rights, and to our navigation in that country, in reaching the Yukon. I do not intend to deal at all with the treaty of 1825, or to put any interpretation upon it. That will be left to the diplomatists, and the legal talent of the two countries concerned. The request upon the government is not to waste any time, but to endeavour to confer with the government at Washington and settle the question as early as possible.

Hon. Mr. MILLS—I may say to my hon. friend, the government have brought the matter under the attention of the Colonial office, the Secretary of which will no doubt communicate with his colleague, the Secretary of Foreign Affairs, and, so far as this government is concerned, they invited the action of the Imperial government on the subject. It is for Her Majesty's government at Westminster to discuss the question with the government at Washington, and I have no doubt they will do so.

Hon. Mr. MACDONALD (B.C.)—The Imperial government requires considerable stirring up. In the Behring Sea we had, year after year, to urge them to take some action in the matter, to appoint a commission of something of that kind, before anything was done.

LIQUOR PERMITS IN YUKON DISTRICT.

MOTION.

Hon. Mr. PERLEY moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, all correspondence by letters or telegrams between the Federal government, at Ottawa, and His Honour the Lieutenant Governor of the North-west Territories, in reference to the granting of liquor permits or the introduction of liquor into the Yukon district, during the last six months; also, any correspondence with the government of the North-west Territories regarding the rights of the North-west Territories in regard to issuing liquor permits for the taking of intoxicating liquor into the Yukon district.

He said : Before making this motion, I do not wish it to be understood that I am in favour of issuing permits for the North-west Territories or the Yukon district, but it has been stated in this House by the hon. Secretary of State, I think, that the government of the North-west Territories had the right under the North-west Territories Act, to control the sale of liquor in that portion of the country, and the hon. gentleman, I think, also stated that the government had directed that the administrator in the North-west Territories should withhold the granting of licenses, or the sale of permits in that country. If that is the fact, and the North-west Territories have, by statute, the right to control the sale of liquors in that country, then the government have done the territories a very great injustice, in a financial sense, by withholding from them a right from which they should obtain a very large amount of revenue. I understand there has been considerable correspondence between the two governments on this particular question, which I should like to see brought down, so that we shall be able to form an opinion as to what the intention was, and better enable ourselves to judge of the stand taken by the government. No permits can be issued, I think, except under the hand of the Lieutenant Governor.

Hon. Mr. MILLS—Hon. gentlemen know well that the government of the North-west Territories is practically a colonial government of Canada. It is growing every year more and more into the principles and system of responsible government, and I have no doubt at an early day those principles will be effectually carried out in respect to the executive government of that country.

So far the parliament of Canada have not entrusted the executive government of that country with full executive authority. Technically, no doubt, the issue of licenses in the Yukon district was in the Lieutenant Governor of the North-west Territories. The boundaries of these territories are not confined to a limited area by anything contained in the North-west Territories Act. There were no settlers in the Yukon district at the time the government was instituted there, nor have there been until a very recent period. Practically the Yukon country is to day more effectually separated from the North-west Territories than the government of the province of Ontario is from the North-west Territories. It is well nigh inaccessible to the government of that country. In fact, they could exercise no effective jurisdiction in the territory without doing what we find people doing every day who are going thither from the provinces of Canada, they would be obliged to go through the province of British Columbia to reach that territory and to exercise any jurisdiction over it. That being the condition of things, the government did not think, nor did any one suppose that it could be regarded as any of the functions of the government of the North-west Territories, as my hon. friend has suggested, nor could we regard it as any enroachment upon the authority of the goverment of the North-west Territories to write the Lieutenant Governor that it was not desirable that licenses should be issued by him to parties going into the Yukon district, which is nearly 2,000 miles from the seat of government in the North-west Territories. It was thought better that that matter should be left in abeyance, and that the government of the North-west Territories should practically confine their business of government to the district over which they have for several years exercised authority, and that the condition of things in the Yukon should be left to this parliament to deal with during the present session. There will be submitted to parliament this session a bill which I trust will become law, for the purpose of providing a system of government in the Yukon district, and to the authorities of that district will be entrusted so much power as it is felt that they can usefully claim and effectively exercise. I may say to my hon. friend that there is no objection to bringing down any papers which the public interest will permit that are in the hands of the government. I understand that no licenses have been issued in the Yukon district since this subject has been under consideration, and I do not think any injustice has been done to the North-west Territories in asking the Lieutenant Governor of that country not to give his assent to the giving of licenses that were to operate within the Yukon district. My hon. friend will see that the riot and disorder which might be created by the sale of liquor in that country under existing circumstances when the government felt it was responsible for the exercise of control and could exercise no control, might be serious to those who had gone to the Yukon, and deterimental to the future of that country, and that any revenue the North-west government could gain from such a source would be far more than counterbalanced by the difficulties that might arise in consequence.

Hon. Mr. LOUGHEED—Can my hon. friend inform the House who is exercising at the present time the office of Lieutenant Governor of the North-west Territories. One cannot fail to observe the fact that there is a Lieutenant Governor whose resignation we understand is in the hands of the government, but which has not been accepted for reasons better known to my hon. friend than to this House. And we also find at the same time an administrator of that government exercising presumably the functions of Lieutenant Governor. Hence we have in the territories two officials exercising presumably all the functions pertaining to that particular office. For some time it has been a matter of considerable conjecture, throughout that western country the reasons why the resignation of the Lieutenant Governor has not been accepted, we are fully aware that the government has tendered that high and important office to several gentlemen, and it has been declined apparently with thanks. We also desire to know how long the declinations of hon. gentlemen belonging to the liberal party are to be continued in regard to this particular office, how long that office is to be hawked about the country and tendered to various gentlemen occupying high positions in that party and how long the dual position so to speak, is to be maintained of our having a Lieutenant Governor there and also of having an administrator. It also appears to me to be quite an anomaly that as certain functions are vested by reason of the North-west

Territories Act in the Lieutenant Governor of the North-west Territories, who I presume has a perfect right to exercise those functions entirely irrespective of this government, that this government should interfere in the exercise of that discretion and thus prevent the executive of the North-west Territories from participating in all the advantages of those powers which have already been given them of deriving a certain revenue from licenses and permits which may be issued for the consumption of liquor in the territories. One also cannot fail to observe that the country at the present time does labour under the impression that the Minister of the Interior in addition to the Lieutenant Governor of the territories and the administrator of the territories is also exercising functions in that country in regard to the issue of permits. My attention was directed the other day and I presume the attention of the hon. gentleman also to grave apprehension in the moral circles in Montreal that the Minister of the Interior was about to supply that country with permits. If the public mind is impressed with the idea that the Minister of the Interior is going to issue a large number of permits for the consumption of liquor in the Yukon territory, the government should remove any doubt upon the question. I regret that the Minister of Justice in making his explanation did not inform the House on the point, as to whether the government is issuing licenses in the manner that is generally supposed. There is anther matter on which perhaps the Secretary of State will inform us and it comes peculiarly within the province of his office, that is as to whether the executive of the North-west government has been duly advised of the very radical change which is apparently to be made this session in abridging the limits of the territories and thus very substantially restricting the exercise of the powers of the territorial executive. If a very large and important section of that country is to be cut off from the territorial government and all the disadvantages incident to that particular step are to come into effect, I should like to know why the representatives of the territorial government are not here for the purpose of discussing this matter with the government or does the government intend to dragoon this matter through without saying a word to the territorial government and thus cut-off a very important section of the territories? These are all matters in which we are deeply interested and while not particularly coming within the scope of the question submitted to the House by my hon. friend from Wolseley (Hon. Mr. Perley) yet I think they deserve the very best attention of the Minister of Justice and this House. We should receive information at once on those important questions, particularly the one which is alluded to, namely the bill which is to be brought down this session for the purpose of cutting off the Yukon district from the territories. In connection with that fact I should like to point out to my hon. friend that he is entirely in error in saying that the Yukon district is not incident geographically to the present organized districts in the territories. I should like to inform my hon. friend that the Yukon district can be reached as readily and more securely through territorial routes than by way of British Columbia. I know this fact has become deeply impressed on my hon. friend's mind, and he has reasoned himself into the idea that it is impossible to reach the Yukon by North-west routes. I do not wish at this juncture to anticipate the discussion that is to take place on this point soon, but I should like to ask my hon. friend to keep his mind clear and not have his slumbers disturbed by reason of the belief that that particular country cannot be entered by the routes from territorial points. On the occasion of the debate, which will take place here at a very early day, the most satisfactory information will be given my hon. friend, which, I hope, may disabuse his mind of the impression which at present prevails, that the Yukon district cannot be reached through the territories.

Hon. Mr. SCOTT—I think the explanation given by the hon. Minister of Justice will be accepted by the House, that it was never contemplated that the North-west Council should have control of the Yukon district. A year ago licenses were given in that district by the government of Canada. I am quite sure those licenses were issued without protest from the government of the North-west Territories—that they considered the territory too remote for them to exercise any sovereignty. It would have taken them at any time six or eight months to reach the upper waters of the Yukon. I noticed a day or two ago in a Montreal paper

a statement made by a man who has been resident in that country, and who came down through by the Edmonton route, and who warns his friends not to undertake to travel that way, as the hardships are so serious. I mention that simply as an incident; I do not, myself, take any particular stock in it except this, that we all know that the distances are very much greater than by the sea and river routes, that the time usually occupied by the Hudson Bay people who pass over that route is at least six or seven months. That is a matter of history, and it would be idle to expect the North-west government to undertake the control of that territory at this time. The expenses are very much larger in the Yukon district than elsewhere. The hon. gentleman must know that they are far beyond anything in the organized districts. It was never contemplated that the North-west government were to exercise any jurisdiction, and as a matter of fact they never thought of exercising any jurisdiction in the Yukon district. It is only recently the question has arisen to any prominence by reason of their making inquiry as to permits. I believe at present permits are not being issued. Permits were issued last year and the year before to the two large commercial companies that were doing business there.

Hon. Sir. MACKENZIE BOWELL—By whom?

Hon. Mr. SCOTT—By the federal government. They were issued, I think, to the Alaska Commercial Company and the Alaska Trading Company. They had permits for considerable quantities, but beyond that I am not aware that any permits have been issued, except one or two last year.

Hon. Mr. LOUGHEED—That is in the Yukon district?

Hon. Mr. SCOTT—Yes, confined of course to the Yukon district.

Hon. Mr. LOUGHEED—By what department?

Hon. Mr. SCOTT—I really cannot inform my hon. friend. I presume they were issued under an Order in Council by the proper authority.

Hon. Mr. PERLEY—Did I understand my hon. friend to say the other day that Mr. Chambers of Oak Lake had received a large permit.

Hon. Mr. SCOTT—I do not think that I said that.

Hon. Mr. PERLEY—I understood the hon. gentleman to say so.

Hon. Mr. LOUGHEED—Will the hon. gentleman explain why this government issue permits, and why they request the North-west authorities not to issue any?

Hon. Mr. SCOTT—Because it is believed that the authority should be here. The territory does not in any sense belong to the North-west Territories, and could not be administered from the North-west Territories.

Hon. Mr. LOUGHEED — Territorial officials have already gone up there to exercise their offices in that particular regard. May I ask if the government was made aware that a member of the executive and also the license inspector of the territorial government have gone into the Yukon district for the purpose of administering the duties of the executive in that country.

Hon. Mr. SCOTT—Speaking for myself, I am not aware of it.

Hon. Mr. MILLS—Neither am I.

Hon. Sir MACKENZIE BOWELL—I understood the Minister of Justice and also the Secretary of State to say that, technically, the Yukon district is within the jurisdiction of the executive of the North-west Territories. It is not only technically within their jurisdiction, but is a portion of the North-west Territories territorially, and they must come within the purview of that executive, and consequently under their control and management. If that be the case, will the hon. gentleman tell us what the peculiar function of Mr. Walsh, who has been sent into that country, as the newspapers have announced, to administer law and justice—in fact, if the newspapers are to be credited, having absolute authority and power in that country? Perhaps it is just as well that the country should be informed on that point. The hon. member from Calgary (Mr. Lougheed) has told us that already there are two north-west officials there; now you have sent another official into that country for some purpose or other.

I repeat, if we are to credit the newspaper reports and the reasons given by the organs of the government, he is sent there, with almost plenary powers, to do what he pleases. If he is not, will the hon. gentleman kindly tell us what his functions are, and what his instructions are, and how far he is entrusted with the administration of law and order in that country?

Hon. Mr. MILLS—I think my hon. friend had better put a notice on the paper, and we will discuss the subject, and I will bring down any information which the hon. gentleman desires. Major Walsh is there associated with the North-west mounted police, and one of the judges of the North-west Territories is there for the purpose of administering justice under the law. I am not aware that there is any violation of any statutory law that has taken place in anything that has been done.

Hon. Sir MACKENZIE BOWELL—I did not say there was.

Hon. Mr. MILLS—Those men are there on the ground ready, perhaps, to have further duties imposed on them as soon as parliament legislates.

Hon. Sir MACKENZIE BOWELL—Then I understand the Minister of Justice to say that Major Walsh is there under instructions, and that if I move for the papers he will bring down those instructions?

Hon. Mr. ALMON—May I ask the Minister of Justice if the parties who have those licenses are permitted to sell beer and cider?

Hon. Mr. MILLS—I dare say.

Hon. Sir MACKENZIE BOWELL—I should like to have an answer to my question. I understood the Minister of Justice to say that if I moved for the papers he would bring them down. The inference from that is that there are papers and that instructions were given to Major Walsh in writing when he went to the Yukon territory, and if such be the case, he will bring them down if I move for them.

Hon. Mr. MILLS—I shall be ready to bring down any paper that can be brought down consistently with the public interest.

Hon. Sir MACKENZIE BOWELL—May I draw the inference that there are papers showing what his instructions are?

Hon. Mr. MILLS—I do not know. Major Walsh was appointed before I became Minister of Justice. If the hon. gentleman will put a notice on the paper I will comply with his request as far as possible.

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman say that such papers exist?

Hon. Mr. MILLS—I cannot state at this moment the character of the instructions which Major Walsh has received. Major Walsh is there associated with the North-west mounted police.

Hon. Sir MACKENZIE BOWELL—Cannot his colleague tell us?

Hon. Mr. SCOTT—The hon. gentleman seems to ignore entirely the condition of that country last summer, from the extraordinary manner in which he is conducting this debate. It is well known that thousands of men were rushing into that territory and that Canada's sovereignty of that country was being disputed. It became necessary for this government to act promptly and we did so in the interest of this country and to retain the sovereignty of that country by Canada. Major Walsh was selected because he was familiar with the condition of things in North-west in times gone by when there was danger of trouble there, and he was known to be a man of nerve, judgment and force of character and familiar with all the circumstances which prevail there, and so he was appointed to take charge of the mounted police in that territory. He was, moreover, directed to advise the government as his judgment might prompt him when he got there. He was to remain there until order was restored to that country, and I think the fact of his having been sent there has shown the people of Canada that no better policy could have been adopted than selecting Major Walsh and connecting him with a body of police when he went into that country. We could not wait until parliament met. Was the government to lie on its arms and do nothing until parliament met and passed an act defining what powers should be given for the administrator of the Yukon district? It was idle to talk of the North-west govern-

ment having any control there. They could not reach the country. They were two thousand miles from it. They had no money to equip any force to preserve peace and order, and so it became absolutely necessary for the government of Canada to take action, as it did.

Hon. Mr. LOUGHEED—Will the hon. gentleman cite an instance in which the sovereignty of the Yukon district was disputed beyond the boundary dispute on the coast.

Hon. Mr. SCOTT—There has been all along a boundary dispute. That dispute goes back for twenty years and for twenty odd years the government of Canada has been endeavouring to get our neighbours to agree upon a definition of the boundaries. They have not even yet passed an act confirming the 141st meredian. There is no doubt it will have to be approved, because the United States officials have acceded to the belief that the line, as run by Mr. King and those associated with him, in the true line, although they did not exactly agree. However, it has not yet been agreed to by Congress. Then, so far as the fringe of country that runs southward is concerned, that stands in the position it stood in so far back as the year 1825. No progress has been made. Looking at a United States map of that part of the country, you will find it claims 35 miles into the interior beyond where we claim the boundary should lie. Does the hon. gentleman think that the government should have leaned on their oars and waited until parliament met and passed a bill without taking any action to maintain our rights in that country.

Hon. Mr. LOUGHEED—That question is not involved in what we are discussing.

Hon Mr. SCOTT—The hon. gentleman disputed our right to do it.

Hon. Mr. LOUGHEED—My hon. friend says that for twenty years the dispute has remained the same as it is to-day, yet in the next breath the hon. gentleman raises the cry of urgency by reason of United States pretensions of sovereignty.

Hon. Mr. SCOTT—The hon. gentleman loses the whole point. Three years ago it did not involve any important question—nobody thought anything of the Yukon country then.

Hon. Mr. FERGUSON—We must be obliged to the hon. Secretary of State for the extreme lucidity of his explanation. The leader of the opposition asked if instructions were given to Major Walsh and what those instructions are, and my hon. friend informs him that the sovereignty of this country has been called in question, and that Major Walsh was sent there. He clothed those two ideas with a great many words, but that is the statement. He tells us that the sovereignty of Canada has been called in question for twenty years and therefore Major Walsh was sent there. What answer has he given to the question as to whether Major Walsh received written instructions. That is what we want to know, and whether they will be brought down as the leader of the House said they would be. In reply to these very simple and easy questions, my hon. friend, the Secretary of State, treats the House to a long history as to the sovereignty of the country being called in question for some twenty years.

Hon. Mr. MILLS—I should like to know what my hon. friend wants. I told him that Major Walsh went up into that country in connection with the mounted police for the purpose of maintaining law and order, not for the purpose of organizing an independent government there, but for the purpose of carrying on the executive government with which His Excellency the Governor General is entrusted, under the advice of his ministers here, and we fully admit our responsibility for the manner in which that duty will be discharged. If we had undertaken to clothe Major Walsh with legislative authority, the hon. gentleman might very properly have asked us for further information, but if the hon. gentleman is not prepared to show that Major Walsh has violated the law, what is the object of moving for Major Walsh's instructions? I said to my hon. friend that as far as the public interest would permit, if he would put a notice on the paper I would see that the instructions given to Major Walsh or other papers would be brought down, and I repeat that. But my hon. friend has in fact not made out a case, and when my hon. friend from Calgary says that the government of the North-west Territories are entrusted with the govern-

ment of that country, a country two thousand miles away from the capital of the North-west Territories, he is not talking seriously.

Hon. Mr. LOUGHEED—I take the hon. gentleman's own statement. About the first statement he made was that the Yukon territory came within the limits of the North-west Territories Government. Now he denies the district being within the domain of the North-west Territories. My hon. friend says that this session the government intend to bring down legislation to remedy this same difficulty.

Hon. Mr. MILLS—I said technically it came within the North-west Territories, but the government of the North-west Territories never undertook to exercise sovereignty there.

Hon. Mr. LOUGHEED—I told my hon. friend that two officers of the North-west Territories, one of them the license inspector of the territories, and the other a member of the executive, had gone up there for the purpose of enforcing the law regulating permits, and I daresay the government is aware of the fact.

Hon. Mr. SCOTT—No, I never heard of it.

Hon. Mr. PERLEY—It is within the memory of hon. gentlemen here that about the middle of February I asked a question in regard to the number of permits granted and to whom granted and the quantity, and the revenue derived from it. The hon. gentleman told me then, as he told the hon. leader of the opposition to-day, to put the notice in the form of an address. To-day that question is unanswered, excepting verbally by the hon. gentleman, who says no permits have been granted, while the hon. Secretary of State said there had been permits granted. It should not be a very voluminous document to prepare. The papers should be laid on the table of the House, and we should not be asked to take the mere verbal answer which I received the other day.

Hon. Mr. MILLS—We are not objecting to the motion. It has not yet been put by the chair.

Hon. Sir MACKENZIE BOWELL—I put the question pure and simple to the hon. Minister of Justice, and when he said he did not know, I asked if the Secretary of State, who was in the government at the time, could give the information. The hon. Secretary of State rose and gave us a long dissertation upon the question of the boundary and the dispute as to where it really exists. He did not approach the question I put, either directly or indirectly. He has an exceedingly happy faculty of evading a question of any kind by making a long speech, not at all relevant to the question asked. Can he answer the simple question, were any instructions given to Major Walsh when he left for the North-west, and, if so, were they oral or written, and, if written, will he bring them down? No; I cannot ask that question as to whether he will bring them down, because he has already answered. If such instructions exist, I will move for them. If the hon. gentleman says he went there without instructions, there is no necessity of wasting time. That is the only question I asked, and I did not ask for a lecture upon the boundary question, and when the hon. gentleman accuses me of trying to divert the debate into another line, I think he had better apply that to himself. My habit is to put questions directly, and all I want is yes or no. The next time I ask a question relating to the Yukon district, probably he will give us a dissertation on preferential tariffs or free trade, or how far the tariff affects the favoured nation treaties. The speech he made had just as much to do with the questions I asked as if he had given us a lecture upon Timbuctoo, or some other place. Can he answer the question whether Major Walsh received any instructions, and, if so, what they were? If he says it is not in the public interest that they should be made public, I will not insist.

Hon. Mr. SCOTT—The hon. gentleman knows that no single member of the government is aware of every act that has been done by the administration. I know generally of the sending of Major Walsh there. At one time the Americans said that Dawson City belonged to the United States.

Hon. Sir MACKENZIE BOWELL—What has that to do with your instructions to Major Walsh?

Hon. Mr. SCOTT—It had to do with sending Major Walsh there as the best man to be selected, and he was sent there because he was familiar with the North-west and a man of energy and good judgment, in whom we could place confidence, and he was sent there with general powers to represent the government of Canada in its executive capacity, having under him the control of the North-west mounted police.

Hon. Mr. McCALLUM—Did he go there with any instructions, or had he a roving commission to do as he pleased?

Hon. Mr. SCOTT—I am not here to answer the question.

Hon. Mr. McCALLUM—You are here to answer questions put to you, when they are asked in the interest of the people of this country. That is what I consider you are here for, and not to make speeches and endeavour to get away from the question. It seems to me the government must have instructed him or given him a roving commission to go and govern that country and do just as he pleased. I do not think they would so far forget themselves as to give Major Walsh a roving commission. We all approve of Major Walsh. I believe he stands well amongst the people of this country and they have every confidence in him, but I cannot think that they sent him away without giving him instructions as to what to do. From the remarks of the hon. gentleman one would think they sent him with a roving commission to do just as he pleased.

Hon. Mr. SCOTT—Nothing of the kind.

Hon. Mr. McCALLUM—Certainly, they must have instructed him, and there may be something in the instructions that the minister might say it would not be prudent to tell. That is all right. But either they instructed him or they did not instruct him. If they instructed him the instructions should be laid on the table; if not, they have given him a roving commission to go and do as he pleased.

Hon. Mr. MILLS—No, of course not. My hon. friend knows that when Major Walsh goes there, he goes to act under the law and in accordance with the law; we could not protect him if we instructed him to violate the law, and that we have not done. My hon. friend knows, as my colleague has told him, that Major Walsh went there for the purpose of maintaining law and order. He went there at a critical period, when the city of Dawson was claimed to be within the United States Territory.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman does not mean to say that that is the reason, surely.

Hon. Mr. MILLS—I mean to say that is one of the reasons for sending him there. I mean to say, further than that, they claimed the territory of Bennett Lake and established a municipality there, and we sent our police force to a point to the south of Bennet Lake to maintain our authority, and we wanted a prudent man, a man who would make no mistake, in whose judgment we had confidence, and upon whose judgment we were called upon to rely. Under the circumstances we did what was best in the case, and what has happened so far has shown that it was best. There has been no disorder, there has been no complaint. Our authority has been maintained and that authority has been respected. I think that is the best vindication of the wisdom of the choice we made, and I have no doubt that the judgment of this House and the country will approve of what we have done.

Hon. Mr. LOUGHEED—Assuming for a moment that my hon. friend is correct in the statement that the United States claim Dawson, and possibly were in possession of it, I presume my hon. friend will admit that the instructions to Major Walsh would be to take Dawson.

Hon. Sir MACKENZIE BOWELL—The hon. minister has excelled altogether the Secretary of State in his attempt to answer a question. The hon. gentleman tells us that Major Walsh was sent out there because the United States government claimed Dawson.

Hon. Mr. POWER—I rise to a point of order. There is nothing before the House and the discussion seems interminable.

Hon. Sir JOHN CARLING—I move that the House do now adjourn.

Hon. Sir MACKENZIE BOWELL—Before the motion is put to the House I

desire to call the attention of the Minister of Justice to a statement he made just now that Dawson had been claimed by the United States government as part of their territory.

Hon. Mr. MILLS—I did not say so.

Hon. Sir MACKENZIE BOWELL—What did the hon. gentleman say?

Hon. Mr. MILLS—I said it was claimed as a portion of the United States, not that the United States claimed it.

Hon. Sir MACKENZIE BOWELL—It has not been claimed by any other country, and, therefore, he must have referred to the United States. The hon. gentleman said that Major Walsh was sent there to maintain law and order.

Hon. Mr. ALMON—I rise to a question of order. The motion before the House is that the House adjourn. I should like to know if that motion is carried, would it be considered a vote of want of confidence?

Hon. Sir MACKENZIE BOWELL—I am quite willing to yield to the decision of the Speaker as to whether the point of order is well taken or not. If the hon. gentleman had studied parliamentary practice he would know that a motion to adjourn to enable a member to discuss any question he pleased. I would like to call attention to the absurdity of the position taken by the Minister of Justice. The mounted police were sent into that country to maintain law and order over three years ago, and duplicated, or perhaps quadrupled since that period as the population have flocked into that country. That they are entitled to all the credit that they claim in taking steps to maintain law and order in that country, I deny. Major Walsh is not there, so far as we know, and consequently he could have done very little in accomplishing the object for which he was sent. I do not desire to discuss that question at all. All I want to know is whether instructions were given to him and what they were. The Secretary of State laid down an extraordinary doctrine. He said, "you know," pointing to me—"that every member of the cabinet cannot know what is being done by each department." I admit that in all matters of detail there is a certain power an authority vested in each minister to administer the details of his department, but in no case is an important question, like the one now under discussion, done departmentally without the knowledge and consent and instructions of the cabinet itself, after having met the approval of the Governor General; and yet the hon. gentlemen tell us it is impossible for him to know. It seems to me he is assuming for himself the position assumed by his colleague, who was not in the government at the time. This is a question that every minister should know, and it should have been discussed by Council—and I have no doubt was discussed by Council—before any decision was arrived at as to whether Major Walsh should be sent or not. If my hon. friend the Minister of Justice had said "I am not acquainted with these details," I could understand it, because he was not then a member of the administration. But the Secretary of State rises and proves to the House that he knows nothing at all of the principles on which our government is carried on. If he does not know will he kindly inquire and inform the House.

Hon. Mr. SCOTT—This debate shows how improper it is to depart from the rules laid down. When important papers are asked for, the true way is to put a notice on the paper and members of the government have an opportunity of informing themselves whether those papers exist or not and whether they should be produced.

Hon. Sir MACKENZIE BOWELL—I asked whether any such papers existed. All the hon. gentleman had to say is yes or no.

The motion was withdrawn.

INTRODUCTION OF GOVERNMENT MEASURES IN THE SENATE.

INQUIRY.

Hon. Mr. MILLS moved that the House adjourn.

Hon. Mr. FERGUSON—I would like to call the attention of the hon. leader of the House to an assurance that he gave some two or three weeks ago across the floor of the House, in reply to a question of my hon. friend from Murray Harbour (Mr. Prowse), with regard to the introduction of some important government measures in this branch of parliament. From that time we have not heard anything further upon the matter. It

is of very great importance indeed, in order to relieve the other branch of parliament of a part of their work, and in order to give this House the position which it ought to hold in the legislative work of the country, that the government should introduce measures on the programme in this end of the building. And while I am speaking of that, I would refer particularly to the Plebiscite Bill, a measure that has been, we know, very strongly promised by the government, referred to, if I remember right, in the speech at the beginning of this session, and one that this House would be perfectly competent to deal with in the first instance. I wish to know not only whether that bill will be introduced in this end of the building, but also when the government propose to introduce it. When will it be introduced, either here or elsewhere?

Hon. Mr. MILLER—I am very glad the hon. gentleman has brought this subject to the notice of the House. During the past years, on frequent occasions since confederation, this subject of introducing more legislation into this branch of parliament has frequently been discussed in this House and very fully discussed, and I do not think that any satisfactory reason has ever been given why more of the government bills are not introduced into the Senate than we are in the habit of receiving here. We are promised a great deal of legislation for this session—I am afraid more than we are likely to get through, and one bill which has just been alluded to might be introduced into this House. But instead of making an endeavour to initiate legislation here it seems to be more and more the course every year to allow all important legislation to originate in the other House. I think the government, if it tried, could introduce many important measures that parliament is called upon to pass, in this House. We have a great deal of time in the early part of the session which could be spent in considering important bills, whereas they come to the House late in the session when members are tired out with the monotony of a long session, perhaps in the hot weather, and we have to rush the bills through at railroad speed. We have not time to give them that consideration which it is the special duty of this House, as a court of revision to give to these bills, and as now we are starting with a new Minister of Justice and a new government, I desire to press upon the leader of the House, as I have frequently done in former years, to distribute that legislation, allot more of the public measures which it is the duty of the government to bring before parliament to this House. It would tend to the more speedy passage of legislation, and would give this House the position it ought to occupy in the eyes of the country as a useful branch of the legislature. The subject is well worthy the attention of the minister, and I hope the minister will give it the consideration it should receive.

Hon. Mr. MILLS—I may say, in reply to the hon. gentleman from Richmond, that I told my hon. friend here before the adjournment that I hoped some measures of the government would be introduced in this House this session. I am still of that hope and trust at no distant day that some measures will be introduced here. But my hon. friend can well understand that there are nearly a dozen ministers in the other chamber and there are but two here.

Hon. Mr. MILLER—We should have more ministers in this House.

Hon. Mr. MILLS—And the natural consequence of that is that nearly all the government measures are introduced in the House of Commons. Every minister, in the first instance, is desirous of initiating those measures which specially concern his own department which he is supposed to have special charge of. If hon. gentlemen will look at the measures introduced this session, the Yukon Railway Bill is a bill relating to the Department of Railways and Canals, a bill affecting the public domain and properly belongs to the other chamber. Then, again, take the Franchise Act, my hon. friends would not expect a measure on that subject to be initiated in this House. Take again the bill relating to the payment of judges' salaries and the increase of the numbers of the courts. Hon. members would not expect that measure to be introduced here.

Hon. Mr. MILLER—That is trifling.

Hon. Mr. MILLS—It relates to the expenditure of public moneys. And so with many other measures of the government. Whether the plebiscite is a proper measure to introduce here, I am not prepared to say.

It may be. That will depend partly upon the form of that measure, and until everything relating to these measures is settled by the government, it is impossible that I can answer my hon. friend with regard to any of these measures as to whether they will be introduced into this chamber or not.

Hon. Mr. FERGUSON--The hon. gentleman has not answered a part of my question. In addition to asking him whether the Plebiscite Bill would be introduced here I wanted him to tell the House whether it would be introduced at an early date either here or elsewhere.

Hon. Mr. MILLS—I think so. I think within a fortnight it will be introduced in one House or the other.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 14th March, 1898.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A QUESTION OF PRIVILEGE.

Hon. Mr. KIRCHHOFFER—Before the Orders of the Day are called I should like to make a few remarks. It is not very often that I take any notice of what appears in the newspapers, but a cutting has just been placed in my hands which I think requires some notice, because there are details in connection with it which will be required to be looked into. The cutting is as follows :—

A $300,000 BRIBE FOR THE SENATE.

(Special to the Journal.)

TORONTO, March 13.—The *World's* Montreal special correspondent says a fund of $300,000 has been raised to bribe the Senate to pass the Yukon Railway Bill.

I have always understood that there were good chances of making money out of politics. Personally, however, I have hitherto had the hardest kind of luck. Possibly that may be because in my profession it is not perhaps one of the vehicles or contingencies under which the great spending of money arises. Had I had the good luck to be a railway contractor, or perhaps a book publisher, I might have had a chance of some of the soft snaps, the fat things that are lying about loose with a good rake off possibly attached to it. But as far as I am concerned in my political career I have never seen one single opportunity in which there was a chance for the boy. Now, however, an opportunity seems to present itself, and from the way in which it has come up it would appear as though care had been taken that this matter should be placed upon a basis where "business is business." I do not know exactly whether we are going to be able to seize the opportunity to take advantage of it or not, but I have taken the trouble to look up the amounts which should be distributed amongst those of us who are entitled to share in this allotment. I do not consider that the Liberals are entitled to anything at all. They will be obliged, necessarily, you know, to vote for this bill without any fee at all, free of expense. Taking their numbers, as the House appears to be constituted since the reform of the Senate which we have heard so much about, I would place the number at 20. That would leave a remnant of 64 amongst whom the nest egg should be divided, and a small computation will show that that would allow about $4,720 apiece. I do not think it is enough. Considering the magnitude of the undertaking and the great interest involved, I think we should make a strike and not act for less than $5,000 each in round numbers. But seriously, hon. gentlemen, does not the House think it is scandalous and monstrous that such a thing should be allowed to be published in one of the newspapers of the country, and to be circulated abroad from one end of the country to the other, not only in this country, but also in the United States press, and possibly find its way into the English newspapers. Supposing the contingency should arise, that this bill were to pass through this House, a great many people will take this report in dead earnest. There is not one of us here which has ever declared himself opposed to it, and if we saw fit to change our views

by reason of an amendment or alteration in the bill, we would be at once stigmatized as corrupt and accused of being bought. It is monstrous, and some means should be devised whereby punishment should be meted out to any newspaper which publishes such a gross and scandalous libel upon any respectable body of men.

Hon. Mr. MILLS—It is to be regretted that the Senate should take notice of this matter at all. The statement is so monstrous, that the public are not likely to give much credence to it, and very few journals would publish it. But my hon. friend, in introducing the subject here, may give to it a very much wider publicity than it would be otherwise likely to acquire. The self-respect of the Senate and its standing in the public estimation, so far as a matter of personal integrity is concerned, is such as to protect it against such a statement until there is something very much more favourable to it than its appearance in the *World*. The *World* is a very sensational journal, and, of course, anything that will give notoriety to it and induce parties to subscribe that might not otherwise do so, may there find admission. I am sure of this, that the public at large will believe that the Senate are not likely to be influenced in its judgment by considerations of that sort, and that neither contractor, nor publisher, nor anybody else is likely to approach the members of this Senate with a view of influencing its members by any corrupt consideration.

DISMISSALS IN BELLEVILLE POST OFFICE.

MOTION.

Hon. Sir MACKENZIE BOWELL moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid on the Table of the Senate :

1. Copies of all complaints, whether by affidavit or otherwise, made against Mr. John Taylor, late postmaster of the city of Belleville.

2. Copies of all Orders in Council authorizing the reducing of the post office in Belleville from that of a city to a town office.

3. The names of the employees of said office who were dismissed, their ages, length of time each was in the service of the Government, the amount of gratuity paid to each who had not served ten years, and the amount of superannuation allowance allowed to each clerk who had served ten years and over.

4. The names of those who were re-appointed, and the salaries now paid them, in addition to their superannuation allowance.

5. The reasons why Miss I. M. Newberry and W. B. Walker were not re-employed, and two new and inexperienced clerks appointed in their stead.

6. And copies of all correspondence, between members of the Reform Association of Belleville or any other person or persons, in relation to the reduction of said office from a city to a town office, the removal or dismissal of the postmaster or any of the clerks of said office, and copies of all records, if any, of the deputations which visited Ottawa in connection with the business of the said office.

This question is purely a local one, I admit, but there is a very important principle involved in the action taken by the government in the reduction of the Belleville post office from a city to a town office, and the mode adopted for getting rid of the postmaster, the dismissal of the clerks, the reappointment of some of the old clerks, the appointment of some new clerks, and allowing others to remain dismissed without any cause, though they agreed and were willing to accept their old positions under the salaries which were paid to the new officers ; and also a principle involved in the use to which the Superannuation Act was put in the carrying out of the new policy of the Post Office Department. I do not know that I should have brought this matter before the Senate were it not that I find that in the remarks which I made in discussing the address in reply to the speech from the throne, I used the following language in speaking of the different measures to be introduced, or which were promised by the Governor General :

The manner in which the Superannuation Act has been abused within the last twelve months should induce its strongest advocate to suggest some changes, I shall take occasion to bring before the House one illustration, at least, in my own city of the manner in which the Superannuation Act has, to my mind, been most grossly abused.

The facts which I propose to lay before the House may induce some members, who might be favourable to the continuation of the Superannuation Act now upon the statute book, to vote for the repeal of that Act or the amendments to it which it is proposed, as I understand, to be made by the Postmaster General. Now the facts are simply thus : Belleville was erected into a city post office some years ago, a postmaster was appointed, a deputy postmaster and a number of clerks. It is contended that the erection, in a place of that size, of a town

office into a city office imposed a very heavy expense upon the revenues of the country, heavier than the amount paid to officers who were remunerated by fees and were termed town officers. That proposition I believe to be correct, and the Post-Master General in his wisdom thought proper to adopt that principle as his policy he says, in connection with his office. Had he done so throughout the whole Dominion I do not know that, as a citizen of that city, I should have had personally any complaint to make, but the primary cause which led him to that conclusion, and I believe to that policy, was for one purpose solely, and that was to get rid of what was alleged to be an offensive partisan in the person of the post-master. My information is that affidavits were made against the postmaster and filed in the office, but upon inquiry it was found that there was not a scintilla of truth in the complaints which had been made; that in fact his only offensive act was to drive three miles from the city to vote in what is known as the east riding, and that he had not only voted himself but that he had carried a voter to the polls. He did vote himself and he carried a voter to the polls, but it happened that while he was driving to a little village called Canniffton to record his own vote, he picked up a neighbour, a personal friend, who was a Liberal. He asked him if he was going to Canniffton to vote, and he replied yes. He took him in his buggy and they both went to the polls, one voted for the Conservative candidate and the other for the Liberal candidate. That is the nature of his offence. These facts coming, as I am informed, to the knowledge of the Postmaster General, he declined to dismiss Mr. Taylor. A party through the Reform Association insisted upon the removal of that gentleman from the office of postmaster, and there was no other mode of meeting that request than by the abolition of the office as a city office. If I am correctly informed, the Postmaster General put his foot down pretty firmly, and said he would not dismiss him upon the grounds which had been laid before him, but that he could meet their views by reducing the office from a city to a town office, and thereby remove all the officers from the postmaster down, and then in the reappointment he would not appoint a new postmaster, but would place the business of the office in the hands of the deputy postmaster and give instructions to the acting postmaster, who was the deputy and who is now in charge of the offices, to employ under the percentage system such other officers as he thought proper, but he must take the recommendation and meet the views of the Reform Association of the city in whatever appointments he made. The reduction took place, every official in the office was removed (if you like to so call it) or dismissed, the office was placed under the management of the deputy postmaster at an increased salary; he re-employed, I suppose with the consent of the Reform Association, such of the old clerks as he thought proper at a reduced salary. There were five dismissed, of whom the post-master and four of the clerks were not re-employed, as he considered it was not necessary to employ them all. Two of the clerks were not re-appointed. One of these was a young lady, who was at the time and had been for years, the principal support of a widowed mother, she was not reappointed but was put upon the superannuation list, to which I shall refer later, and I think I will justify the remarks I made in the discussion on the address which I have already quoted, that it was a gross abuse of the Superannuation Act. She was left out and a very amiable but inexperienced young lady was placed in the position. She happened to be the daughter of a former president of the Reform Association, a man well to do and carrying on a large business in the city. The young lady who was dismissed was the grand-daughter of a former member of the old parliament of Canada, the late George Benjamin. Mr. Benjamin had been a conservative, and I suppose the fact that she was his grand-daughter was the cause of her dismissal, although she had been the mainstay of her parent. Since then she has had to go and live with her brother and the family has gone to Nebraska. Of the other two, one a young man, happened to be a conservative, he was not re-employed. He also had helped to maintain his father and mother. Now let us look at the manner in which the super-annuation funds has been used to carry out this policy. Those who are acquainted with the principles of the Superannuation Act know that an officer has to serve ten years before he is eligible to be retired under the Superannuation Act. If a clerk or official is dismissed or removed, if not for good cause, if it be in view of economy or for the efficiency of the office, there is generally a gratuity granted to the individual. In the

present case we find the postmaster was dismissed, and that I may say further he did not receive notice of his dismissal until after he had entered on his duties for the month, though his dismissal took place from the first of the month. It was not many days I admit, and I may say in justice to the Postmaster General that when I called his attention to that fact, he said he was not aware of it, and that he would see that the postmaster was paid for the month in which he had entered on his duties. The deputy postmaster was receiving $1,350 a year; he is now doing the duties, as I was told, at $1,600, an increase of $250. I have been informed since that the salary is only $1,550, consequently I make both statements as I heard them. The Postmaster General says $1,550. Those in Belleville who ought to know say he is getting $1,600. However, that is a matter of little consequence. He has been placed on the superannuation list, being only thirty-seven years of age, he has served fifteen years and three-quarters of a year, and his superannuation allowance is $400 per annum, but he does not draw that $400 during the time that he remains managing the office at the $1,600 a year. Alfred Gillan was a second class clerk, thirty-nine years of age, who had served fifteen years and three-quarters. His salary was $1,200 a year, and at that age he is retired at $360 a year, during the whole of his life. This young gentleman was re-employed at $400 a year. All the new clerks were employed at $400 a year, but he draws in addition to that his superannuation allowance; and if you like to make the calculation, taking his age and robust health, it is an investment to him, if he were buying an annuity, of about $10,000 out of the public revenue. Mr. Walker, who was also dismissed was thirty-four years of age. He was employed thirteen years and three-quarters. He was receiving $800 per annum. His superannuation allowance, as long as he lives, is $208. This is one of the young gentlemen who was not re-employed. W. J. Embury was forty-one years of age. He was twelve years in the service. He drew $800 per annum, and now a superannuation allowance during the balance of his life of $204.52. Miss Newberry was forty-three years of age, thirteen years in the service, at a salary of $800 per annum, and she draws $207 during the remainder of her life from the superannuation fund. Mr. Lynch was thirty years of age, had been twelve years in the service and had $800 salary. He draws $186.66 and was re-employed at $400. Mr. Reeves was twenty-eight years of age, seven years and nine months in the service at $600, received a gratuity, not a superannuation, of $304.66, and was re-employed at $400 per annum. Mary Kennedy, 34 years of age, 4½ years in the service, received a gratuity of $187.77, and was re-appointed to the service at $400. Mr. Hargraves, who was 26 years of age, and had been 4½ years in the service, got $91.61. John Taylor, the postmaster, employed at $1,400 a year, was dismissed. Not having been in long enough, he received neither gratuity nor any other consideration—not even pay for the month on which he had entered when he received notice of his dismissal. This places an annual charge upon the superannuation fund of $1,566.79, in addition to the $585.04 of gratuities. I have already mentioned that Mr. Duncan, the acting postmaster, does not receive his superannuation allowance during the time that he is employed in the office, but he is a young man of only 37, and should he leave the office to-morrow, there will be that charge of $400 per annum against the superannuation fund during his lifetime. If you take the amount paid for superannuation and capitalize it at three per cent, you will find it represents a capital of $52,200, and if you deduct the $400, which is not paid during the continuance in office of Mr. Duncan, it would represent a capital of about $40,000. I ask any reasonable man whether, under these circumstances, the action of the Postmaster General is not an abuse of the Superannuation Act? The Postmaster General wrote a letter to the editor of the Belleville *Sun*, which had been, for some time, what is termed an independent paper—that is, independent in politics—until the last election took place, and then it avowed itself a supporter of the Hardy Government and of the Dominion Government, and is now a full blown Grit sheet. I will read one extract from the Postmaster General's letter, in which he attempts to give a reason for the course he pursued:

> Perhaps I may take a wrong view of my duty as Postmaster General, but I think I am bound to place the public money which parliament has placed at my disposal as head of this department in such a way as will produce the best results to the public at least possible cost. My position is a public trust, and I

have no more right to allow the public funds placed at my disposal to be wasted than a private trustee has to allow the private funds in his hands to be wasted.

The principle laid down in this paragraph no one will object to. It is not only a policy, but it is the principle on which every minister should administer the affairs of his department. I fully concur in all he says, but I cannot help thinking that the statement in the lights of events partake a very great deal of the nature of that famous character in one of Dickens's works known as Pecksniff. He was a very honourable man, a very grave man, and a man of noble sentiments and speech; so is the Postmaster General as portrayed in the paragraph which I have read; and if he acted upon that principle—as I will prove before I get through he has not done—every man in Canada would approve of his policy. But the position he occupies in this matter of the reduction of one city post office to a town office, and the reason he has given in the paragraph, I think is somewhat analogous to the answer given by Dr. Jonson when he was asked why he mis-spelt a certain word in his dictionary, his reply was, "Ignorance, sheer ignorance." So it is precisely with the Postmaster General in this matter, either that, or he has selected a conservative city, represented by a conservative, for the purpose of punishing and degrading the Belleville post office from a city office to a town office; or he did not know, or never took the trouble to inquire into the relative position, so far as expenditure is concerned, between the city of Belleville and the other city post offices in the Dominion of Canada. I may say, before leaving this point, that the Postmaster General in this same letter has selected other places—Brantford, Brockville, Chatham, Galt, Guelph, Peterborough, St. Catharines, St. Thomas, Stratford, Woodstock—all town offices—and he has compared the percentage of expenditure with the receipts of the post office at Belleville, and that alone. If he had desired to make a fair comparison—I was going to say an honest comparison—he should have taken the different cities in the Dominion. The cities are placed under the Civil Service Act, and I admit they are much more expensive than when paid as the offices to which I have called attention; and more than that, if any one will take the trouble to look at these towns that he has selected, he will find that the correct figures are not given, the contingent expenses not being added to the general expenditure, and thereby making the percentage much less. Let us look at the different city post offices in the whole Dominion. I have in my hand a statement showing the offices, the revenue, the salaries, the contingencies, the total paid, the net revenue, and the percentages. I will not weary the House by reading all these figures, but will hand it to the reporter, and content myself with giving the cities and the percentages which will be sufficient to establish the point which I make.

Office.	Revenue.	Salaries.	Contingencies.	Total Paid.	Net Revenue.	Per Cent.	
Toronto	$361,388 17	$147,156 47	$ 7,877 70	$155,034 17	$206,354 00	42⅝	
Belleville	16,235 58	8,540 81	268 80	8,809 61	7,426 07	54	
Kingston	25,473 05	19,990 46	559 90	20,550 36	4,922 69	80	
Hamilton	82,631 22	53,650 00	2,149 15	55,799 15	26,832 67	67	
London	60,867 50	36,295 32	1,210 50	37,505 82	23,361 68	61	
Ottawa	66,281 30	61,960 60	5,040 97	67,001 57		101	Loss $720.27
Windsor	16,069 49	10,700 00	662 11	11,372 11	4,697 38	70	
Montreal	311,701 70	152,928 93	20,050 17	172,979 10	138,722 60	55	
Quebec	43,945 80	39,147 61	3,293 39	42,431 00	1,514 80	96	New office.
Sherbrooke	16,029 93	5,471 87	616 70	6,088 57	9,941 36	38	
Fredericton	12,603 69	6,978 00	95 23	7,073 23	5,530 46	56	
St. John	53,463 84	38,129 94	2,067 70	40,197 64	13,266 20	75	
Halifax	66,468 13	35,565 31	1,753 23	37,318 54	29,149 59	56	
Charlottetown	15,191 35	16,278 03	1,107 86	17,385 89		111	Loss $2,194.54
Winnipeg	91,417 34	39,504 98	1,558 88	41,063 86	50,353 48	44	
Vancouver	32,653 08	12,316 41	546 92	12,863 33	19,789 65	39	New office.
Victoria	41,509 08	23,749 86	797 28	24,547 14	16,961 94	59	

It will be seen from these figures that the expenditure in Toronto was 42⅝ per cent of the whole revenue, which I may say was $361,388.16, and the salaries were $147,156.47 and so on. Belleville was 54 per cent of the

total revenue collected. Kingston was 80 per cent; Hamilton was 67 per cent, London, 61 per cent; Ottawa, 101 per cent, that is one per cent more than they actually collect; Windsor, 70 per cent; Quebec, 96 per cent; Sherbrooke, 38 per cent; Fredericton, 56 per cent; St. John, N.B., 75 per cent; Halifax, 56 per cent; Charlottetown, 114 per cent, being just 14 per cent more than the actual collections. I think I can give a reason for that after I have referred to the others. Winnipeg, 44 per cent; Vancouver, 39 per cent; Victoria, 54 per cent. The House will see that I have taken the city offices in the Dominion, and that there are only three which cost less than Belleville. Windsor is 70 per cent against the 54 in Belleville. You must bear in mind that Windsor is represented by Mr. McGregor, and he is a very ardent and zealous supporter of the government, ergo his city should not be interfered with. Kingston 80, and Kingston is represented by Mr. Britton, another ardent and devoted supporter of the Grit party. St. John is 75 per cent as against 54 in Belleville. That city is represented by Mr. Ellis and Mr. Tucker, two supporters of the government. Quebec shows 96 per cent expenditure on the revenues received against 54 in Belleville, and that city is represented by the Right Honourable Sir Wilfrid Laurier, and Mr. Dobell, and Mr. Malouin, all of them may be considered as very ardent supporters of the government. Charlottetown is 114 per cent represented by Sir Louis Davies. You must bear in mind, and I desire to be fair in giving these explanations, the inspector of the island and the postmaster at Charlottetown are one and the same person, so that if Mr. Brecken who is the postmaster of Charlottetown, were merely the postmaster according to the Civil Service Act he could only get $1,400 a year, or at the option or will of the postmaster it could be increased $1,800. So that even if you take the $2,000 or $2,200, which he receives and deduct that, and appoint an inspector and appoint a postmaster at the Civil Service salaries, then the expenditure would be greater than the income. We have in this table 75 per cent, 80 per cent, 90 per cent, and 114 per cent of expenditure in some of these places as against 54 per cent expended in Belleville. In view of these facts you may very naturally ask why is Belleville selected if not for political reasons? If the policy (to which I do not think many of us would object) is to be carried out of reducing the expenditures in the different offices, why has it not been extended to the city offices to which I have called attention? No one can come to any other conclusion than that at which I have arrived, that the Reform party in the city of Belleville, and its vicinity, determined to get rid of the man who was postmaster and whom they did not like, although not a single word can be uttered against him, so far as the performance of his duties is concerned, during the time he was in office. He is a most estimable man who has never given offence to anybody. His political crime was what I have called attention to nothing more. That this policy applied to the city of Belleville met the disapproval of the respectable portion—I am speaking politically now, I do not desire to be understood in any other sense—of the city of Belleville is evidenced by the fact that letter after letter was sent, and deputation after deputation interviewed the Postmaster General protesting against the policy which he was pursuing and the treatment which had been meted out to these different officers. If there was no political bias, if there was no political reasons for carrying out this principle, "to the victors belong the spoils," then the two clerks to whom I have called attention would have been re-employed. This young lady, Miss Newberry, and Mr. Walker said to the deputy postmaster, "we are quite willing to go back to the office and accept the salaries which you offer of four hundred dollars per year," which, with the superannuation they were drawing, would not be as much as they had been receiving previous to being placed on the superannuation list. If it were for any other reason than meeting the political requirements of the party they would have been taken back. They were certainly the most efficient members of the whole staff. Mr. Thos. Ritchie, the largest importer in Belleville, who was president of the Board of Trade and a candidate in the Liberal interest in the last election against Mr. Henry Corby, was so disgusted with the whole conduct and policy of the government in this matter that he published the following letter in the newspapers:—

To the Editor of the *Intelligencer*.

SIR,—As I am informed that my name has been connected in public talk about town with the late changes in the post office, it becomes a duty for me to

state my position, not in order to vindicate myself, which is a matter of very little consequence, but to exonerate the great body of honourable electors in this city from the odium that it is sought to attach to them on account of the action of a certain few, who are popularly supposed to represent them.

Having had experience of the honourable bearing of most of those who supported me at the last election for the Commons, I am confident in asserting that fully ninety-nine in a hundred of these electors of West Hastings would have proposed just as I had suggested respecting contemplated changes in the Belleville post office. I may say that I was scarcely consulted at all in the matter, but the opinion I gave to those who did ask it was this, namely,—that if it was found necessary in the public interest to reduce the expense of the office here (which I understand all parties thought excessive), it would be better, under the circumstances, not to alter the status of the office in the Civil Service, but to reduce the staff if it was apparent that more were being employed than were needed. On the other hand, if the Postmaster General, who is the responsible head, insisted on taking the office out of its present standing, that then in that case the postmaster ought to be directed to employ what help was needed from the existing staff of employees if willing to accept the salary provided and were found capable and efficient.

Yours respectfully,

THOS. RITCHIE.

I may say those were the views of Conservatives and Liberals alike. There was scarcely any one in the city who did not think there were more officers in the service than were absolutely necessary, and had the policy of the Postmaster General been carried out generally, no fault would have been found. The Postmaster General's defence of the action which has been taken is simply this, that he desires, as a trustee of the public funds, to administer the affairs of his office at the lowest possible expenditure. To that policy no one will object. Had he reduced all the offices to which I have called attention and placed them in the same category, with the exception perhaps of Ottawa, Montreal and Toronto, no one would have found fault with him. It is only justice that I should say here that the excuse for keeping Windsor in the position it occupies—although it is not a legitimate excuse—is the fact that it is a large distributing office immediately on the frontier, receiving largely mail matter from the United States. We can readily understand also how it is that the expenditure in the Ottawa post office exceeds the income. It is on account of its being the seat of government, and large quantities of mail matter pass through, as you are all aware, without paying postage. I have already given a reason which has been advanced why the expenditure in the Charlottetown post office exceeds the revenue, but there is no reason why, in all other cases, they should not be reduced in the same manner that the Belleville office has been reduced, if the Postmaster General intended his policy to be honestly carried out. The defence put in by the Postmaster General with reference to these reappointments is, that having reduced the Belleville post office to a town office, he left the reappointment of the different clerks to the acting postmaster; but when the papers come down you will find that when that instruction was given to the present acting postmaster (for a postmaster has not yet been appointed), a proviso is made in the letter, that in any appointment which he makes it must be made in accordance with the recommendation of the Reform Association of Belleville. The Reform Association of Belleville met in solemn conclave, this little knot to which Mr. Ritchie refers, and with whom he is not at all in accord, and insisted that these two parties to whom I have referred should not be reemployed, but that a son of a Grand Trunk employee, who is a Liberal, should receive one of the positions, and that a daughter of a former president of the Reform Association and a former defeated Liberal candidate in West Hastings, should have the other, depriving the young lady and young gentleman, who were the partial support of their parents, of the positions which they had held. I have also shown you that the policy has not been carried out in other cities. There are only three of the whole of the city offices in the Dominion whose expenses are not proportionately greater than those of Belleville, but fortunately for those cities they are represented by Liberal members; and you can easily understand that if the Postmaster General proposed to reduce Charlottetown to a town office, what a hue and cry there would be from Sir Louis Davies. You can readily understand, if it were proposed to reduce St. John to a town office, what a protest would come from the two gentlemen who represent that city in the House of Commons. So in the case of Quebec, what a protest there would be from Mr. Dobell and Mr. Malouin if Quebec was to be degraded from a city office to a town office for the reason assigned by the Postmaster General in the case of Belleville, that it would cost the country a great deal less to manage the business of these different offices under the new system than under the present system. Now, I am not defend-

ing the present system and I am not condemning the Postmaster General for having adopted a policy by which money may be saved to the revenue of the country; but I condemn him for selecting one city, because that city happens to be represented by a Conservative, and making an example of it, and leave all the others unchanged; and I condemn him for placing in the hands of any association the right to say to the postmaster whom he shall employ and whom he shall not employ, thereby delegating to others the power and the responsibility which devolves upon a minister of the Crown. You will find when these papers come down that what I have stated in reference to the instructions is literally correct. The office has been reduced and some four or five officers have been placed on the superannuation list, none of whom are fifty years of age, and that the sums paid them represent an amount, if capitalized, of some forty to fifty thousand dollars which is added to the public debt. If that is the manner in which the Post Office Department, or any other department of the government, is to be managed the sooner the government change their policy, or the sooner there is a change of administrators, the better it will be for the country. I wish it distinctly understood that I find no fault with a policy of economy, if the Postmaster General carries it out fairly and honestly, but I do object most decidedly that one city in the whole Dominion should be selected for the application of this policy when there are only three other cities whose offices cost less than the city of Belleville. I have made this explanation why I have moved for these papers in order that the whole of the facts may be before the public. I know what the government's defence is—economy. I say carry it out, and the Postmaster General will not find me or the people of Belleville though opposed to the government, condemn it; but as long as it is confined to one locality while others cost the revenue more, I say it is a gross injustice to the people and a flagrant violation of the principles of the Superannuation Act.

Hon. Mr. MILLS—Hon. gentlemen, I have listened with attention to the address to the House, on this motion, by my hon. friend who asked for information in respect to the Belleville post office and I trust that we shall be able to comply with the hon. gentleman's wishes. My hon. friend omitted to call attention to the fact that those regulations, so far as they extend to city offices, were made under a former administration, and that if there was any extravagance, any impropriety in the regulations that were made in respect to Belleville, they were not to be charged upon the present Postmaster General but upon those who preceded him in office. My hon. friend also failed to call the attention of the House to the fact that there are a good many cities in Canada to which this rule was not applied, and that although they were allowed to stand, in so far as their postal accommodation was concerned, in the condition of town offices, they nevertheless were cities, and that the Postmaster General was justified in the course which he has taken in respect to Belleville I think is abundantly evident from the relations which will be found to exist between the revenues and expenditure in a large number of offices which are similar in their circumstances to the city of Belleville. What my hon. friend has complained of really is, that the present Postmaster General has not extented to other cities the same rule which he has introduced in respect to Belleville, that is, that he has not undone the work of my hon. friend and those who were associated with him in the government that preceded him in office to a larger extent than this to the present moment. My hon. friend will be better able to criticise the Postmaster General in that direction when he sees really what the Postmaster General, when he becomes thoroughly conversant with all the business of the office, is able to accomplish in that direction. My hon. friend said the Postmaster General was actuated altogether by political considerations in respect to the Belleville office, and that the punishment as he regards it, which has been inflicted upon the postmaster and those who were employed in the old office, was due to the fact that that is a Conservative city. Well, there are a great many Conservative cities in Canada, and the Postmaster General has not dealt with them as my hon. friend complains he has dealt with Belleville, and I think that my hon. friend will discover that there are other considerations which are of not a little public importance, by which the Postmaster General might be actuated other than the fierce partizan motives attributed to him by the hon. gentleman. Now let me take the case of the city of Brantford. That city has a postal revenue of $25,638.

Hon. Sir MACKENZIE BOWELL—In what year?

Hon. Mr. MILLS—I think that is 1896, there is relatively no very great change—Brantford, as I say, has a revenue of $25,638, and the cost of managing the office is $4,916, or 19 per cent of the amount of revenue collected. Now, Brantford is a city, it was not put upon the footing of cities, it was not dealt with by my hon. friend and those associated with him in the same way as Belleville, and my hon. friend, I suppose, had some reasons for dealing with Brantford in a way other than that in which he dealt with Belleville. Brantford has a larger population and does a very much larger business, and yet my hon. friend provided city regulation in respect to Belleville but he did not do so in respect to Brantford. Was my hon. friend and those associated with him actuated by political considerations and was it because a reformer represented the city of Brantford on that occasion? Will my hon. friend accept, or be willing to have attributed to him and those associated with him in office, the motives which he now attributes to the Postmaster General? Let me take another case. In Brockville the amount of revenue collected was $24,500. The cost was $4,470 or 18 per cent of the revenue. Now, look at Belleville. Belleville has a revenue of $16,-235 (or the next year $17,000) and the cost in 1896 was $8,827 nearly double the amount that it cost in Brantford where the population was nearly half greater and where the revenue was sixty per cent greater. Now, will my hon. friend say there is any justification for such an expenditure in connection with the post office in Belleville, that it should cost more than one-half the revenues that were collected, while the city of Brantford cost only nineteen per cent of the revenues collected? Why was it necessary to make those special provisions in the city of Belleville and not make corresponding provisions in the city of Brantford? Let me take another case, the city of Guelph. That city was allowed by my hon. friend's government to stand in the position of a town. He did not make those regulations which he says, cities are entitled to; he did not deal with Guelph as he did with Belleville. The revenues of Guelph are $5,000 a year more than those of Belleville, and the cost of the post office in Guelph was $5,000 a year, while the cost of the post office in Belleville is $9,079 in the past year. Will my hon. friend say there is any justification for that? My hon. friend, of course, is a citizen of Belleville; he is interested largely in Belleville, and, perhaps, if I were to ask for the true explanation of this state of things, I would say that my hon. friend yielded to pressure in meeting the wishes of friends from his good nature rather than act in accordance with those business principles which he himself admits are of importance, and which ought to receive due consideration when this subject is being dealt with. Now, I come to the city of St. Thomas. The city of St. Thomas has a population of about 10,000, and collects a revenue of nearly $4,000 a year more than Belleville, at a cost of $4,900, as against $9,079 in Belleville. Then, take the city of St. Catharines. The revenue there is somewhat less than it is in Belleville—not very much; there is less than $2,000 difference between them, and yet the cost of managing the post office in the city of St. Catharines is only $3,560, as against the $9,079 in Belleville. My hon. friend will see that there is no justification for the continuance of that state of things in Belleville. There were reasons why action should be taken at once in Belleville, and, therefore, my hon. friend the Postmaster General undertook to correct the state of things that existed there, and by that correction, he has saved to the public revenues of this country a very considerable sum of money.

Hon. Sir MACKENZIE BOWELL—Not much.

Hon. Mr. MILLS—Over three thousand dollars. Let me take the next point of my hon. friends argument, that is, the question of superannuation. My hon. friend says that the Superannuation Act is abused in this case. Let us see what the Superannuation Act provides for. It provides that when you retire parties after ten years service you shall superannuate them if they are no longer required, and if they have served less than ten years, then you shall grant a gratuity, and the amount of superannuation allowance and gratuity are both regulated by the Act. These are important matters, and the only question is whether the Postmaster General was justified in making the reform which he effected in the

management of the post office of Belleville. I say he was, and he did what the law required, when a public servant is no longer required when in the public interest that servant may be dispensed with; to those who had served less than ten years he granted the gratuity that the law provides for. Now, if these parties, on account of their age, comparatively young in years, ought not to have been superannuated, who is to be blamed for that, who is to blame for their being in the public service? Why my hon. friend and those associated with him in the government. They filled the office, they raised it to the position of an office in a large city when the revenues and the circumstances of the place did not warrant it, and in order to effect a reform it was necessary to conform to the Superannuation Act and to give those persons a gratuity, or it is necessary to dismiss them from the public service altogether. Now my hon. friend would not have been satisfied if those persons had been so dealt with, and it was to enable the government to meet a case where a change in the management or administration of the department or of laws is necessary in order to secure economy and to bring about reform that those provisions of the law are inserted. And I say again that if there is anything wrong in this superannuation and in these grants and gratuities, that wrong lies at the door of my hon. friend and those associated with him in office who filled the office with those parties and brought them under a regulation that was unsuited to the circumstances in which that office is placed. Now let me call the attention of my hon. friend to the report of the Postmaster General upon the subject. I am not going to read the names of all the parties who have been retired by superannuation or by the granting of gratuities. I think my hon. friend went over the entire list, but let me read what the Postmaster General said in his report to Council when he asked His Excellency in Council to deal with this subject:

> The Postmaster General reports that on the first day of July, 1882, the Belleville post office was placed on a city or staff basis, the postmaster and his clerks being brought under the provisions of the Civil Service and Civil Service Superannuation Acts.
>
> That the results of this change as regards the expense of maintaining the Belleville post office has been as follows:—
>
> Prior to the date above mentioned the postmaster received an allowance by way of salary for himself and his employees and to provide for the miscellaneous expenses of the office of $3,770, of which $3,470 was ordinary salary based upon an estimate revenue of $15,581, and $300 was an allowance for "Forward Duty" performed at the Belleville post office for outlying offices. The returns for the year ended 30th June, 1897, show that the revenue of the Belleville post office from the sale of stamps is now $16,586, to which must be added $932 paid in by the postmaster on account of box rents, giving a total revenue of $17,519. Assuming, as may safely be done, that the "Forward Duty" was not increased, the expenses of maintaining the office under the old system would therefore at the present time be as follows:—
>
> | | |
> |---|---|
> | Salary based on revenue of $16,586... | $3,607 |
> | Forward allowance..... | 300 |
> | | $3,907 |
>
> Instead of this there is under the staff for civil service system and expense for salaries to the postmaster and nine other employees of $8,710, to which must be added the sum of $369, paid during the year ended 30th June, 1897, for contingent expenses, making in all an outlay of $9,079. From this amount must be deducted the income arising from the rent of post office boxes, which under the old system was appropriated by the postmaster. This for the year ended 30th June, 1897, amounted, as already mentioned to $932, leaving the net expenses of the post office, $8,147. Deducting from this the amount which would now be payable under the old system, viz., $3,907, it appears that the excess in expense of the new system is at present at the rate of $4,240 per annum.
>
> The Postmaster General is of opinion that the public interest demands that the system of remuneration of the staff of the Belleville post office should be that which formerly obtained instead of the present and extravagant and expensive one and as the change involves the placing upon the retired list of such of the staff as are entitled to superannuation and the payment of a gratuity to such as are entitled thereto, the Postmaster General makes the several recommendations respecting the Belleville post office herein set forth.

Now, I think hon. gentlemen will see that there is no point in the attack made by my hon. friend opposite. The only thing that requires the consideration of the government in respect to the matters which he discussed is whether that system which has been introduced in respect to the Belleville post office ought not to be extended to some of the other post offices where the staff system prevails, and when my hon. friend points out other towns or cities where this system prevails that require to be dealt with in the same way, I have no doubt whatever that it will receive the fullest and most careful consideration of the Postmaster General and his colleagues in office.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has not referred to a portion of my motion which asks for reasons why two were not reappointed?

Hon. Mr. MILLS—I know nothing about the changes which have taken place. My

hon. friend has moved for the papers and when they come down I will have an opportunity of seeing them and will ascertain from the Postmaster General his reasons for this change. I cannot speak at this moment on that subject, because I am not conversant with it.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is made conversant with the Order in Council, and the recommendation and other facts connected with the reason why the course was adopted. I presume he could, with the same industry and desire, obtain the other.

Hon. Mr. MILLS—I just looked at the figures which were here before me in the paper. I have never considered the subject.

Hon. Sir MACKENZIE BOWELL—Might I ask what newspaper that was?

Hon. Mr. MILLS—I will send it over to my hon. friend. It is the *Daily Ontario*.

Hon. Sir MACKENZIE BOWELL—It is a recapitulation of the Postmaster General's letter. I have no desire to continue this discussion further than to point out this fact, that the cities to which the hon. Minister of Justice referred, and from which he drew his comparisons, were never placed under the Civil Service Act, and consequently they were not analogous in the positions that they held; he did not refer either to the cost of the city of Belleville post office compared with the cost of other cities to which I referred exclusively. I pointed out in my remarks all that the hon. gentleman has said, that the towns cost less than the cities. Whatever responsibility and wrong was done when placing Belleville or any other city under the Civil Service Act, is one for which the late government must be held responsible. I do not deny anything of that kind. But the hon. gentleman was exceedingly unfair in the manner in which he put the case. I stated positively and distinctly that I did not object or find fault with the policy which had been adopted by the Postmaster General, in reducing a city office to a town office, but I did complain that that policy has been confined to one city alone, while other cities represented by Liberals were not touched, and the hon. gentleman said that other cities were represented by Conservatives. What cities are they excedt Fredericton and Sherbrooke? St. Thomas was not a city office. Brantford and Galt were not city offices.

Hon. Mr. MILLS—But they are cities.

Hon. Sir MACKENZIE BOWELL—I do not say they are not cities. There are towns where the revenues are larger than in some of the cities. I admit that, but that is not the point. The hon. gentleman confined his criticism exclusively to those offices which were under the system of percentage instead of taking the cities which I compared, and which I complained were not reduced. If the hon. gentleman would reduce the other cities and degrade them like Belleville, and place them as towns, I would not find fault. I stated that distinctly and plainly, and I say that the hon. gentleman was extremely unfair when he said I was speaking in defence of the old system, when I studiously explained to the House that I was not, and that I would approve of any system that might be adopted that would reduce the expenditure. I can come to only the one conclusion, and that is that he selected Belleville because it was a Conservative city; and if he did not, why did he not take the others? These facts were before him. He knew just as well that the other small cities under the Civil Service Act were more expensive than Belleville, and why did he not apply the same rule to them? It is unfair for the hon. gentleman to attribute to me sentiments which I did not entertain, when, on the contrary, I distinctly approved of the Postmaster General's policy, and only blamed him for having failed to apply it generally.

The motion was agreed to.

DUTY ON TIMBER AND SHINGLES.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) rose to inquire:

Has the attention of the government been directed to a memorial of the Board of Trade of Vancouver, British Columbia, with reference to the importation of sawn timber and shingles free of duty, and is it the intention to impose a duty this year on timber and shingles?

He said: The last part of the question may be one of the sequels attached to the annual budget, but seeing it is an article of commodity free of duty, and not anything

in bond that can be sprung upon the country or held back, I do not see why the question should not be answered.

Hon. Mr. SCOTT—The attention of the government has been directed to the memorial of the Board of Trade, but the question of duty must, of course, stand till after the budget speech has been delivered.

EMPLOYMENT OF WM. HENRY SOWDEN.

INQUIRY.

Hon. Mr. KIRCHHOFFER rose to

Inquire of the Government whether William Henry Sowden of Souris, Manitoba, has been employed by any department of the present government, either as immigration agent or in any other capacity, and, if so, at what remuneration, what was the nature of the employment, how long it lasted, what was the sphere of his operations, and what were the results thereof?

Hon. Mr. MILLS—William Henry Sowden was employed in the Immigration Service for two months ending in March, 1897, in the Midland counties of Ontario. He was paid $75 a month and his expenses. His special duty was to work among the people in those counties who were reported as likely to move to the United States, and to turn their attention to the North-west. The result was that a considerable number of persons who, it was believed, would otherwise have gone to the United States, went to the Canadian North-west.

DISMISSAL OF ALFRED E. LENOIR.

INQUIRY.

The Order of the Day being called:

At whose instance, or on whose report or authority did the Commissioner of Fisheries recommend to the government the dismissal for incompetency of Alfred E. Lenoir, of Richmond county, in the province of Nova Scotia?

Hon. Mr. MILLER said: A few days ago I addressed a note to the Minister of Marine and Fisheries, asking for the information which my question requires, and not receiving a reply, I put it on the paper. I have just received his answer and I shall drop my question. I may, however, put a motion on the paper asking for the correspondence to be brought down in connection with the subject.

The motion was dropped.

INSTRUCTIONS TO MAJOR WALSH.

INQUIRY.

Hon. Sir MACKENZIE BOWELL inquired:

Whether any instructions were given to Major Walsh when sent to the Yukon district, and, if so, of what character, whether oral or in writing, and if in writing, whether such instructions will be laid before the Senate?

Hon. Mr. MILLS—There were no written instructions given to Major Walsh other than those found in the commission and Order Council, and as to oral instructions, of course if there was any conversation, it is impossible to bring it down because it does not exist.

Hon Sir MACKENZIE BOWELL—You did not put them on record?

Hon. Mr. MILLS—No! The Order in Council I have just laid on the table.

Hon. Sir MACKENZIE BOWELL—I did not ask the hon. gentleman to bring down the oral instructions.

Hon. Mr. MILLS—The motion asks for it.

Hon. Mr. BOULTON—I take the opportunity to ask if Major Walsh is returning to Ottawa. I see by the paper he is coming back.

Hon. Mr. MILLS—We have no information on that subject.

RAILWAY RATES ON PURE BRED STOCK.

INQUIRY.

Hon. Mr. FERGUSON—Before the Orders of the Day are called I should like to ask the Secretary of State whether he is prepared to give the information that I asked for on Wednesday last. The hon. gentlemen will remember that I then asked whether the government railways had agreed to give the concessions which the railway companies had given to the owners of pure bred stock when carried on the railways of Canada, whether that same reduction has been given, of one-half rate, by the railway companies is also given by the government railways.

Hon. Mr. SCOTT—I sent a note over to the Minister of Railways and have not heard from him. I suppose I will hear to-morrow.

Hon. Mr. FERGUSON—It should be yes or no.

Hon. Mr. SCOTT—I sent a note over to the minister with a copy of the hon. gentleman's remarks but have had no answer from him as yet.

PACIFIC AND YUKON RAILWAY NAVIGATION AND MINING COMPANY.

SECOND READING POSTPONED.

Hon. Mr. MILLS moved that the House adjourn.

Hon Mr. LOUGHEED—Before that motion is put I should like to have the Orders of the Day called.

Hon. Mr. MILLS—There are no Orders for to-day.

Hon. Mr. LOUGHEED—It is certainly a clerical error. The bill that appears in my name stood for to-day.

Hon. Mr. MILLER—Is it a mistake?

Hon. Mr. LOUGHEED—It is certainly a mistake, and I ask the House to permit me to move that this bill be read a second time to-day.

Hon. Mr. MILLS—We have not had an opportunity to consider it at all.

Hon. Mr. LOUGHEED—I should like to point out to my hon. friend, and I might as well do it now as any other time, that this is a bill to incorporate the Yukon Navigation and Mining Company. My hon. friend has been pointing out to the House for some time past the urgent need of railway communication with the Yukon country. The promoter of this bill is Hamilton Smith and his associates, who are men occupying the most influential position in the financial market in Great Britain, and who are prepared to establish their bona fides before the Railway Committee of this House so soon as this bill is referred to that committee. I see no reason why this bill should stand for the consideration referred to by my hon. friend the leader of the House. By the time it reaches the committee stage my hon. friend can give it the consideration he chooses and then can represent to the committee the wisdom or unwisdom of passing it or throwing it out. I point out to the House that this is clearly a clerical error which has arisen. It should have been set down for to-day, and I would ask to read it now.

Hon. Mr. SCOTT—It is down for second reading on Monday, March 21st.

Hon. Sir MACKENZIE BOWELL—If hon. gentlemen will look at the minutes on page 92 they will see that when this bill was read the first time it was ordered to be read the "second time on Monday next," which is to-day.

Hon. Mr. LOUGHEED—I would like to ascertain, and I intend to ascertain, who is responsible for this appearing in this way on the Order paper. It seems to me a most remarkable thing that this bill, which has received considerable attention and which has been discussed throughout the whole country and condemed in no unmeasured terms by the government, and which was duly moved by me, as appears from the minutes on Thursday last when it was moved that it should be read the second time to-day that it should appear on the minutes for a week hence.

Hon. Mr. MILLER—Has it been printed?

Hon. Mr. LOUGHEED—Yes, it was read the first time Thursday last and ordered to be a read the second time on Monday next.

Hon. Mr. MILLS—Is it printed in French?

Hon. Mr. LOUGHEED—My hon. friend surely can read his English copy of it.

Hon. Mr. POWER—I venture to make a suggestion, that as our minutes do not give the correct notice, and as the minister has expressed his desire to look at the bill, the House, I presume, would be quite satisfied to have the second reading on Wednesday next.

Hon. Mr. LOUGHEED—Say to-morrow.

Hon. Mr. MILLS—The course taken by my hon. friend is altogether unprecedented, as far as my parliamentary experience is concerned, and I have been in parliament 31 years. I have, as leader of the House, asked my hon. friend not to press the bill, and my hon. friend, without any regard to my request on behalf of the government in this matter, nevertheless persists in pressing the second reading to-day. My hon. friend cannot expect to over-ride the rules of the

House to secure his wishes in this regard, when we have asked him that he should not press the bill at the present time, and I ask the House whether it is proper to consider this bill at the present time when it is altogether inconsistent with a government measure that is before the other House, having received its second reading, and is now under consideration in Committee of the Whole. The least my hon. friend could do under these circumstances is to permit this bill to stand until the government measure comes before us, and if this House should then see proper to reject the measure of the government, my hon. friend could with propriety press his bill; but I say it would be a most unprecedented procedure for my hon. friend to persist in pushing forward this bill and committing the Senate in advance of an important measure coming before it, to a principle in direct conflict with the provisions of that measure. I think hon. gentlemen who may differ from us in this House will at all events extend to us that fairness which ought to be extended by this chamber, that is supposed to be a non-political body, which we are entitled to expect under the circumstances.

Hon. Mr. KIRCHHOFFER—I was under the impression, when this was pointed out, that it was through a clerical error, or some mistake, that this bill was put down on the Orders of the Day for the 21st March. Now, it would appear, from the remarks of the hon. leader of the House, that the matter was done designedly, that the government were not prepared——

Hon. Mr. MILLS—I ask the hon. member to withdraw that statement.

Hon. Mr. KIRCHHOFFER—I do not say that the hon. gentleman says that it was done designedly. But his remarks would lead one to believe that it was done designedly. Although this bill is shown to have been marked for second reading to-day, the hon. leader of the House asks to have it postponed because the government is not ready to go on with it, on account of a bill in the other House.

Hon. Mr. MILLS—What had that to do with the clerical error? Will the hon. gentleman say that, because I wish to have this bill postponed, on account of the government having a bill in the other chamber, that therefore we have altered the minutes?

Hon. Mr. KIRCHHOFFER—No, but the hon. gent'eman wants to take advantage of the fact that there is a clerical error. Here is this bill set down for second reading to-day. Why should not the hon. gentleman allow it to be read the second time to-morrow and refer it to committee? It will not interfere with the bill in the other House. I cannot see why the government in this House should try to take advantage of what is apparently a mistake.

Hon. Mr. FERGUSON—There can be no possible harm in allowing it to be set down for a second reading to-morrow, and if the hon. gentleman can show that it conflicts with the other bill, the House can consider that. For my own part, I do not altogether understand that it does conflict with the government measure.

Hon. Mr. LOUGHEED—I would point out to the House that the same error has arisen in regard to the following Orders of the Day, the bills fixed for Thursday. They are put down for the 24th March, 1898, and upon reference to page 92 of the minutes hon. gentlemen will observe that those bills were to be read the second time Thursday next. Instead of that, the Orders of the Day indicate that they will not be read until a week from next Thursday. It seems to me a that glaring error of this kind should be rectified immediately by this House. There should not be the slightest hesitation in correcting an error of this kind, and no advantage should be sought to be taken of it. If there is merit in the objection raised by hon. friend the leader of the House why this bill should not be read the second time to-day, then deal with it upon its merits, but do not take advantage of a clerical error which has arisen, doubtless, through an oversight of one of the officers of the House, or seek to strangle a bill of an important character which is receiving considerable public attention, and which should be dealt with at an early date. I do not object to my hon. friend having all time he thinks he would be entitled to for a proper consideration of the bill. It is only an ordinary bill. But notwithstanding the fact, at the request of my hon. friend, I should be very pleased that the time should be enlarged so that he can give proper consideration to it, but I disagree with him most emphatically in regard to the postponement of this bill until the government

measure comes up from the other House. Will hon. gentlemen consider how ridiculous it would be for me to postpone it till after the Teslin Lake Bill comes in before the House, a bill which is as monopolistic as it could be. Upon the face of that bill, no rights shall lie with parliament for the next five years to pass any such bill as the one now before us. My hon. friend must think my simplicity is extremely childlike if I should consent for one moment to postpone this bill until the passage of the measure which he has in view, by which it would be postponed for at least five years. Does my hon. friend wish me to wait until the Teslin Lake Bill is passed, and then bring this bill down? Surely he is trifling with the House.

Hon. Mr. MILLS—Does my hon. friend think this House should commit itself to this bill in opposition to the bill of the government?

Hon. Mr. LOUGHEED—I have no hesiation in answering my hon. friend in the affirmative, that I most decidedly think so, and I can further point out to my hon. friend, that he need not be disappointed, when the time arrives, if this House should pursue that course in regard to the bill the second reading of which I have moved. I do not think the House will approve of the government measure, so far as the monopolistic features of it are concerned, namely, preventing all application to parliament for the incorporation of companies to open up that country by railway enterprise. I regret that my knowledge of parliamentary practice is not so extensive as that of many hon. gentlemen before me, but this bill is down for second reading to-day.

Hon. Mr. MILLS—No, it is not.

Hon. Mr. LOUGHEED—I say positively that it is. The notice of last Thursday shows that this bill is on for second reading to-day. I refer hon. gentlemen to the bottom of page 92 of our minutes. I point out to the House the fact, which is quite obvious, that the mistake is a clerical one, but I see no objection to permitting this bill to stand until to-morrow if hon. gentlemen desire it. I move that this bill be read a second time unless my hon. friends desire to have it stand until to-morrow.

Hon. Mr. BOULTON—As a matter of courtesy to the hon. leader of the House, it seems to me that it is not sound policy on the part of the hon. member from Calgary to press this motion at the present moment. I have no doubt he is anxious to see this bill passed, but it has to go to the Lower House for its passage, and if he takes the government by the throat in the Senate, the government may take his bill by the throat in the House of Commons. Now I am anxious to see this bill passed, I am anxious to see no monopoly in railways in that territory, in pressing this bill to-day in opposition to the declared will of the government, the hon. gentleman is taking the best means in his power to strangle the bill and place it rather as a political motion than as an evidence of his desire to secure the passing of the measure.

Hon. Mr. MILLER—As a matter of courtesy it would be well for my hon. friend to put down the bill for a second reading for another day. Members of the House, I presume, are not prepared to give a vote upon it to-day. I have not read the bill myself yet, and it is probable that many other members of the House are in the same position looking forward to the second reading not taking place before the 21st of this month.

Hon. Mr. LOUGHEED—My hon. friend does not suggest that it should stand until after the Teslin Lake Bill is before us.

Hon. Mr. MILLER—No, I do not suggest any limit to the postponement, nor do I suggest what my hon. friend should do, I leave it to himself to name the day—some future day. With regard to the course pursued by my hon. friend being unprecedented, I have no doubt the language of the Minister of Justice would be strictly applicable to the proceedings of the House of Commons. It is an unprecedented thing in the House of Commons for any private member to urge a bill which would interfere with a government measure emanating in that House. The government must be in the majority always in the other House, and is able, of course, to enforce respect for its wishes if any member should have the boldness to differ from them, and therefore it would be manifestly absurd to take such a course in the House of Commons in opposition to the government as my hon. friend from Calgary (Mr. Lougheed) proposes to take in this House in reference to this bill; but I am not sure that it is unpreced-

ented in this House where the government is not in a majortiy. I presume if my hon. friend can get the majority of this House to pass this bill through its several stages before the other bill comes to the Senate, he is at perfect liberty to do so. He is at perfect liberty to urge the passage of this bill and I do not think there is anything unprecedented about the position the hon. gentleman has taken. The long experience of the hon. Minister of Justice in the House of Commons has made him familiar with the proceedings of that House, but not equally so with the precedents and proceedings of the Senate. I cannot say that it would be at all improper for my hon. friend to push his bill through before the government bill gets to the Senate, but as my hon. friend from Manitoba says, he takes the risk—not the risk, but the certainty of having it defeated in the House of Commons. The ministers there can see that their policy is respected, and if it does not meet the approval of the government, it would be easy for them to shove it aside in the House of Commons.

Hon. Mr. ALLAN—As a matter of courtesy, I hope my hon. friend will waive his rights and accede to the suggestion of the hon. Minister of Justice, and also for the reason which my hon. friend from Richmond (Mr. Miller) has stated. A large number of members are ignorant of the contents of the bill. I, for one, have not had an opportunity of reading it and I should like to have more time to understand what the bill really is. With regard to the question which the hon. Minister of Justice put, if the bill has been printed in French, I would call attention to an oversight in the minutes. When a bill is printed in either language, it should be so stated; if printed in English and French it should be marked E. & F. That shows whether the bill has been printed in both languages.

Hon. Mr. SCOTT—I should have brought the bill under the notice of my colleagues to-day if I had seen that it was printed, but the order on the paper showed that it was not printed in either language, and I never saw the bill until the hon. gentleman rose up to speak.

Hon. Mr. de BOUCHERVILLE—Evidently there has been an error in our minutes, and it ought, in the first place, to be corrected by a motion. In the next place, the bill is not printed in French, and therefore cannot be read to-day. I do not agree with the government on the third point; the bill opposes the monopoly clause of the measure now before the other House, but it does not therefore oppose that measure as a whole. It does not follow that we cannot bring in a bill in this House because it may be opposed to a single clause of a government measure in the other House. The monopoly clause is merely one feature of the government bill.

Hon. Mr. LOUGHEED—I should like to move that the 21st March be struck out in the Order of the Day, and that it read the 14th March in conformity with the minutes.

Hon. Mr. VIDAL—Does not my hon. friend see that it is quite impossible to go on with the Orders to-day unless the bill is printed in French?

Hon. Mr. McCALLUM—I see on the back of the bill that is to be read the second time on the 25th March. There has been a mistake all through.

Hon. Mr. POWER—I do not think it would be advisable to make a formal motion such as that moved by the hon. gentleman from Calgary. The mistake is not in the minutes—it is simply in the list of routine proceedings.

Hon. Mr. LOUGHEED—I simply moved to amend the Orders of the Day so that they would read in conformity with the minutes.

Hon. Mr. MILLER—I think the hon. member from Halifax is right. You can correct it without a formal motion.

Hon. Mr. LOUGHEED—In that case, I move that the Order of the Day be discharged and that the second reading of the bill be fixed for Wednesday next.

Hon. Sir MACKENZIE BOWELL—I should like to ask the Minister of Justice for information: I find that a bill passed last session provides for starting at Pyramid Harbour and passing by the Chilcoot Pass, &c.

Hon. Mr. MILLS—This is proposal to legislate for railway starting within the ter-

ritory of the United States, as matters now stand.

Hon. Sir MACKENZIE BOWELL—The House is already committed to that principle, if you look at the bill passed last year, called the British Yukon Bill, chapter 89. If the hon. gentleman's objection is good now, it was good then. What is the objection to changing the route to the Chilcoot Pass instead of the White Pass, because that is really the only difference between the two bills. The bill passed last year was to start at the head of Lynn Canal and proceed thence across the Chilcoot Pass. The present bill carries the road from Pyramid Harbour, near the head of the Lynn Canal, through the White Pass. If there is an objection to this bill, it is equally applicable to the Act on the statute-book, so that anybody under this bill could build the road so far as the powers are given by this bill, through the White Pass.

Hon. Mr. MILLS—If the charter should be in the hands of the contractors for the other road.

Hon. Mr. ALMON—I rise to a question of order. We are now discussing the bill, whereas the question before the House is to postpone the second reading of the bill, and not the merits of the bill.

Hon. Mr. POWER—On the question of order I do not think the motion which His Honour the Speaker was about to put was exactly correct. I look at the minutes of the 10th March and I find this :—

> The Hon. Mr. Lougheed presented to the Senate, a Bill (F) intituled : "An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company."
>
> The said bill was read a first time.
>
> Ordered, that the said bill be read a second time on Monday next.

That is the order which makes the bill come before us to-day, and I think that the regular motion would be for the hon. gentleman to move that the Order of the Day be discharged and that the bill be read the second time on Wednesday.

Hon. Mr. LOUGHEED—That is what I have moved.

Hon. Mr. POWER—That is not the way the motion was put.

The SPEAKER—The motion comes to the same thing, but I have no objection to putting it as the hon. gentleman says.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 15th March, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

COLD STORAGE BETWEEN CHARLOTTETOWN AND GREAT BRITAIN.

MOTION.

Hon. Mr. FERGUSON moved :

That an humble address be presented to His Excellency the Governor General, praying that His Excellency may cause to be laid before this House, copies of all correspondence and telegrams between the Minister of Agriculture or any other member of the administration, or any officer of the government, with the owners or agents of steamers or the Board of Trade, Charlottetown, relating to the establishment of a cold storage service on steamers between Charlottetown and ports in Great Britain or the West Indies, and in reference to the erection of cold storage premises in Charlottetown.

He said : In proposing the motion which I have placed on the order paper, I wish to call the attention of my hon. friend the Secretary of State to some discussion that took place in this chamber last year, when the hon. gentleman was guiding through the House a bill that came from the Department of Agriculture with reference to securing cold storage service at different points in the Dominion of Canada. Hon. gentlemen will remember that this cold storage movement, like the dairy movement in the lower provinces and also in the North-west, is a policy that was bequeathed to the present administration by their predecessors in office. That movement was entirely brought into existence in my province by the guidance of the Federal Government and to some extent was assisted by advances from the Federal Government, all of which, however, were returned. There was no expenditure in cash beyond what was returned

and a magnificent industry has sprung up in the province. In the North-west the same movement was inaugurated, and I am happy to say is being carried on under the present administration. It was also determined by the late Minister of Agriculture and the late administration, to inaugurate a cold storage movement in connection with the dairy industry, in fact as a corollary to it, in order that perishable products could be got to the European market in the best possible form, and the present government very properly took up that movement just where it was left by the late administration and carried it on. I give them credit for what they have done in that regard, although I am not prepared to admit the very sweeping and inaccurate statement made by the Minister of Marine and Fisheries in England in one of his speeches there, when he claimed that the dairy movement and the cold storage movement in Canada was entirely due to the exertions of the present administration, and that it was an evidence of the great and sincere desire they felt for promoting commercial intercourse between the Dominion of Canada and Great Britain. When this measure was before parliament last year I took the liberty of pointing out to my hon. friend the Secretary of State that no provision appeared to be made in that bill by which the benefits of cold storage would extend to the province from which I come, and I contend that, in proportion to its size, there is no province of Canada whose industries stand more in need of the advantage which cold storage would give than does the province of Prince Edward Island. I noticed in the bill that was submitted at the very end of the last session provision was made to ratify some contracts which, after they were produced, were found to apply wholly and entirely to the port of Montreal. It came as a matter of course that the great commercial metropolis of Canada should be first in consideration in a matter of this kind. That was, of course, conceded on all sides, but it was promised, and promised most emphatically, in the other branch of parliament and also by members of the government in correspondence and in speeches made on the subject, that Prince Edward Island was to participate in the benefits arising from the cold storage system. A cold storage building was required at the port of Charlottetown. One provision in that bill was that a bonus should be given for cold storage premises in various points, and Charlottetown was named as one of those points where encouragement would be given, sufficient, I admit, for the size of the country that would be served by the cold storage system.

A guarantee dividend of five per cent was proposed to be given to these cold storage premises if they were brought into existence by private enterprise. Now, the people of the province took the matter up on the encouragement that was proposed to be given in the bill and nearly, if not altogether, a sufficient amount of capital was subscribed, and the balance was ready to be subscribed at any moment when the government would carry out their promise with regard to giving a cold storage service on steamers. But my hon. friend will remember, I think, that I pointed out to him last year that the capital which was subscribed for these cold storage premises was contingent upon a steam service being maintained, for it is well known that cold storage for these perishable products is no use whatever unless connected with a steam service to carry the product away, because goods that are preserved in cold storage for any considerable time, or at all, are even more perishable than otherwise they would be when exposed to the ordinary conditions when being carried to market, and on that account the people of Prince Edward Island relied upon the government providing cold storage on board steamers either to connect with Halifax or direct from the port of Charlottetown. I made objection when the matter was before the House last year because there was not provision made for Charlottetown, and my hon. friend frankly said:

> That might be done this year and next, or we might get a steamer direct. I spoke to the Minister about it, and I said that Prince Edward Island would be able to send to market in proportion to population a much larger quantity of products than any other part of Canada. He was most anxious about it because he takes a very great personal interest in it wholly apart from the political situation, and is most anxious to have it carried out.

Now, I am sorry to say that from that time forward nothing has been done. A deputation from the Charlottetown Board of Trade came to Ottawa and is now in Ottawa, to push this matter, among others. After putting my notice on the order paper, I learned from the papers that this deputation was coming here, and I let it stand until

I could see the president of the Board of Trade, who is one of the deputation, and ascertain more correctly from him what the local situation is, and Mr. Hazard assures me that the money was ready, that it was subscribed on the condition that these cold storage steamers would be got by the government, that a three years' contract should be made, because it would be useless for parties to put up cold storage premises at a great deal of expense if they have a service for only one year, and at the end of the one year it should be withdrawn and their money wasted. Mr. Hazard informs me that notwithstanding all the efforts the Board of Trade have made, from that time to the present they have not been able to secure favourable action from the government. He further informs me and showed me correspondence he had, as president of the Board of Trade, with steamship companies and he assures me there is no difficulty in the way, if there is a will in the matter there is a way. If the hon. Minister of Agriculture has a desire to carry out the promises he made in regard to the matter, then cold storage on steamers can be obtained by the government giving the necessary encouragement. My notice has been on the paper a long while, and I have to complain of my hon. friend that although my notices may stand for some time, when I bring them up he has not got a reply from his colleagues, and I am generally put off with the statement that he is going to mention it, or did mention it and had not got information. This motion has stood quite long enough, and my hon. friend should, when it is brought up, be prepared to discuss it. Very likely he is. I hope, therefore, that he will be able to give me some positive assurance. It is a subject upon which the leading men down there, the agriculturists and the people of the province generally are very much interested, so much so that this deputation has now come to Ottawa with this as one of their objects, and I hope my hon. friend will be able to tell us that the government, if they have not already made these arrangements that they will be prepared to have them ready so that the producers of our province will be put in the position that producers in the other parts of Canada occupy. I think at the present time the Government are providing cold storage on railways, the government having made arrangements with them, and the links are complete from the western-most parts of the country, and perishable products can be carried from the extremes to the seaports and landed into cold storage warehouses in England. They are kept in cold storage from the time they leave the producer until they reach the consumer in the old world. If it is not entirely the case, I hope it will be so soon, and I hope while this is being done in the interests of the producers, as I think it has been as far as the rest of Canada is concerned, that the advantages of it will not be denied to the little province of Prince Edward Island.

Hon. Mr. MILLS—Is my hon. friend able to tell us what the proposition made by the Board of Trade is? How often do they want communication and with what points?

Hon. Mr. FERGUSON—I think they would be satisfied with a monthly service. I saw a letter with Mr. Hazard in which a three-weekly service was suggested by the Furness Company. A three-weekly service or a monthly service would be considered sufficient in connection with the cold storage premises.

Hon. Mr. MILLS—Between Halifax and Prince Edward Island?

Hon. Mr. FERGUSON—The idea would be to get it direct with the British market—to get a steamer coming from Montreal or Quebec to call, a steamer already furnished with cold storage with a certain amount of space reserved. Of course if that cannot be got, connection with Halifax would be the next best thing, but that would involve transhipment, and I daresay it would involve more expense, because one of those steamers engaged in the coasting trade and freight service between Prince Edward Island and Halifax would then be obliged to have cold storage for that alone, and it might be more expensive than it would be to avail ourselves of the cold storage apparatus that is already in the boats sailing from Montreal and Quebec. Space could be reserved and a call made at Charlottetown once in every three or four weeks.

Hon. Mr. SCOTT—There is no objection to this motion for papers. Many of them I have not seen, some of them, I understand, have been presented to the Department of Agriculture within the last few days. The hon.

gentleman will recollect that when the bill relating to cold storage came before this House last year a very full statement was made as to the desire of the government to facilitate in every way the development of the dairy industry in Prince Edward Island. They fully recognized that Prince Edward Island was likely to do its share, and probably more than its portion in comparison with other sections of Canada, and the Minister of Agriculture and the Minister of Marine and Fisheries both visited Charlottetown for the express purpose of endeavouring to make arrangements in the interest of the dairy industry in that island. The difficulty that was met was the absolute impossibility of taking up the subject inasmuch as it was alleged that steamers that would put in cold storage could not be provided with sufficient freight from Prince Edward Island to fill the vessel. That was the difficulty in the way. I hope, however, that that difficulty will not continue; I hope that things are improving and that we may, probably in the near future, be able to induce some of the vessel owners to take up the question seriously to give Prince Edward Island the benefits of cold storage. We will know more about that, of course, later on, when the estimates come down. In the meantime the hon. gentleman could not help having a fling at the government for claiming any credit for the cold storage movement. It does seem to me, if my memory is correct, that the development of this industry is largely due to the action of the present government.

Hon. Mr. FERGUSON—Oh.

Hon. Mr. SCOTT—The hon. gentleman says oh. I do not propose to discuss the subject, and I only allude to it now because the hon. gentleman mentioned it himself. I refer to the statutes, and I find that the year before the change of government, in 1895, the magnificent sum of $3,000 was given to aid the cold storage movement. There may be other votes, but certainly the amount, compared with the Liberal votes placed in the estimates last year, is small.

Hon. Mr. FERGUSON—I am sure my hon. friend does not wish to make a wrong impression, and I should like to ask him just this question: did not the present government, when they came in, find in the Department of Agriculture an entire scheme prepared?

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. FERGUSON—My hon. friend says no. I am in a position to say yes. It was entirely blocked out.

Hon. Mr. SCOTT—A great many unmatured schemes, I have no doubt, were in the brains of some members of the late administration, but promises and actions are two different things, and it was not very good taste for the hon. gentleman to make the criticism he did, inasmuch as the gentleman who is now at the head of the Department of Agriculture has taken a very personal interest in this matter and has endeavoured to stimulate this industry in all parts of the Dominion and has visited Prince Edward Island with the express purpose of aiding it there, and he regretted very much indeed that he was unable to secure a vessel in which cold storage could be provided for the purpose of giving Prince Edward Island the benefit of that direct communication. It was determined then that a vessel should be found to carry it to Halifax, but as the hon. gentleman himself has observed, that very materially detracts from the benefit of cold storage, because if the temperature is changed for even half an hour, it militates against success. However, the government will endeavour in some way to meet the views of the island at no distant day.

Hon. Mr. BOULTON—I wish to draw the attention of the House before this discussion closes to the trade and navigation returns between Canada and the West Indies in order to show there is a decided falling off in our trade which is greatly to be deplored. In 1882 we were importing $4,000,000 value from the West Indies. And it fell more or less, but in 1892 we were still importing $4,000,000, in 1893 we were still importing upwards of $4,000,000, in 1895 we were importing nearly $5,000,000 from the British West Indies. Now, in 1897 it has fallen to $1,678,000. It is the same way with the exports. The exports and the imports added together is the lowest trade we have had with the West Indies since we entered into confederation. It is a very unfortunate position that we should be falling off in the natural trade which should exist between the colonies that

are nearest to us, and one that produces exactly what we want while we produce exactly what will supply them. This cold storage I am very pleased to acknowledge is one of the methods by which we can improve that trade. The standpoint, however, that I always take in regard to our trade relations is that if we restrict the trade by imposing duties we are bound to have a depreciation of trade. The falling off of our trade in sugar is largely due to the fact that it was necessary to impose the tax on raw sugar in May, 1895, by half a cent a pound, to keep up the revenue tariff under protective taxation. But I take the liberty of drawing the attention of the hon. gentleman from Charlottetown to the state of our trade with the West Indies to show that since confederation was established, 30 years ago, that the present year is the lowest that it has ever been known to fall to, and that unless we can revive that trade, a direct line to the West Indies is not within reach of Prince Edward Island.

Hon. Mr O'DONOHOE—Has not the disturbance in Cuba had an effect upon that trade?

Hon. Mr. BOULTON—It should have a reverse effect. If the disturbance with Cuba stops our trade then our trade should have increased with the West Indies. I will read you imports by countries which show, that while our sugar trade dropped with the Spanish West Indies, it was not transferred to the British West Indies, but mainly to Germany. The imports for 1897 are as follows for sugar not above No. 16 Dutch standard, that is what I term raw sugar:

	Pounds.
Great Britain	551,034
British Giuana	3,283,382
British West Indies	20,317,636
Austria	13,303,140
Belgium	13,351,506
Brazil	2,158,154
China	6,932
Egypt	32,777
Dutch East Indies	29,687,166
Germany	98,084,985
Peru	4,534,225
Spanish West Indies	5,964,579
Spanish possessions, other	43,415,435
United States	42,033,125
Total	276,724,076
Refined sugar	7,237,910
Duty collected	$1,645,581

Four years ago the imports of sugar from Cuba were 130,000,000, showing the dire effects of the troubles the island is passing through, so far as Canada is concerned.

Hon. Mr. MILLS—There was a fall in the price of bounty sugar in Germany.

Hon. Mr. BOULTON—That could not affect it. As a matter of fact there was an increase in the export bounty of Germany eighteen months ago which lowered the world's price, but that should have the effect of increasing our imports. In 1894 the quantity of our import of sugar was 309,000,000 lbs., and in 1895 it was 303,000,000; in 1897 it had fallen to 276,000,000 lbs., under the tax of one-half a cent per pound.

Hon. Mr. SCOTT—There is no change in the tariff on raw sugar.

Hon. Mr. BOULTON—There was in May, 1895. I do not think the fall in the price of bounty sugar had anything to do with it. That bounty had been on for a number of years. It is the restrictive power we put upon our trade in consequence of the protective taxation of the necessaries of life that we continue to impose contrary to the pledges of the present government. That is the ground I put it upon, and the evidence of that is that it fell off immediately that tariff was put on.

Hon. Mr. MILLS—That was not put on last year.

Hon. Mr. BOULTON—It was put on in the session of 1895—two years ago. The imports of 1894 when there was no tax upon sugar were $4,790,000 from the British West Indies.

Hon. Mr. SCOTT—There was no tax on sugar in 1895.

Hon. Mr. BOULTON—Not on the raw under 16 Dutch Standard, but on the refined. Then in 1896 when a tax of half a cent a pound was put upon our raw sugar our import trade fell at once to $1,896,000 in that year. That shows the direct effect it has upon reducing the necessaries and comforts of the population. To the extent that you tax those necessaries and reduce the industrial power of those industries in which sugar is used, you restrict trade and hamper industry. The British West Indies are fifth on the list in their export of sugar to the

United States out of a list of twenty-one countries sending sugar there. Cuba exported in 1896 $24,000,000 worth of sugar to the United States; Germany, $12,500,000; Dutch East Indies, $11,388,000; Hawaii, $11,336,000; British West Indies, $4,700,000. Our imports of sugar from the British West Indies last year were only $475,753, upon which a duty of $111,614 is collected, showing a tax of nearly twenty-five per cent on a prime necessary. The United States are now trying to effect a reciprocity treaty with the British West Indies which will still more effectually check our trade. What we ought to do promptly, without regard to reciprocal favours, is to admit the sugar from the West Indies upon the same terms that Hawaiian sugar is admitted into the United States, namely, free. By doing that we will make a valuable trade, where it is now dwindling away, and we will give every industry dependent upon cheap sugar the benefit of that trade. It is a sound principle to keep in view in our home or foreign trade, to encourage that production only which is natural to the country in which it is produced, and that can flourish without an artificial stimulant such as the export bounty, the maintenance of which has now grown to be such a national burden on the continent of Europe, and which statesmen have so far failed to grapple with. A conference in Brussels a month ago was unsuccessful, and now the British government has invited the nations to a conference in London. The fact that Egypt is now becoming a rival in the production of sugar without an export bounty is a lever which will have the effect of forcing the stronghold of protection in continental sugar. Admit British West India sugar free and we take a step in the right direction.

Hon. Mr. POWER—I do not see that the speech of the hon. gentleman has much relevancy to the motion before the chair, but I might be allowed to say a word in reply to what he said. The hon. gentleman is under a misapprehension if he thinks a duty on raw sugar would interfere with the importations from the West Indies. We have not imported raw sugar from the West Indies. We have imported grocery sugar, and as the hon. leader of the House has stated, the importation of grocery sugar from the West Indies has been very much diminished; in fact, those grocery sugars have given place largely to the refined sugar coming from Germany, and other bounty sugars. So that the hon. gentleman is mistaken with respect to the raw sugar. For some considerable time the importers have been importing the raw sugar from the East Indies and places other than the West Indies. This is not the time to discuss the question of our trade with the West Indies, but I hope some means will be found to improve the condition of that trade, which is not what it ought to be at all. Our exports from the West Indies have fallen off and our imports have also fallen. The comparative failure of the fisheries in the maritime provinces, I think, has something to do with it. But there is no question about the depressed condition of the sugar business in the West Indies, and it has led to action being taken or proposed, at any rate, in the Imperial Parliament. The hon. gentleman made some reference to the desirability of supplying cold storage facilities in steamers going to the West Indies. I wish to tell the hon. gentleman that those facilities have already been supplied by one steamship line running from Halifax, largely through the efforts of the Minister of Agriculture.

WINTER COMMUNICATION WITH PRINCE EDWARD ISLAND.

MOTION.

Hon. Mr. FERGUSON moved

That an humble address be presented to His Excellency the Governor General, praying that His Excellency may cause to be laid on the Table of the House copies of all the reports made to the Department of Marine and Fisheries by the officers in charge of the steamer "Petrel" having reference to the service performed by that steamer during the winter of 1896-97, and also detailed statements of the expenditure incurrred for that service, and receipts for freight and passengers.

He said: Hon. gentlemen have heard quite often about steam communication with Prince Edward Island, and I do not propose to discuss the subject at very great length, because it is perfectly familiar to most hon. gentlemen in this House. It will be remembered that this communication has been attempted to be carried out in two ways, by ice boats at the narrowest parts of the strait, between Cape Tormentine and Cape Traverse, pulled by men; and steam communication at the eastern end of the island, more especially between the ports of Georgetown, P.E.I., and Pictou, Nova Scotia. They are the two nearest points at that place. In the

year 1886 the government took up the ice boat service. It was, previously to that, in the hands of contractors as a private enterprise, tendered for and carried on in that way, but owing to an unfortunate accident that occurred, and an admitted lack of efficiency in the service, in 1886 it was taken up and conducted as a government service. Previous to that steamers had been tried upon the eastern route, two boats, with very little success, but in the year 1888 the steamer "Stanley" was put upon the eastern route, and as most hon. gentlemen know very well, she has proved very successful indeed, when the great difficulties which she has had to encounter are taken into consideration. She is not absolutely successful because the communication is far from being continuous and at any moment the island may be thrown out of mail and passenger communication for some days, and sometimes weeks. That has occurred with the "Stanley." But the comparative success which the "Stanley" has achieved in contending with heavy ice has led a great many people to believe that a boat similarly constructed, if placed at the narrowest point, between Cape Tormentine and Traverse, where the ice is all the time moving, where it never freezes fast at all, might be found effective, and reduce the communication between the island and the mainland to the matter of a ferry. For some years it has been argued that it was the duty of the government to supplement the steamer "Stanley" by another boat which could be put upon that western route; for hon. gentlemen will understand this, that it would not be just to Prince Edward Island, it would not be safe to transfer the "Stanley" from the eastern route, where she is making fairly effective communication, and put her upon the western route where she might be liable to be locked up for the whole winter and the province might be deprived of communication during the whole of that time, and therefore with one boat the western route cannot be fairly tested. Last year the present government made an attempt to test the practicability of steam communication on this western route between Cape Tormentine and Cape Traverse. I am very sorry—and I think I speak the sentiments of the people of Prince Edward Island almost universally—that that experiment was made at all under the circumstances. Instead of building, or procuring a boat that was suitable for contending with ice, a mere tug boat, from Kingston, was selected, for reasons that nobody in the world can understand. She was brought down there, and at a cost of $14,000 or $15,000, what was called an experiment, was made. As everybody might know, this weak, small tug boat could not be expected to accomplish anything in the face of the difficulties that were there to be encountered. Anybody that knew anything about that place, knew that nothing but a powerful and strongly built boat would do anything there. In the face of that, the Minister of Marine and Fisheries chartered a tug boat called the "Petrel" from somewhere near Kingston, from the Collins' Bay Rafting Company, and brought her down at a cost of something like $14,000, and she lay there all winter. Reference is made to this experiment in the report of the department, in these words:

> In connection with the communication between Prince Edward Island and the mainland, representations had been made from time to time concerning the possibility of conveying mails and passengers by steamer during the greater part of the winter season between Capes Traverse and Tormentine. Many of the inhabitants of the island have held the opinion that communication could be kept up between these points, which are not nine miles apart, by a suitable steamer during the greater part of the winter. It had also been stated by them and others interested that the route, being a short one, would be more advantageous to the travelling public and a more direct route for the conveyance of mails than to Pictou by the steamer "Stanley." Petitions have been sent to parliament embodying these views, and very strong representations have been made by members of parliament in the same connection.
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> During the session of 1896-97 a sum was voted by parliament with a view of making the experiment. The sum was not more than sufficient to charter and fit out a vessel and pay the wages of a crew for the purpose of testing the practicability of the scheme. An officer of the department was given instructions to examine all suitable vessels in the Dominion with view of selecting one sufficiently strong, well equipped and powerful to make her way through moving ice.
>
> No vessel exactly suitable could be found for the purpose, as vessels for navigation in ice must be specially constructed and of a suitable model. The best vessel, however, that could be procured for the experiment was the "Petrel," owned by the Colins Bay Rafting and Forwarding Company. The "Petrel" is a steel tug boat of very strong build, of 22 nominal horse power and draws 9½ feet of water. The steamer made several trips across the strait during the winter, and during these trips careful observations of the tides, leads in the ice, the force of the ice against a vessel endeavouring to work her way through it, and the best and most convenient places for landing were made.
>
> As the "Petrel" was allowed to remain until the opening of navigation in the spring, an officer on board made careful notes respecting the difficulties presented to steam communication, and in what month these obstacles were the greatest. The thickness of the ice and the quantity passing through the strait, backwards and forwards, are matters upon which the department desired information, to be able to arrive at

some conclusion, respecting the possibility of keeping up steam communication at the capes.

The steamer entered upon the work of observation about the 12th of December, 1896, and remained until the 4th May, 1897, considerable data having been obtained for future consideration. The experiment, however, was not on the whole a success. In the early part of the season a heavy storm came on and icebound the "Petrel" for over a mile. Continuous and determined efforts were made by the captain and crew, to cut the steamer out beyond the coast or board ice, to enable her to make the crossing through the moving or floating ice. These efforts were, however, not successful. The ice was found to be about two feet in thickness, and although every possible expedient was resorted to, it was not found possible to release the steamer from her ice-bound condition until towards the spring.

That is the whole story as told by the Minister of Marine and Fisheries in his report He says very innocently that the "Petrel' was allowed to remain in the ice until navigation opened. He tells us in another place that she was caught by the ice and she could not be got out. As a fact she lay there almost the whole winter with a crew of officers, engineers and men on board her, and she never made a crossing from the early part of January until the very latter end of April when the navigation opened anyway. Then she made some trips, for which credit is taken. As I have already remarked, it is evident to any one who has given the matter the slightest consideration that this boat would do just what she did do, and that was nothing. It was perfectly impossible that she could do anything, a small paltry boat such as she is. As reported by the minister himself, she was not specially built to encounter ice. It was well known to any one who gave the matter consideration that she could not accomplish anything and they were not disappointed. I have somewhat of a complaint to make against the Minister of Marine and Fisheries in connection with this matter, because I find that in former debates in the House of Commons, before he became a minister, he spoke very adversely of this route altogether. He denounced the late government for expenditures which they had made in connection with it. He declared that there was no natural harbour there, and that the government were blamable for having erected wharfs at that place and having aided in the construction of a railway from Sackville to Cape Traverse, which he declared was no use to anybody, as this was not a practicable route. In view of these facts, and the kind of boat that was employed to make the experiment last winter, there are not a few people down there who believe that it was the desire of the minister to condemn the route by placing upon it a boat which every one must have known could do no good. At all events that has been the result of the so-called experiment. Then the hon. minister speaks in his report, of the useful information that was being obtained, for instance, in ascertaining the thickness of the ice, the prevailing currents, and all that. I can tell the hon. gentleman that every fine day in the winter boats cross from side to side, and an officer of the department could cross with those boats and test the thickness of the ice just as well as he could by sitting there in the steamer comfortably enjoying himself all the winter at the expense of the country, and if he desired to obtain an idea as to the force of the current, I know that information could be just as well obtained by an officer of the department taking passage day after day across the straits with one of those ice boats as by this expensive means of getting a tug boat to lie at the wharf on one side of the straits and keeping it there at the expense of the tax-bearers of the country of about $14,000 for the winter. Last year I put a notice on the order paper and asked for some information as to what this steamer had done, and the charter party and the correspondence which led to her being engaged for the service, was brought down. I have these papers in my hand. The pay roll is also among them, showing the salaries that were paid to the officials and others employed to man that boat during the winter. I will just read some of the items from the pay roll. The captain employed was Jos. Macdonald. He is a good navigator, no doubt, but he had never had any experience with ice boats. If it was really desired to get any information, one would have thought that the government would have employed some of the experienced men who had been on the steamer "Stanley." However, Capt. Joseph Macdonald was employed at a salary of $70 per month; the mate received $50 a month and two engineers $60 a month each. There was the stewardess at $30 per month, and seven seamen at from twenty to twenty-five dollars a month. This statement which was brought down shows that up to the 30th April the sum of $10,980.82 was expended. The Auditor General's report and that of the Department of Marine and Fisheries shows

that altogether about $12,800 was expended. I see, however, that there is something left out. These figures are not complete, because the figures which were brought down to the 30th of April show that the expenditure was $10,980, and that only $4,000 out of the $6,000 of the charter party was spent. It is, therefore, pretty plain that some of the items have been carried over, and I think rather considerable items, because after this return was brought down we know that $2,000 of the charter party remained to be paid, and the expense had to be incurred of the trips made afterwards and of carrying that steamer back to Kingston to her owners, as the government was bound to convey her at the expense of the country, and by the time all these are added I know that I am under rather than over the mark in putting the expenditure at $14,000. The return brought down showed that she made 18 trips during the time she was placed on the route. Of these, three were made in the month of December—the 13th, 14th and 18th of December, 1896, and seven in January—on the 2nd, 6th, 7th, 8th, 11th, 13th and 14th. From the 14th of January to the 17th of April, she lay inside the breakwater at Cape Tormentine and never made a trip, while the expense was going on during the whole of that period and the hands were kept on. These trips which she made in the first of the season and at the end of the season, were trips that could have been made by an ordinary schooner. It was before the ice formed in the fall, and after it had disappeared in the spring. The service which she performed was absolutely no service at all. I asked for the number of passengers she had carried, and the answer I got, in this return, was rather an amusing one: it was, "number of passengers at $2 each would amount to $86." The department very kindly assumed, I suppose, that the members of this House would not be able to tell how much 43 passengers at $2 each would amount to, so they make up the calculation, but they take very good care not to say that those passengers paid for their passage. The return does not say so; it does not say that any amount was received, and I doubt if anything was received.

Hon. Mr. MILLS—Then the rate would not be $2.

Hon. Mr. FERGUSON—The return says "43 passengers at $2 would amount to $86," but it does not say that $86 was paid, and I am unable to see in the public accounts where a dollar was credited. I have looked carefully through the returns and I find that it does not say so there. It only says that 43 passengers at $2 would amount to $86. And then with regard to the inquiry made about freight, "have no details as to freight carried." The government, it would appear, were know-nothings on this subject; they did not know, and there was very good reason they did not know, because there was no freight carried. The return does not say so, but says they had no information.

Mails were carried by the "Petrel" on the 18th, 19th, 20th, 21st, 22nd, 23rd and 24th of April, 1897.

Seven mails were carried by this steamer during the time it was employed and paid for by the government, and, as already remarked, that was after the navigation had opened and after the ice had almost, if not entirely, disappeared in the straits, when any boat at all could have made the crossing; even an ordinary sail boat, except on very windy days, could have made that crossing and carried the mails for which a very extravagant amount had been paid by the government of Canada.

Hon. Mr. MILLS—Is that the return for which you are now asking?

Hon. Mr. FERGUSON—No, this is the return which I moved for last year. I was only able to get a statement up to the 30th April. I want a full and clear statement of the freight, and I do not want to get an answer this time that the government do not know how much freight was carried. If there was no freight carried, we want to know it, and if there were any passengers, we do not want an ambiguous statement such as "forty-three passengers at two dollars would amount to eighty-six dollars," but we want to know whether they actually carried forty-three passengers or any passengers, and we also want to know the full expenditure in connection with this service. Now, this subject had been engaging the attention of the late government as well as the present administration. There was a strong pressure, as I have already intimated, for some years back in favour of giving this route a trial, and it was the intention of the late government to have done so. The "Stanley" is now about ten years onthe

service, and the work she has to do is very trying on any boat. In the natural course of things, she is not so strong as she formerly was, notwithstanding a great deal of repairs is continually put upon her, and it is believed she will have to go home to the old country to be thoroughly overhauled by the builders in order to safely carry on the work she has been doing. The feeling in the province of Prince Edward Island now is, and has existed for some years back, that the "Stanley" should be supplemented by another boat. What she is capable of doing is now demonstrated. There is certainly no great amount of experiment about a boat of the power and shape and design of the "Stanley," and even for the eastern route between Georgetown and Pictou, it is believed that if another boat was on that route assisting the "Stanley," communication could be made almost continuous. It has happened several times that the "Stanley" was just caught in the harbour by ice propelled by a strong wind, and she has been caught there, when a boat that was out and free could run from another point and keep the communication going on. The "Stanley" has been for nearly three weeks in the straits unable to relieve herself when, if there was another boat, it would go to her assistance and take the passengers off if not keep up communication. If another boat was built she could be put on the Cape Traverse and Cape Tormentine route.

Hon. Mr. POWER—Does the hon. gentleman mean that if a second boat were built the "Stanley" would be put on the Traverse and Cape Tormentine route?

Hon. Mr. FERGUSON—I would not say that positively, because others who are posted on the matter better than I am might come to the conclusion that the new steamer, on account of draught of water and other things, might be better suited than the "Stanley" is for the capes service. Then I say that any boat that is built to grapple with that service, whether it is at Cape Traverse or at the eastern end of the island, must be a powerful one and if our government was provided with these two boats they could experiment at the western end. As I already remarked, it would not be safe to make that experiment with one boat. If the boat was locked up at the west the province would be deprived of the whole communication, and it would be a serious matter. If there are two boats, a boat could be put on the Traverse route to test it, because if it were practicable it would not be necessary to continue the communication at any other point and it would then be reduced to a ferry. Most of the Prince Edward Islanders, and all who have travelled on that boat, from what they have seen the "Stantley" accomplish in making her way through enormous fields of ice, believe that if a boat made on her design and perhaps drawing less water, but with her design and with her power, might be able to make constant communication at Cape Traverse, and reduce communication between the island and the mainland to a mere ferry. If that were the case, the "Stanley" or the new boat need not be maintained in the future, and the government could find some other employment for her. I earnestly hope that the government will deal with this question soon, and that in getting a new boat great care will be taken in getting one strongly constructed, strong enough to contend with the heavy ice at any of those points wherever she attempts to make the communication. I hope the hon. gentlemen will give the matter the very best thought, and I hope my hon. friends representing the government in this House will be able now to tell us that they have made up their minds to supply a good and efficient steamer for this service.

Hon. Mr. SNOWBALL—There is no gentleman in this House more capable of giving information in reference to this steamer "Stanley" and the navigation between Prince Edward Island and Cape Traverse than the hon. gentleman who has just taken this seat. It would be unreasonable to suppose that those western members, and others who know little about navigation in the straits, should be possessed of the information that the hon. gentleman has. The hon. gentleman sitting next to him (Mr. Wood) is perfectly conversant with the pier at Cape Tormentine and the object for which it was built. Now it is absurd to say that the steamer "Stanley," or any steamer that is capable of navigating the straits, could possibly get inside the shelter of the piers at Cape Tormentine. I cannot exactly say what depth of water there is there. I think I am quite within the bounds when I say it is not over 11 feet.

Hon. Mr. WOOD—Sixteen.

Hon. Mr. SNOWBALL—If it is 16 feet, why is the pier not made use of by timber vessels coming there?

Hon. Mr. WOOD—Barques come there, drawing 16 and 18 feet.

Hon. Mr. SNOWBALL—I am not in a position to know what water is left inside, but I know positively that vessels drawing than 11 feet refuse to go inside, and I know that the business has been carried on outside, and that no steam vessel of less than 16 feet draught can be made to navigate those straits in winter. I assume that a vessel drawing 16 feet is not able to do the work that the "Stanley" can do, and I know that no vessel in the Dominion that is not built for navigating in the ice could possibly do the service that is required to be done in that location, because there is no such vessel built for ordinary purposes that is capable of contending with the ice in the straits. The only other place that vessels could be got from is Newfoundland. Such vessels have the power to get across and to contend with the ice, but they have not the adequate accommodation at Cape Traverse for such vessels. I think no hon. gentleman will say that any other boat in the place of the "Stanley" could be put in a position to break her way through the ice. In order to break through ice such as is encountered there, a vessel must have some free water to start in and such free space cannot be had inside Cape Tormentine pier. I cannot say anything about the accommodation on the other side, but I believe the accommodation is much more unlikely to be sufficient. The fact that nothing has been done up to the present time, either by the late government or the present administration, to establish navigation across those straits at that narrow point is sufficient to prove that the thing is impracticable. The first thing which has to be done is to build additional piers further out; and I know there is trouble and difficulty if you build out into deeper water the currents are interfered with, and the inside gradually fills. To start with, the government would have to spend a quarter of a million more to build docks on the two sides, before they make the experiment. The country is not prepared for that at present. It is all very well for farmers from Prince Edward Island to talk about this matter. They are good farmers, but do not understand navigating the ice in the straits of Northumberland. We are to be asked to spend millions in making preparations, and then we will find it cannot be done. I think it is a little early for us to undertake any such task.

Hon. Mr. WOOD—I must say a few words in reply to what has fallen from the hon. gentleman who has just spoken. Otherwise I am sure the remarks he made would leave a very wrong impression upon the House. The hon. gentleman has spoken of the pier which was built at Cape Tormentine in connection with this service. That pier, the hon. gentleman states, will not answer for the "Stanley" or for any boat in the service. I must say in reply to that that the pier was designed by the government engineer here especially for that service, and the hon. gentleman who has spoken is the first person that I have heard express an opinion as to the unfitness of that pier for the purpose for which it was intended. The depth of water inside the pier at lowest neap tide is 16 feet, some say 17 feet. The The depth of water just outside the pier is 20 feet. Twenty-two feet is the depth of water at high tide. There is about 6 or 8 feet rise or fall of tide. The hon. gentleman says vessels will not go there to load. Ever since the piers were built we have had a number of barques coming there to load. I think the number of barques that loaded there this year was fifteen or twenty.

Hon. Mr. SNOWBALL—Outside the pier?

Hon. Mr. WOOD—No; every one of them loaded inside the pier. They never load outside of the pier. Last year, I know, there were thirty barques loaded there, and the year before, not so many. I do not remember the number, but ever since the piers were built, it has done very considerable local business in that way, and the hon. gentleman is the first one I have heard who has entered any complaint of that character against it.

Hon. Sir MACKENZIE BOWELL—He was thinking of Miramichi.

Hon. Mr. WOOD—Perhaps he was. With regard to the possibility of winter crossings being made between the capes, I would like to say this: the hon. gentleman who has last spoken, has referred to crossing there as impracticable in the winter time—that is, by steam service, I presume, he means. It has always been a place where ice boats have crossed for the last fifty years. I was myself of the same opinion as the hon. gentleman who has just spoken until within the last few years. I did not suppose that it was possible to contend with the difficulties which must be met in the Northumberland Straits in the winter time, and until the "Stanley" was built and placed upon the route between Pictou and Georgetown, and it was demonstrated what a steamer of that build and power could do, I did not suppose it was possible for any steamer to make her way across those straits with any regularity in the winter time. Since she has been placed upon that route, and it has been shown what a steamer of that character can do, I am satisfied that the majority of the people living in the vicinity of Northumberland Straits have been convinced that a similar steamer, perh ps drawing not quite so much water but a steamer similarly built, strong and powerful, will be able to make regular crossings between Cape Tormentine and Cape Traverse. The condition which is necessary in order to enable a steamer to navigate the strait of Northumberland is simply this, that the ice shall be either in motion or movable when the great power is applied to it. When ice jams form, and the ice is blocked in a solid mass for one, two or three miles, no steamer, no matter how powerful she may be, can get through it, but if those large ice cakes are in motion, or are capable of being moved when a sufficient power is applied, the steamer can make her way through them. Now the difficulties which the "Stanley" has met with in the past have been these large ice jams. When the wind prevails for a certain length of time in one direction, the ice forms in immense bodies, extending for a mile or two miles in one direction, and when she is once fast in a jam of that kind it is impossible for her to get out. The condition of things between Cape Tormentine and Cape Traverse is this: there are two tides coming into Northumberland straits, one round the eastern end of Prince Edward Island and the other round the western or northern end. Those two tides met right at the mouth of the Baie Verte, where those two capes are. The tides come together there and separate twice in every 24 hours, and unless there is a very strong wind in one direction the ice is broken up there twice in every 24 hours, I have had some opportunities of observing the condition of things there for I have often visited the capes in the winter time, and there is scarcely a day but you will see these long streaks of water through the ice, and no impedient whatever to a steamboat of the "Stanley's" power making her way across the strait at that point. This opinion I know is shared by the most experienced men and most competent judges living in that locality, and my own observation and the knowledge I have of what the "Stanley" has done, has led me to the conclusion that if a boat of the "Stanley's" power adapted for the service were placed on that route there would be no difficulty whatever in making crossings every day in winter when it was fit for people to be out of doors at all.

Hon. Mr. SNOWBALL—What preparations are there on the other side when you get across?

Hon. Mr. WOOD—I will speak as to that. There is no preparation at the present time. It would be impossible for the steamer "Stanley," or any other steamer, to run between Cape Traverse and Cape Tormentine until a wharf was built at Cape Traverse. The wharf at Cape Tormentine is sufficient in my opinion.

Hon. Mr. SNOWBALL—How much injury did it receive last year?

Hon. Mr. WOOD—No injury, except that it is worm eaten. It certainly needs some repairs. I understand the government are contemplating putting creosoted timber round the outside of it, and I hope they will do so. Unless something of that kind is done, the worms will eat it up and the work will be eventually ruined.

Hon. Mr. SNOWBALL—It will collapse.

Hon. Mr. WOOD—Yes, unless it is protected from the worms. However, as a protection for the "Stanley," in its present

shape it is everything that is desired. The "Stanley" can go inside the pier if she desires, but I would like to remind the hon. gentleman, when he says the "Stanley" or any other steamer could not find a safe berth there in winter time, that in winter there is not the slightest necessity for the "Stanley" or any other steamer going inside the pier. They have the bord ice for at least a mile outside of the pier, and the steamer "Stanley" could make her way through the bord ice up to the pier.

Hon. Mr. SNOWBALL—This bord ice is in the habit of shifting.

Hon. Mr. WOOD—It never shifts.

Hon. Mr. SNOWBALL—She cannot get in when it is formed.

Hon. Mr. WOOD—But once it is formed it is a perfect protection, and there would be no necessity to go inside the pier. She could lie outside, where there is 25 feet of water. The hon. gentleman remarked that the fact that nothing had been done in the past proved that this route was impracticable. I think that certainly more active measures should have been taken by the late government than were taken to test the feasibility of this route. I expressed my opinion on that subject, and I have often expressed my opinion in the other chamber, and urged upon the late government to take some active measures to test the feasibility of this route. I would do the same now with the present government. I should like to say, in corroboration of what was said by my hon. friend who moved this address, that I believe it is utterly useless to attempt to accomplish anything unless a suitable boat is obtained. The mover of this address referred to the steamer "Petrel" and the want of success that attended that experiment. It certainly was not a successful experiment, and the steamer "Petrel" was in no way suited for the service. I believe, however, that the result of the "Petrel's" staying there last winter has been to convince the officers who were in command of her that if they had had a suitable steamer they could have done good service there and made regular crossings. This is, of course, one of the most difficult services in the Dominion, and it is utterly useless to attempt to make it a success with a weak or insufficient steamer. If the government are in earnest in endeavouring to establish communication there it is absolutely necessary that a suitable steamer, with sufficient power to contend with the difficulties of navigation, should be placed upon the route. I do not hesitate to express it as my opinion that if a suitable steamer were placed upon the route it would prove an entire success.

The motion was agreed to.

MAJOR WALSH'S EXPEDITION.

INQUIRY.

Hon. Mr. PERLEY rose to:

Ask the government if it is true that Major Walsh was allowed to go to the Yukon district short of provisions, so that he has had to pay one dollar per pound for poor beef as reported in the press.

He said: I do not desire at this time to make any remarks with reference to the motion I have on the paper further than to say that I noticed, and I dare say other members of the Senate have noticed a very startling report in the newspapers the other day to the effect that Major Walsh had bought nearly 13,000 pounds of poor beef at $1 per pound and not knowing whether that statement was accurate or not, I have taken this method of getting correct information.

Hon. Mr. MILLS—Mr. Walsh took with him ample provisions and he keeps always on hand provisions for at least six months. Major Walsh may have made some purchases, I cannot say whether that is so or not—for persons who were short of provisions and in danger of starvation, but so far as his force is concerned, he has ample supplies on hand.

Hon. Sir MACKENZIE BOWELL—Then the hon. gentleman does not know whether the statement made in the press, that he paid a dollar a pound for poor beef, is correct or not.

Hon. Mr. MILLS—I do not know, but I do not believe it. We have not had any communication recently. I do not believe it had been open for anybody to receive such information.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 16th March, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

CORRESPONDENCE *re* HAMILTON SMITH.

NOTICE OF MOTION.

Hon. Mr. PERLEY—I beg to give notice that I will move that an humble address be presented to His Excellency the Governor General praying that he will cause to be presented to this Senate copies of all telegrams and letters passing between any members of the government and the High Commissioner relating to Mr. Hamilton Smith and all papers, communications and documents, the contents of which led or induced the government to send such telegrams or letters. It is with reluctance that I rise to give this notice. It will be remembered that on the 18th of last month I moved for some papers which might, I think, have been brought down the very next day. I did so at the instance of the hon. leader of the House. It is treating an hon. member and the Senate with some contempt to allow a month to elapse without bringing down the documents. Those papers are not very important, and are not numerous, and could not be hard to obtain if the department is well managed, and they should have been brought down by this time at least.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. KIRCHHOFFER—Before the Orders of the day are called, I should like to ask the Secretary of State if there is any chance of my obtaining the returns which I moved for at the beginning of last session, and again at the beginning of this session. He was kind enough to say, when I asked him this year, that he would use his personal influence to try to secure them. I would like to know whether he has had time to do so or if I may look forward to getting them within a reasonable time?

Hon. Mr. SCOTT—The hon. gentleman intimated to me last year that he would take an instalment of them, as they were pretty large, and an instalment was brought down, and I presented it to the House. I think I have another here.

Hon. Mr. KIRCHHOFFER—I have never been informed of it. I should be glad to see the slightest indication of it.

Hon. Mr. SCOTT—I am quite sure I brought down a portion of them last year. Here is a supplementary return to an address of the Senate, giving the names and salaries of officers employed in the inside and outside service, and so on, specifying in each case the manner and ground of such removal, and so on. This return embraces two departments. If my recollection serves me right, all the other departments were brought down last year.

Hon. Mr. FERGUSON—None of them last year.

Hon. Mr. KIRCHHOFFER—I have never heard of them.

Hon. Mr. MILLER—Is that the last instalment?

Hon. Mr. SCOTT—This is marked "supplementary returns." I made inquiry why it was so marked, and it was said that returns had been presented last year. I will have it looked up, and find out how it is.

RAILWAY RATES ON PURE BRED CATTLE.

INQUIRY.

Hon. Mr. FERGUSON—While on the matter of delayed information and returns, I have again to ask the hon. Secretary of State if he is prepared to give me an answer to the question which was left over, at his request, with regard to the allowance of half rates on pure bred cattle by the railway companies. My hon. friend will remember the point was, are the government railways making a similar reduction?

Hon. Mr. SCOTT—I mentioned at the time that I was under the impression that the rate on the Intercolonial Railway was considerably below the Grand Trunk rates. My hon. friend rather doubted the accuracy of the statement. Since then, I have got further information, which confirms the

statement then made, and, as that is the fact, the Minister of Railways is not disposed at present to consider the propriety of making any reduction, as he considers now the relative rate is, at least, as low as the Grand Trunk Railway Company's.

Hon. Mr. FERGUSON—Are we to understand that the government are not making the concession which has been given by the railway companies?

Hon. Mr. SCOTT—The hon. gentleman is mis-stating the case, if he will excuse me for saying so. I said the ordinary rates were lower than the rates on the Grand Trunk, and therefore, if they were to reduce them, it would bring them very much lower; perhaps it would be only a quarter of the Grand Trunk rates. I do not know how that is. But the rates now are so much lower that it would be unnecessary to reduce them still further, and it would not be in the public interest to make any cut.

Hon. Mr. FERGUSON—I have failed, I think, to make myself understood. This is not a general reduction upon the rates on stock at all; it is only what is applied to pure bred animals. The railway companies of Canada, last Saturday week, unanimously agreed to make this reduction, and I have been told that the government railways were represented at the meeting, which was held in Toronto, when this was done; if so, I cannot well understand why they do not carry out the arrangement. My hon. friend, I fear, from the fact that I did not make myself very well understood, has not brought the point clearly to the mind of the Minister of Railways.

Hon. Mr. SCOTT—I must have brought the point clearly to his mind, because I took the trouble to cut out the speech of the hon. gentleman, and wrote a note to the Minister of Railways calling his attention to it, and asked him to give it the best consideration, and the answer he gave me I have already mentioned to the House, that the rates were now so much lower on the Intercolonial that it was not considered proper to reduce them still further, as the ordinary rate was below the corresponding rate on the Grand Trunk Railway.

Hon. Mr. BOULTON—I would call the attention of the House to the fact that the Intercolonial Railway is run without any revenue to the government, that the Grand Trunk Railway collects a revenue of $7,000,000 which the traffic of that line has to pay; and the Canadian Pacific Railway has a surplus revenue or profit of $10,000,000, so that these two railways can very well afford to make the concession, while the Intercolonial, which collects no revenue or has no margin of profit, may not be able to make that concession. The concession is a very valuable one in order to encourage the breeding of good stock, but the fact that those heavy revenues are collected from those two main lines is quite sufficient to justify the course that the Canadian Pacific railway and Grand Trunk railway at any rate have taken.

Hon. Mr. PRIMROSE—With regard to the rates of freight charged on the Intercolonial railway, I may say the other railways are not upon a par, in my estimation, with the Intercolonial, which runs through the lower provinces. The Intercolonial railway was built as a *quid pro quo* for the share of the expense on the canal system of Western Canada and other public works, borne by the inhabitants of the lower provinces. I do not know that it should be a *sine qua non* that the Intercolonial should earn a revenue over its expenses for that consideration. My information is that the recent tariff rates (I speak now more particularly in regard to the lumber tariff) are not less, but are in excess and very much in excess, of what were previously charged. I personally, in connection with other gentlemen interested in that industry belonging to the lower provinces, am bringing the matter before the Minister of Railways. The subject differs somewhat from that which is immediately before the House, but I may say that the system adopted or proposed to be adopted, by the Intercolonial railway in charging for freight on lumber is a most inequitable and unreasonable one, in my estimation, and I believe the position I take in regard to the matter will commend itself to the members of this House. In regard to the rates on lumber, the proposition of those who regulate that part of the business is that the freight should be charged by weight, and a lumberman whose stock has been exposed to heavy rains for a considerable period of the year, who happens to have a ship at hand during the heavy rain,

and is going to ship his lumber, pays as much for water literally as for the lumber itself.

Hon. Mr. BOULTON—Watered stock.

Hon. Mr. PRIMROSE—Yes, watered stock, spruce stock at that. In this upper country the lumber is of very much more value and can afford to stand a higher rate of freight than the spruce lumber in the lower provinces. Now, I think that is a most inequitable arrangement and should be done away with, and an equitable system, a system of charging so much upon a certain quantity of lumber should be adopted by the government. That is what it has been in the past and that is the rule which should obtain in the future. There can be no doubt at all that the charges now made (I have just received advices from my son at home in the business) are in excess of what they have been in the past. The railway officials insist that men engaged in this business, which is a very large one in our country, shall be subjected to such treatment as this—that wet lumber should be charged freight by weight. I do not see how it can be justified. Then, in another matter, we are also between the devil and the deep sea. They propose now if a shipper holds cars for a longer period than forty-eight hours to charge $1 a car for every day in excess of that forty-eight hours. A steamer coming to Halifax is bound to load as quickly as possible; she has four or five different hatches and loads with steam winches. If you do not have your cargo ready, one of two things will occur, either you have to pay demurrage to your steamer or the steamer will go without your cargo, or if you retain cars for more than forty-eight hours you have to pay $1 a car.

Hon. Mr. MILLER—This is certainly out of order; it is sometimes permitted, immediately before the calling of the orders of the day, for hon. members to interject questions for information in regard to the general business of the House. It is done purely with the indulgence of the House, but we have not reached the orders of the day yet. I think the last call from the chair was on the hon. Mr. Lougheed for his motion on the paper. This discussion, if permitted by the House, is only allowed before the calling of the orders of the day, and then it is only an indulgence granted by the House to members who feel justified under peculiar circumstances, to interject business foreign to the paper on the notice of the House. We commenced with an inquiry from the hon. member from Brandon as to the delayed returns, and ended with a discussion on the rates of the Intercolonial railway. The two subjects were totally different. I do not know where the discussion would end if it were allowed to go on much further; we might have the Yukon railway in it, or some other subject, but we are not at that stage in the proceedings when the House, by custom, permits such discussions as this.

Hon. Mr. PRIMROSE—I may have misunderstood the hon. member from Marshfield (Mr. Ferguson), but I understood he was making a contrast between the Intercolonial railway and the company railways.

Hon. Mr. PROWSE—The subject introduced by the hon. member from Marshfield (Mr. Ferguson) is of such importance as will justify us in giving it a little consideration at the present time.

Hon. Mr. MILLER—I rise to a question of order: there is no motion before the chair.

Hon. Mr. PROWSE—The hon. member from Richmond is a great advocate for conforming to the rules of the House. (Several members—Order, order.) I am speaking to the point of order. Questions of this kind have been discussed in the Senate ever since I have been here, and in very many cases there has been an hour or so occupied in discussing them, and some hon. gentlemen who took very little part in discussions of public questions generally are ready then to call an hon. member to order. Now I am willing to take my seat if it is the will of the House that it should be done, but I think it is in the interests of the country that this question should be discussed by the members of the Senate. If it is decided that this matter should be dropped here, I am willing to take my seat.

Hon. Mr. MILLER—I rise to questions of order as little as any member of the House. We all know that the rules of the House are continually being disregarded, and perhaps I have as much acquaintance with the rules of the Senate as most mem-

bers of it, and I am one of the last members of the House to raise a question of order against any hon. member. I hope, in calling my hon. friend to order a second time, that he will not think that I am influenced by any personal feelings, because I assure him I am not.

Hon. Mr. FERGUSON—I may state, in reference to the remarks which I made, that I brought the matter up by a motion about ten days ago. My hon. friend, the Secretary of State, was not ready at the time to give me an answer, and he asked for a delay. A day was named when he would give the information, and when the day was reached I brought it up again and did not get my answer. To-day I took the opportunity to get an answer from him; had he been able to reply at the time I made my motion we should have had all this discussion then when I was in order.

Hon. Mr. KIRCHHOFFER—Perhaps I shall be allowed to make an explanation. I saw Mr. Lougheed's name on the orders of the day the first order, and thinking that we had reached the orders of the day, I asked the question, but finding that I am out of order I beg humbly to apologize to the House.

Hon. Mr. PROWSE—I move that the House adjourn. I think now I am in order to discuss this matter. It appears to me that the question that has been brought up by the hon. member from Marshfield is deserving of some consideration from the hon. members of this House. It has been shown that the rates on pure bred animals on the railways of this Dominion have been cut down one half. There must be some special object for that course pursued by the railway companies, and I take it that it is a pure matter of business on their part. They are anxious, not so much for the advantage and prosperity of the agriculturists of this country, as they are to increase the business of their own railways, and to do that, as an encouragement to the farming population they have reduced the carriage of pure bred animals so that farmers may be induced to procure and breed a proper class of animals which will give them additional freight for their railways. The object of the railway companies is to make money, but the object of the government and of the government railways, should be, not so much to make money, as to promote the interests of the country, and I do not think they could take any steps which would benefit the farming community more than to give proper encouragement to them to purchase and breed good stocks suitable for the markets of the world. The bsuject is worthy of consideration. I know that the government wlll not lose anything by encouraging the introduction and breeding of superior animals in this country. That is all I have to say on the subject, and I ask permission to withdraw the motion.

The motion to adjourn was withdrawn.

BILL INTRODUCED.

Bill (30) "An Act respecting the Lake Erie and Detroit River Railway Company." —(Hon. Mr. Casgrain.)

DELAYED RETURNS.

Hon. Sir MACKENZIE BOWELL—Before the orders of the day are called, I should like to ask the hon. Secretary of State if that return, for which I moved twelve months ago, is ready yet?

Hon. Mr. SCOTT—The hon. gentleman declined to take his return in instalments. I think I have got all the returns except from one of the departments, and I have been pressing for it all I could. It is either the Post Office Department or the Department of Railways that is the delinquent. I will call the attention of the department to the subject again.

PACIFIC AND YUKON RAILWAY COMPANY'S BILL.

SECOND READING POSTPONED.

The order of the day being read,

Second reading (Bill F) An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company.—(Hon. Mr. Lougheed.)

Hon. Mr. LOUGHEED said: In view of the desire, and also the anxiety expressed by my hon. friend the leader of the House the other day that this bill should stand pending the introduction of the Teslin Lake Railway Bill, if my hon. friend could give us any assurance that that bill will be introduced here at an early day—because I

notice by the press that it has passed the committee stage in the House of Commons —I shall be quite willing to permit this bill to stand until some time next week.

Hon. Mr. MILLS—I believe that the Yukon bill will pass its third reading today, and will come immediately from the House of Commons to the Senate, and so will be before this House at an early day—I think by Tuesday next.

Hon. Mr. LOUGHEED—Then I move that the order of the day be discharged, and that this bill be placed on the orders of the day for Wednesday next.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, March 17th, 1898.

The Speaker took the Chair at Three o'Clock.

Prayers and routine proceedings.

CANADA LOAN AND SAVINGS COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (13) "An Act to incorporate the Central Canada Loan and Savings Company," with amendments. He said: Most of these amendments are merely verbal. There are just three of any importance. One amendment provides that the register of the shareholders shall be accessible for inspection at all reasonable times to every debenture holder, mortgagee, bondholder, or stockholder in the company, which is a very proper clause to put in. Another amendment is an addition which has been made to the clause which provides for bringing the Act into effect, and is as follows:

And a certified copy of the resolution to bring the Act into effect shall within fifteen days from the passing of the resolution be transmitted to the Secretary of State, and shall be by him published in the *Canada Gazette.*

Then there is an addition to the last clause as follows:

And may do whatever is required for compliance with any laws relating to the licensing, registration, &c., of the company.

Those additions are merely to make the language clearer.

Hon. Mr. MACINNES moved that the amendments be concurred in.

The motion was agreed to.

EXPENSES OF W. H. SOWDEN, IMMIGRATION AGENT.

MOTION.

Hon. Mr. KIRCHHOFFER moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a detailed account by the Department of the Interior of the items of the expenses allowed to W. H. Sowden during the period of his employment as immigration agent, and also, the names of all or any persons, who, in consequence of Mr. Sowden's work in the Midland Counties, went to the Canadian North-west, and who, as stated by the leader of the government in the Senate, it is believed by the government would otherwise have gone to the United States, and the residences of such persons prior to their departure to the North-west, and the places where they settled in the North-west.

The motion was agreed to.

DOCUMENTS AND CORRESPONDENCE *RE* STIKINE-TESLIN RAILWAY.

Hon. Mr. WOOD moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a Return showing all offers received by the government for building the Stikine-Teslin Railway or for building any railway or tramway to connect the head waters of the Yukon with the Pacific Ocean, and all plans, specifications and other documents in connection therewith, and all correspondence upon this subject.

He said: I presume there is no objection to this motion. I should like the hon. leader of the government to state if this return will be brought down promptly, as it will be important to have it for the discussion that will take place on the Yukon-Teslin Railway Bill.

Hon. Mr. MILLS—There is no objection to the motion being carried. Whatever papers there may be will be brought down as quickly as possible.

The motion was agreed to.

COMMISSIONER WALSH'S TRIP TO YUKON.

MOTION.

Hon. Mr. FERGUSON moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all letters and reports received by the government or any department thereof, from Commissioner Walsh, while on his way to the Yukon district, or since his arrival there.

He said: I do not need to make any remark further than to express the hope that this information will be brought down in time for discussion on the Yukon Railway Bill.

Hon. Mr. MILLS—I may say to my hon. friend that any official letters that it would not be against the public interest to bring down, will be brought down as early as possible.

The motion was agreed to.

BILLS INTRODUCED.

Bill (G) "An Act to better secure the safety of certain Fishermen."—(Hon. Mr. Power).

Bill (38) "An Act to further amend the Act respecting government harbours, piers and breakwaters."—(Hon. Mr. Mills).

Bill (37) "An Act further to amend the Act respecting certificates to masters and mates of ships."—(Hon. Mr. Mills).

SAN JOSE SCALE BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (82.) "An Act to protect Canada against the introduction of the insect pest known as the San José scale."

The bill was read the first time.

Hon. Mr. SCOTT—It appears that an insect known as the San José scale exists in several countries from which we occasionally import nursery stock. I am told when it attacks a plant it means destruction. The insect multiplies very rapidly, indeed by the million, and it is highly important that we should exclude any stock that is liable to be affected with this scale from Canada. It is well known that we import stock very largely, more particularly from the country south of us, and this pest has been found to exist there very extensively, and has already, I am sorry to say, been introduced into certain sections of Ontario. In the opinion of the Minister of Agriculture, it is highly important that prompt, active measures should be taken to prohibit absolutely the importation of stock that is likely to be affected by this scale in countries where it exists; and that is the object of the present bill. The countries are not named, but I believe the scale exists in Japan, the United States and one or two other countries. This is the season of the year when nurserymen are importing stock, and therefore, to be of any use this year, it is important that the bill should be passed promptly. I may say the House of Commons passed the bill through all its stages yesterday, and with the concurrence of the hon. leader of the opposition I would ask that this House adopt a similar principle and allow the bill to go through all its stages, as it is one of great urgency, and it has already got abroad that the government propose legislation of this kind, and there will be an attempt made to rush in nursery stock in advance of the bill obtaining the royal assent. I shall therefore ask the concurrence of the House to the passage of the bill to-day. I move, seconded by Mr. Mills, that rule forty-one of this House be suspended with regard to this bill.

Hon. Sir MACKENZIE BOWELL—I do not think that any one in the Senate will object to the motion that has been made by the hon. Secretary of State. This bill is of very great importance to the fruit-growing industries of this whole Dominion. Unfortunately, this step was not taken a year or two ago, but at that time I do not suppose any one conceived of the injury which was likely to follow the introduction of this insect into the country. I know that in the western and central parts of Ontario it has already commenced its destructive work. Whether we shall be able to stamp it out after this law has been placed on the statute-book and that which has been made law in the province of Ontario, I do not know, but we can only hope that it will have that effect. At the last session of the Ontario legislature they took the power to destroy the fruit trees in orchards where it had made its appearance, of course providing for a certain remuneration to the

owners of the property, and for one, I congratulate the government on the step that they have taken in proposing to place such a bill as this on the statute-book to prevent the importation of the pest.

Hon. Mr. ALMON—I cordially support this measure. It is a left-handed way of introducing protection. If he could discover a similar pest in all the articles we import from the United States and introduce legislation of this protective character, I should be very happy to give it my support. I say this on my own account, not being represented by any one on this side of the House.

Hon. Mr. ALLAN—I am heartily glad that the government have introduced this bill, for the evil is one which threatens very important consequences to the fruit industry of this country. Nearly a year ago I ventured to draw the attention of the government of Ontario to what was then going on in the introduction of this insect and the extent in which it was spreading in the Niagara peninsula, and the answer I received then was that although they had power to compel owners to destroy trees affected with black knot and one or two other diseases, they did not consider they had the power to compel the owners of the orchards affected by this San José scale to destroy the trees or to remunerate the owners in any way if the trees were destroyed; but at the close of the last session of the Ontario legislature I understand they did pass a bill. Of course we are liable to still further trouble from the pest by the introduction of stock from the infected districts of the United States. Owing to the frightful rapidity with which this San José scale multiplies it would very soon seriously affect most of the fruit growing portions of the country if steps are not taken to prevent its introduction. I am told that it not only affects fruit trees, but that it also affects ornamental trees.

Hon. Mr. FERGUSON—I am altogether in accord with the measure and I think parliament should expedite its passage by every means in its power. There is just one clause of the bill which I do not understand —the 6th. That provides :

6. The Governor in Council may from time to time, notwithstanding anything contained in this Act, permit the importation from any country or place to which this Act applies, of such nursery stock as is required for scientific purposes.

Hon. Mr. SCOTT—I suppose that is with a view to finding the best remedy for the pest.

Hon. Mr. FERGUSON—I do not know but there may be an element of danger in that. Unfortunately, it is not necessary to go to foreign countries for specimens of trees affected by the San José scale. If you open the door for the importation of trees for scientific purposes, it may be the means of introducing more of the pest into the country. I can see no necessity for admitting trees or shrubs in that way. However, there may be some good reason for the clause, that I do not appreciate, or have not yet heard of. The Department of Agriculture have very eminent and capable men as their advisers, and it may be all right. I do not know that this pest has extended beyond the province of Ontario. I have not heard of it yet in Prince Edward Island, and I do not think it has yet reached the maritime provinces. I suppose for local measures of protection dependence will have to be placed on the local legislatures. I hope they will not wait until the pest is amongst them before taking protective steps. I suppose this parliament can do nothing beyond preventing the importation.

Hon. Mr. SCOTT—Attention having been called to the subject I have no doubt the provinces will take good care to adopt any measures of prevention that may be practicable.

The motion was agreed to, and the bill was read the second time at length at the table, and read the third time and passed.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. PERLEY—I should like to ask the hon. Minister of Justice about what time I may expect the returns I asked for a month ago. I had a notice on the paper of the question I wished to put, but the hon. gentleman said if I asked for the papers to be brought down the same object would be accomplished. It is a month now, and the papers have not been laid on the Table.

Hon. Mr. MILLS—To what papers does the hon. gentleman refer ?

Hon. Mr. PERLEY—I refer to the liquor permits of the North-west Territories and Yukon district, the number, to whom they were granted and the amounts and all the particulars connected with them.

Hon. Mr. MILLS—I will make the inquiry of the Minister of Interior and see that the papers are before us as soon as possible.

THE HART DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the 5th report of the Standing Committee on Divorce on Bill (A) "An Act for the relief of Robert Augustus Baldwin Hart."

He said: Two unimportant amendments have been made since the bill was introduced, one in the date and the other in the number of the children. Copies of the evidence taken before the committee were distributed yesterday and I think the House will fully approve of the action of the committee in recommending the adoption of the preamble of the bill.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the bill.

The motion was agreed to, and the bill was read the third time.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 18th March, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

BILL ASSENTED TO.

A message was received from His Excellency the Governor General announcing that he would at 3.30 p.m. assent to the Bill passed by parliament at yesterday's sitting.

His Excellency the Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia; Knight Grand Cross of Our Most Distinguished Order of St. Michael and St. George, &c., &c., Governor General of Canada, being seated in the Chair on the Throne,

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House,—"It is His Excellency's pleasure they attend him immediately in this House."

Who, being come with their Speaker,

The Clerk of the Crown in Chancery read the Title of the Bill to be passed, as follows:

An Act to protect Canada against the introduction of the insect pest known as the San José scale.

To this bill the Royal Assent was pronounced by the Clerk of the Senate in the words following:

In Her Majesty's name, His Excellency the Governor General doth assent to this Bill.

After which His Excellency the Governor General was pleased to retire, and the House of Commons withdrew.

DREDGING LEASES ON THE SASKATCHEWAN.

MOTION.

Hon. Mr. LOUGHEED moved

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate, a Return of all dredging leases made by the government during the last eighteen months on the Saskatchewan River and its branches, also particulars of the parties to whom made, the rental to be paid and the amount paid, the extent of work, if any, done under same, together with the official reports, if any, which induced the government to grant said leases upon the terms contained therein.

Hon. Mr. MILLS—Perhaps it might shorten the work and facilitate the bringing down of this return if the hon. gentleman did not ask for what was practically a copy of the leases. The names of the parties, the area, the amount to be paid, and the period for which the leases are to run is what the hon. gentleman really requires. If he obtains this information he would not desire copies of the leases, I suppose?

Hon. Mr. LOUGHEED—I do not require copies of the leases.

Hon. Mr. MILLS—Simply all the important particulars?

Hon. Mr. LOUGHEED—Yes.

The motion was agreed to.

REPATRIATION OF THE HUNDRETH REGIMENT.

MOTION.

Hon. Mr. BOULTON moved

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, any correspondence that has taken place between the government and the home authorities *re* repatriation of the 100th Royal Canadian Regiment.

He said: Hon. gentlemen will recollect that a year ago numerous petitions, numbering, I think altogether some three hundred, from all parts of Canada, signed by all classes, by men in the highest authority in the land by military men and all classes generally, there has seldom been a more popular petition presented for any purpose. It was sent to His Royal Highness the Prince of Wales, after whom the regiment is called, &c., praying that the Royal Canadian Regiment, which was formed in 1858 and which has since been absorbed in the territorial system and its identity lost so far as being a Canadian Regiment is concerned, might be repatriated and that the depot might be established in Canada, so that the ranks of that regiment shall be filled with Canadians in the same way that ranks of Scotch regiments are filled with Scotchmen and the ranks of Irish regiments filled with Irishmen, and so on, that the two battalions might represent the territorial district of Canada for service abroad. Now that was presented a year ago and there does not seem to have been any advancement made upon the lines of the petition. I ask the government to-day what correspondence has taken place, and express the hope on behalf of the petitioners that some steps will be taken to satisfy the object of the petition. The depot of a regiment consists of two companies where recruits are trained before joining their regiments, and about 10 recruits per month or 60 every six months are necessary to keep up the ranks of a regiment. On no more appropriate occasion could this question be brought up, following as it does the Jubilee celebration of last year, and following, as it does, the determination of Great Britain to increase her effective forces by something like 23,000 men for the purpose of maintaining the prestige of the empire and enforcing what the British government believes is a necessity in the government of the world, and securing the co-operation of the nations in the betterment of the world's government. The opportunity, as I have said, is a good one now, to offer to supply one of the battalions with the recruits in order that Canadians, whether officers or men, may have an opportunity of performing service in the broad field of the British Empire, and sharing with the rest of the British Empire in the glory and renown that sheds such lustre upon so many names in the past history of the world. The British government has been liberal in giving commissions from our military college, and from the militia regiments, so that quite a number of officers from Canada are scattered throughout the British service. Now, hon. gentlemen, there is a very strong reason why the prayer of this petition should be granted by the British government, and there is every indication that the British government are quite in sympathy with the movement that was inaugurated by the petitioners for the repatriation of this regiment. The British government, apparently, have only been waiting for some disposition to be shown on the part of the Canadian government that they are in accord with the prayer of the petitioners. The history of the 100th Regiment is an exceedingly interesting one. There have, in the history of the British army, been six different 100th regiments, raised upon six different occasions, and they have been reduced and disbanded in consequence of the cessation of warfare or the reorganization of the service. The first regiment was raised in 1761 and was on active service for some three years and was disbanded. There was another regiment raised in 1784, and that served for a number of years and was disbanded. Then there was another regiment—the 100th Regiment was raised in 1795; it was raised by the Marquis of Huntley, son of the Duchess of Richmond, who was commissioned to raise a regiment, to be called the 100th. It was composed of Highlanders, and afterwards became the celebrated 92nd Gordon Highlanders which have taken such a famous position in the history of British arms. It was raised under some peculiar circumstances. It was at the commencement of the French war of that date, and the Marquis of Huntley did not succeed in getting the number of men that was nec-

essary. His mother, the Duchess of Richmond, in her enthusiasm, herself went out among the farmers and people of Aberdeen and recruited the regiment on behalf of her son, three-fourths of whom came from the Highlands and one-fourth from the Lowlands of Aberdeen. In her tartan and Scotch bonnet she went over the whole county in her anxiety to see the ranks filled, and the story goes that one day in the market place she put a golden guinea between her lips and invited the men to come and take from her lips with their lips the golden guinea in order that the regiment might be recruited up to its strength; and when she died she wished to have it placed upon her monument that she recruited the regiment for the British service. As I have said, that is an interesting episode and the regiment was completed to eight hundred strong and went to Gibraltar for service at the time. The next regiment called the 100th was raised in 1805, and that is the regiment that came out here and served in Canada during the war of 1812 and 13. That regiment was raised in the county of Tipperary and the city of Dublin in 1805, and embarked for Canada in August, 1805. It had a rather disastrous commencement, because of the wrecking of two transports which were conveying parts of the regiment to Canada. The name of one transport was the "Æneas" and they were convoyed by H.M.S "Mercury." One of the transports with 350 on board was wrecked off Cape Ray, and all, with the exception of four of the soldiers, were lost. These four found their way the following spring to Quebec, where they rejoined the regiment and brought the news of the great disaster. A sister transport, conveying another portion of the regiment, was wrecked off the opposite coast of Cape Breton. So that at the start two transports, bringing out a very large portion of this regiment, were wrecked. None of the soldiers were lost by the second wreck. This regiment served with a great deal of distinction between 1805 and 1818, when it was disbanded. It took part in all the active operations of those days. It was stationed at one time at Ile aux Noix, and captured Plattsburg at Lake Champlain while it was stationed there. The history of that capture is an interesting one and I will just give you a short description of it, the history of which is in our archives. They were stationed at Isle aux Noix, and the Americans had a portion of the fleet they had built placed upon Lake Champlain. The design of Major Taylor, who was then in command of the 100th Regiment, was to try and capture the fleets and strike a blow at the enemy on Lake Champlain. The description goes on to say that:

> The Americans, with their usual foresight, had, soon after the commencement of the war, armed and equipped for the service of Lake Champlain, three sloops were a most valuable acquisition to us, and their loss occasioned a proportionate mortification to the Americans. These sloops had on board more cutlasses and more axes and boarding spikes than a British 18-gun brig of 121 men and 385 tons. The unfortunate possession of these sloops, named at first the "Broke" and the "Shannon," but subsequenlty altered to "Chubb" and "Finch," suggested the idea of sending against the American forts on the border of Lake Champlain a combined naval and military expedition. No seamen being, at the time, at Isle aux Noix, and none to be spared from Lake Ontario, the commander of Her Majesty's brig "Wasp," then lying at Quebec, gallantly volunteered with himself and crew, to man the two sloops and gun boats, and tried to pursuade Commodore McDonough at the head of this very superior force, to a struggle for the ascendancy on the lake.
>
> For the purpose of carrying into effect the intended operations along the shores, about one thousand officers and men of the thirteenth and one hundred regiments, under the command of Lieut.-Col. Murray, inspecting field officer of militia, embarked at Isle aux Noix on the 29th July in the Broke, Shannon, and three gun boats, and about forty bateaux provided for the purposes. The flotilla arrived the next day at the American town of Plattsburg, where the troops landed, and after frightening away by their looks about 400 militia, proceeded to fulfill the object of their mission. They burnt the State arsenal, Pikes, encampment, several blockhouses, the extensive barracks at Saranac (three miles off, capable of containing 4,000 troops), and every building of the United States between the latter place and Plattsburg. After performing this laborious task, the troops re-embarked, carrying away with them a quantity of naval stores, shot and equipment for a large number of bateaux. A party of the British next proceeded to Swanston, Vermont, near the head of Missisquoi Bay; there they also destroyed the barracks and public stores, as well as several bateaux lying at the wharf, and there re-embarked. Of two writers we have heard of from Burlington, distant 24 miles only from Plattsburg, one says: "We have not heard of any private property being destroyed, and our accounts are to a late hour last night." The other says: "They have done no injury to private property."

That is just a little interesting memento of the services of the 100th Regiment in that neighbourhood, the record of which is in our archives. They were afterwards transferred to another scene of action in the neighbourhood of Niagara, and there the 100th Regiment took the fort of Niagara and occupied it a year, from the 30th December, 1813, to the 14th of December, 1814. They were badly cut up at the battle of Chippawa, and their colonel, the Marquis of Tweedale,

was wounded there. This brief sketch shows the part that the 100th Regiment of that day played in the history of Canada. After the war was over and peace was restored, in 1818, this 100th Regiment, following the fate of all the regiments of the same name, was disbanded, in Canada, at the same time as the Duke of Richmond came out here to be Governor General of Canada, with his son-in-law, Sir Perigrine Maitland. They were embarked in bateaux at Quebec, to come up the Ottawa here to be located as pioneer settlers of the country. The regiment came up as far as the Chaudière Falls, and there they cut a road through the woods and established their headquarters at Richmond, and the regiment which I am now speaking of, which had such an interesting history during that period, founded the great settlements that exist now in the counties of Lanark and Carleton. So that the 100th Regiment is closely associated with Canada, in so far as the regiment that was disbanded turned their swords into pruning hooks and founded the magnificent counties I have spoken of. Their descendants to-day are among the leading Canadians of our time. That is a very interesting phase of this particular question to show how identified they are with Canada. Then we come down to the time of the Crimean war. Offers were made by officers in Canada to raise a regiment during that war, but the proposition was not deemed expedient at the time, especially as the Crimean war was drawing to a close. At the end of 1857, the British government accepted an offer to raise a regiment in Canada during the Indian mutiny, fearing, perhaps, that they might have a prolonged struggle in maintaining the supremacy of British power in that country. That regiment was raised forty years ago. The recruiting commenced in March, 1858, exactly forty years ago this month. I had the honour of receiving the commission of ensign in that regiment, and I raised forty men in my neighbourhood—back of Port Hope, out in Lindsay, and that direction. The regiment was raised in this way : The major had to raise 200 men. He was Major Dunn, son of a former Receiver General of Canada, who had won the Victoria Cross at the age of 20 in the Balaklava charge. He afterwards became colonel of the regiment, and in 1868 lost his life in the Abyssinian campaign. There were six commissions as captain given, and they had to raise eighty men. There were seven lieutenancies, and each lieutenant had to raise forty men. In that way the regiment was raised in a very short space of time in the provinces of Ontario and Quebec, and in July it was formed in Quebec. There it received its first drill, and was uniformed in the old coatees of the days of the Peninsular war, from old stores which had been sent out here and had been lying at Quebec some forty or fifty years. When we arrived in London, that was the uniform that we were arrayed in—the old coatees of forty or fifty years previously. The regiment was 1,240 strong, and, after being drilled by non-commissioned officers of the Guards, we went to Aldershot, and thence to the Mediterranean. We served there some time, and then came to Canada and served a couple of years here; then went to England, and, after having served there for some time, the regiment was sent to India. In the course of time it became the policy of the British government to do away with the numbers of the regiments and to assign them to what is called territorial districts and to unite two battalions together in the territory, and also link with it one or two militia battalions raised in the same district; so that each district had its territorial complement of about four battalions, two of them active service battalions and the other militia battalions. When that was done the identity of the regiment was lost. It ceased to be called the 100th Royal Canadian Regiment, but linked with the 109th, a regiment that was raised by the East India Company, and they became known as the 1st and 2nd Leinster Regiment. One of the officers was Captain Smythe, from the neighbourhood of Brockville, and as a major of the regiment he fought very hard indeed and was able to retain the name of the Royal Canadians in the title of the regiment although it was known as the 2nd Leinster. This territorial system, as I said before, is confined to the British Isles. There is a disposition on the part of the British government to extend that territorial system to all parts of the British Empire—at least the self-governing portions of the British Empire—so as to identify the services that are raised for the defence of Canada, Australia and South Africa with the British army in its role, and the object of the petitioners is to endeavour by such means as they took, to have the territorial system established in Canada, and to

have the 100th Regiment recruited from Canada, so as to have a distinctive Canadian regiment in the British service in the same way as exists now in the British Isles. The following is from the *Morning Post* and gives a suggestion on the subject of giving back to Canada our old regiment, after alluding to the letter of the Secretary of State for War from the "Service" members of the House of Commons. It says:

On the other hand we are heartily in accord with the service members in the new points which they are trying to impress on Lord Lansdowne as being necessary to the efficiency of the army. As they point out in their letter: "We cannot perceive that the disadvantages of the present system will in any sense be diminished by the substitution of 4-battalion for 2-battalion regiments." Indeed if the "linking system" of territorial regiments must be continued, it would most certainly be a distinct gain to create new double-battalion regiments for new territories, and one of the most popular of such regiments would be one which could easily be formed by splitting the present Leinster regiment into its component parts of the old 100th (Royal Canadians) and 109th, and by giving back the 100th to Canada and raising another battalion in that country; and by adding another battalion to the 109th, reinstating the Leinster regiment as a double-battalion, Irish territorial regiment. Some of the new regiments might also be raised in Australia, New Zealand, and South Africa, to the great and lasting advantage of the Empire.

That is a policy which will meet with favour in the mother country when the question is brought before the British government. Before these petitions were presented there was a letter written and a petition sent from the city council of the city of Toronto, asking that a recruiting depot should be formed, or replaced where it once existed when the regiment was first formed, and there has been some correspondence in regard to that matter. The reply that was received has been published, and I obtained it from the Canadian Militia *Gazette*, and it reads as follows:—

The movement set on foot by the way of a petition to His Royal Highness the Prince of Wales, signed by many of the leading citizens of Canada, as well as by municipal corporations, for the repatriation of the old 100th Royal Canadian Regiment, was followed by a resolution passed by the City Council, Toronto, asking the Imperial authorities to locate the territorial district at Toronto. This resolution having been forwarded through the Governor General, the following despatch in reply has been received:—

WAR OFFICE, LONDON, S.W.,
3rd November, 1896.

SIR,—I have the honour to acknowledge the receipt of your letter of the 29th July last, forwarding a copy of a despatch from the Governor General of Canada, dated 8th July, together with a petition from the corporation of Toronto, praying that the name of the 100th or Prince of Wales's Regiment, may be restored, and that a depot of the regiment may be established in Toronto.

I am directed to inform you that these suggestions have been carefully examined, and that the Secretary of State for War and the Commander-in-Chief are prepared to give favourable consideration to any proposals which may tend to foster the connection between the regular army and the military forces in Canada, and to further cement the strong feeling of sympathy already existing between the mother country and the Dominion.

The Marquis of Lansdowne observes, however, that in forwarding the petition from the Corporation of Toronto, the Governor General of Canada had expressed no opinion thereon, nor is there anything in the correspondence to show whether the proposal is one which has the support either of the Provincial or the Dominion Government.

Before any further action is taken it would in Lord Lansdowne's opinion, be desirable to ascertain whether the proposal may be taken as representing the wishes of the Canadian people generally, and whether the Canadian Government concur in the views set forth in the petition and would be prepared to give them practical support.

Such support might take the form of providing barrack accommodation, medical attendance and facilities for commissariat arrangements, in the event of its being found practicable to establish a recruiting depot at Toronto, which measure, Lord Lansdowne is advised would be the best tentative and preliminary step in the direction desired by the petitioners and might, if successful, be followed by the restoration of the title of Royal Canadian and the affiliation of the two battalions of Canadian Militia to a regiment recruited entirely from Canada.

I have, &c., &c.,

(Signed.) G. LAWSON.

The Honourable, the Secretary of State, Colonial Office.

The Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, under date of October 14, 1897, writes to Lord Aberdeen, asking him if the Canadian Government had furnished him with an expression of their views on the proposal that a depot of the Leinster Regiment should be established at Toronto. The Secretary of the Militia Department, Ottawa, under date December 9th, asks the Mayor of Toronto, to let him know for the information of the Minister of Militia, what answer can be given on behalf of the city of Toronto. The mayor will bring the matter before the council, but it is unlikely that any definite result will follow until after the municipal elections.

This shows a part of the correspondence that has been passing; to ascertain to what extent it has been lengthened out is the object of my inquiry at the present moment. The question of recruiting in Canada is one that should be favourably received by our government. In this very 100th Regiment that was raised forty years ago was a non-commissioned officer named Eli Clarke, who was enlisted in London, Ontario, at the time the regiment was raised. Eli Clarke served with distinction for 30 years and has now six sons in the same regiment, all occupying positions in the non-commissioned rank. One has served 12 years, another six, another five, and so on down to the youngest son. That of itself, shows the affection, at any rate,

that that family have for the British service and the respect which they hold towards it. The pictures of Mr. and Mrs. Clarke and the six sons were published in the *Graphic*, and they are as fine and handsome a family as could be desired. There is no reason in the world why the advantage of a position in the Imperial service should be withheld from any of those in Canada who desire to occupy it. A great many people might say we are trying to get immigration into this country, and we should not drain the country of its population, but the class of men who go into the British service are military men at heart. Their desire for the life has been inherited from their forefathers. Canada has been largely recruited and settled in its pioneer days by half-pay officers and pensioners sent out and located here. Some 500 or 600 of this very regiment were the pioneers of this eastern district of Ontario, and the United Empire Loyalists are a very large percentage of the people, and all of these have military instincts. They desired to have the honour of serving Her Majesty under her colours, and their ambition is stirred to accomplish that result. The fine militia battalions we possess and the *esprit de corps* which is a distinguishing feature of them, is the best evidence of how our young men take to the military training. General Gascoigne has also been forwarding his policy of an interchange of service between our permanent companies and the companies of British regiments. We ought not to withhold the privilege from our Canadian people, so far as they are desirous of having facilities placed in their way to enable them to take service under the British flag in the broad field of the British Empire. It is impossible for them, at present, to do so unless they go to considerable expense themselves. I would impress upon our government the desirability of placing this benefit that the British government is apparently quite willing to afford to Canadians, of taking part in the broad field that the British Empire offers, of giving to Canada an opportunity of sharing in the honour and glory of the vast field which has been opened out through so many centuries by service under the British flag I earnestly express the hope that the government will give every consideration to that particular phase of the matter. With regard to the regiment, one of the battalions, half of which was the old 100th, has been transferred to Halifax within the last few months to relieve the Berkshire Regiment which has been stationed there for some time, so that the movement has already begun, so far as the British Government is concerned, in meeting the views of the petitioners to that extent; but when it comes to the extent of recruiting and making a recruiting depot here, naturally the British Government says "We think that the Canadian people should contribute somewhat to the expense of maintaining a regiment, not so much for the sake of the money value, but to show the desire of the people of Canada to share in the expenses of maintaining the defensive forces of the British Empire." I think it is a great advantage to Canadians that we have the privilege of lending our aid not only of men but also of materials, as an integral part of the empire in maintaining its prestige. We want that to be thoroughly recognized by the British government, which they are quite prepared to recognize. We want to assume the responsibility ourselves. We are not able to contribute a large sum, and Sir Wilfrid Lawson's letter suggested the advisability of providing barrack accommodation and medical attendance. Those are but small items, even if they would cost us anything. Whether we have barrack accommodation above what is required for our own militia is a question that I cannot answer, but if it should necessitate the construction of some additional barrack accommodation that should be no obstacle in the way of carrying out the wishes and the very proper desires that are expressed through the petition. Nepean Point here, or the Garrison Common, Toronto, would either of them be suitable sites for the purpose, or the Citadel at Quebec. The object I have in view is now to bring this question up and place before the government the views that I am advancing. It is our interest in every way and by every means in our power to support the British government in the fight that they are making all over the world in order to carry out the destiny that has evidently fallen to the lot of those who stand at the back of the British Empire. They are building a road right through the heart of Africa from Cairo to Cape Town. That is a marvellous thing. They had first of all to overcome the wild tribes, where industry is at its very lowest ebb, where slavery is one

of the active forces to be met—a land which is kept apart from the rest of the world for want of transportation facilities that our civilization to-day affords. The native forces are utilized in the great work and under Imperial officers are advancing from the north and from the south, and when that railway is completed they will have accomplished a great thing for the benefit of the world. That great engineering work performed by one nation is on a par with the efforts put forth by this small Canada of ours with its five million people, in constructing the Canadian Pacific Railway, but that was done through an uninhabited country or a country inhabited with a peaceable population. The African railway is advancing in the face of hostile tribes and in the face of all the difficulties that are found in that savage country, and when the line is built it will be open to everybody for trade, open to every country in the world, and all will have the same advantages that the British people themselves possess, with protection to life and property insured. Then, again, look at the great efforts put forth by the British government in the East to keep China open for the trade of the world, not to allow Russia or any other country to seize large slices of China and exclude the rest of the world from it, not to allow one nation of the world to close the doors of China and govern it according to their own individual ideas; England says the doors of China must be kept open to the whole world and for the benefit of China herself. Now, that is a noble policy for any nation to lay down. It is pursued in the interest of peace, for it is only when people are seizing and grasping for their own selfish desires that war ensues. Therefore, in supporting Great Britain in the effort she is putting forth to-day, occupying so wide a field in the eyes of the world to-day, we are fighting, not for the agression, not for selfish objects, but fighting to ensure the peace of the world, and under wiser and better counsels bringing that about more gradually. It is a great privilege for Canada to be able to take her share and indentify herself with Great Britain and say we are part of the great Empire. California and Florida are able to say, "we are part of the United States, a nation of 70,000,000 people." Canada by herself, throwing off her allegiance to the British Empire, and striving to govern this vast country, from the Atlantic to the Pacific, with five millions of people, would very soon find her efforts thwarted if she had not the power of the British Empire to protect her from aggression perhaps, on our Pacific coast, perhaps on our Atlantic coast, perhaps aggression along the boundary line from the Atlantic to the Pacific. When we, as Canadians, are able to say we are part of, and no mean part of, an empire of 350 or 450 millions, then there is something to broaden our minds and guarantee us peaceful progress; we have no right to put upon the shoulders of Great Britain the entire responsibility of maintaining a defensive force for our benefit as well as for their own. There is not one solitary advantage gained by the British government in all the efforts they put forth that we do not share to the fullest extent. I have a book here on imperial defence, edited by Sir Geo. Clarke, an officer who is very distinguished, and I think ranks with Capt. Mahon as a contemporary writer on defensive forces, and I just wish to show from it the aggregate marine tonnage of the British Empire and the comparative expenditure upon its defence. It is computed only upon vessels of 100 tons and upwards :—

Country.	Aggregate tonnage mercantile marine (vessels, 100 tons and upwards).	Aggregate annual naval expenditure.
	Tons.	$
United Kingdom.....	12,117,957	81,640,585
India.....	50,745	4,760,000
Self-governing Colonies.	937,476	1,101,080

Comparing the above figures with the tonnage and expenditure of other nations we have :

	Tonnage.	$
United States	*994,675	25,366,825
France	1,094,752	54,125,200
Germany.....	1,886,812	21,590,625
Russia.....	487,681	25,572,845

*Sea borne tonnage only.

These figures speak for themselves. The tonnage is 937,476, the expenditure $1,101,080.

The aggregate naval expenditure by the United Kingdom is $81,640,585; by India, $4,760,000; while the self-governing colonies contribute $1,101,080. That will give you a very clear idea of the proportion of the self-governing colonies together are bearing towards the naval defence, that is to say, that where England has been spending about $6 or $6.50 a ton in naval defence we don't spend one dollar a ton. They are bearing

the burden of protecting the seaborne trade of the British Empire to the extent of nearly seven times as much as the self-governing colonies are contributing upon the comparative ownership of tonnage, while measured by moneys' worth it is seventy-five times as much. While we cannot do any thing more than our financial ability will permit us to do, we can show a disposition, such as is sketched in the correspondence brought before you, to do our best by accepting the opportunity that the British government is apparently willing to give to us in regard to the repatriation of the 100th Regiment and provide barrack accommodation and medical attendance or whatever may be agreed upon by correspondence between the two governments. I do not know that it is necessary to prolong my remarks so much as to test the patience of hon. gentlemen, although I am quite satisfied that the question I am debating has their fullest sympathy, and that there is no more loyal or patriotic body of men who are responsible for the good government of the country and who have a like experience behind them to guide them, than this honourable Senate of Canada.

I ask your privilege to allow me to embody in my remarks here a more complete record of the Jubilee contingent which went to England last year. I referred to it for a short time in my speech on the address, but it is a theme that cannot be too much dwelt upon when it is fresh in the minds of the people of the British Empire. I prepared it in manuscript with the view of embodying it with a list of the names of the whole contingent and some other data to be preserved as a memento of a month's service among the colonial forces of the British Empire, and which I hope might be accomplished for the benefit of the men who were desirous of preserving a record of their services together. If the hon. gentleman will permit me to so far transgress the rules of the House as to embody it in my remarks that the record may be preserved in our Hansard, I will not task your patience by reading it. It is as follows: In order that every officer, non-commissioned officer and man doing duty with the Imperial colonial contingent in Chelsea barracks, either in its organization or discipline, might have a memento of his service and the corps he served with, the nominal roll of the whole contingent force has been printed, with a short account of the occasion which brought them together. It will serve as a record of his participation in one of the most remarkable military gatherings of the nineteenth, or, perhaps any century, when contingents representing the outlying forces of the British empire, drawn from all parts of the world, came to honour the noblest sovereign that has ever occupied the British throne. By so doing, they perform the graceful and patriotic act of laying the voluntary submission of the government that sent them to the British constitution, of which Queen Victoria has been the constitutional head for the space of sixty years. At the same time that the colonial governments were represented by the defensive force of their respective countries, the premiers of the self-governing colonies assembled as the invited guests of the British government to honour Her Gracious Majesty by their presence at the Diamond Jubilee of Her reign—the golden jubilee, commemorating the fiftieth year of Her Majesty's reign, was held in 1887. During the succeeding ten years, the spirit which is to-day moving the hearts and minds of British subjects has broadened. To be a citizen or a soldier of the great empire which is assuming more definite shape as decade after decade passes by is now a proud title. The unanimity of sentiment displayed by all classes and nationalities assembled in the heart of the empire bore ample witness to that spirit. The contingent forces began to assemble in May in Chelsea barracks and their number was completed by the arrival of the Canadian contingent on the night of the 15th of June, they were met at Euston station by General Lord Methuen, Colonel Ivor Herbert and Colonel Ward of the army transport corps, with the fife and drum band of the Grenadier Guards. The pipers of the Coldstreams and drum and fife band of the 13th Middlesex Volunteer regiment who accompanied them on their march of four miles from Euston station to Chelsea barracks. Chelsea barracks is an adjunct of Chelsea hospital, the home of Britain's aged soldiers to the number of 500. Chelsea hospital was completed in 1695 under the architecture of Sir Christopher Wren, and has remained without change a monument of the solicitude the English people have always shown for the men who have helped to make their name great. The governor is Field Marshal Sir Donald Stewart, and the Deputy Governor is General Charles

Robinson, a Canadian from Toronto. The chapel is the repository for some of the flags and ensigns representing British victories of the past, and portraits of celebrated officers are preserved in its precincts.

In their interior economy the contingent force came under the command of General Lord Methuen, of the Guards, who commands the Home district. For discipline they were placed under the command of Colonel Ivor Herbert, who commanded the militia of Canada for several years, Colonel the Hon. Matthew Aylmer, Adjutant General of the Canadian militia, who came over in command of the Canadian contingent, being appointed on their staff; Lt.-Col. Ward, of the army service corps, acting as Quartermaster General, Colonel Mason, of the Grenadiers of Toronto, Canada, being appointed to command the infantry of the whole force, and Colonel McInnis of Australia, to the command of the cavalry. On official parades and inspections Field Marshal Lord Roberts took command of the whole of the colonial forces.

The troops were sent at the expense of the several governments to which they belonged, barrack accommodation and the most liberal rations being supplied by the British government, as well as all transport and seat accommodation for the various reviews, etc., which they witnessed. An officers' mess for all the officers was established in the gymnasium of the barracks, under the presidency of Capt. Matthews of the army transport corps. Horses were supplied for the use of the mounted officers and men, with the exception of the Canadian Mounted Police and Australian corps, and a corps from Cyprus, who brought theirs with them. The important parade for which all the troops met together was to form an escort to Her Gracious Majesty the Queen, to St. Paul's Cathedral, on the 22nd of June, where, on the 60th anniversary of her accession to the throne, she offered her thankfulness to the Almighty for the blessings vouchsafed to the people she ruled over during her long reign.

On the 10th of June, the day after the arrival of the Canadian contingent, the whole force paraded on the barrack square. Previous to the arrival of the Canadian contingent the Duke of Connaught inspected the force that had assembled. An invitation was sent to attend a smoking concert in the evening given by the Victoria and St. George Rifles at which Lord Roberts was present. On the 17th there was no parade, to allow officers and men to attend the Ascot races cup day, His Royal Highness the Prince of Wales's horse Persimmon won Her Majesty's cup and 4,000 guineas. The Guards Club invited the officers to luncheon in their marquee which was a most hospitable entertainment. On the 18th there was a march out of all the colonial troops five or six miles through London, inspected by Lord Roberts —Conversazione at Royal Colonial Institute in the evening, smoking concert of London Scottish same evening, Colonel Balfour in the chair. On the 19th parade at 9 a.m. Infantry marched to Battersea park and practised halting on the street—mounted troops marched out and joined a brigade of Cavalry and Royal Horse Artillery to march through the streets in the east end of London where they formed a procession for that part of London which was beyond the official route marked out for the procession of the Queen and royal family on the 22nd of June or Jubilee day. On Sunday the 20th the troops attended church parade at their various churches ; at Chelsea hospital an inspection of the corps of commissionaries was held and they attended an open air service. This corps was organized by Sir P. E. Walters, a brother of the late Mr. Walters of the *Times*. He still commands it. It consists of discharged soldiers to the number of 2,300 who are all found to be trustworthy employees all over London in various clubs, mercantile establishments, etc., a most honourable corps. Though meeting occasionally for military inspection they form a co-operative society among themselves, subject to the rules and regulations they themselves impose for their effective discipline and government. On Sunday evening Lord Methuen entertained a large number of the officers to dinner. On Monday the 21st, parade. The mounted force marched to the Thames embankment, and took up the position they were to occupy on the following day in front of the Hotel Cecil where they were to be joined by the premiers of the Colonial governments in leading off the procession. On the morning of the 22nd they paraded at 7 a. m. to take their part in the escort which was accompany Her Majesty the Queen to St. Paul's Cathedral. A Guard of honour was furnished by the contingent under the command of Colonel

Lassiten, Captain Fleming commanded the Canadian portion and they marched off separately. The force formed upon the Thames embankment at 8 o'clock as previously laid out, Canada being the senior colony led the procession with Lord Roberts at the head preceded by the band of the Life Guards, immediately behind Lord Roberts and Col. Herbert rode the unattached officers who came over with the contingents. The carriages of the colonial premiers formed up in the rear of each of their contingent forces, and at 8.30, the colonial force moved off for Buckingham Palace, passing under the archway of the Horse Guards through St. James Park, past the palace on to Piccadilly through St. James St. past St. James Palace the residence of the Duke of Connaught and Marlborough House the residence of the Prince of Wales, down Pall Mall, through Trafalgar Square and the Strand to St. Paul's, where at 12.30 o'clock a service was held in the open air by the Archbishop of Canterbury on the steps of St. Paul's, supported by the bishops and clergy of every denomination at home and abroad. The colonial force was drawn up in front and around St. Paul's, and after the impressive service which lasted about twenty minutes, the procession changed its formation and the British troops led upon the homeward journey. The state carriages containing members of the royal family followed by the Queen in her state carriage with whom was seated the Princess of Wales and the Princess Christian, all passed in front of the colonial force. Their Royal Highnesses, the Prince of Wales and the Duke of Connaught, rode beside the royal carriage which was led by the commander in chief Field Marshal Lord Wolseley who looked remarkably well. He was preceded by a brilliant staff of foreign officers, princes and officers of Her Majesty's Indian empire, the Lord Mayor of London, &c. After the Queen's state carriage had passed, the colonial forces took up their positions in rear of the procession led by Lord Roberts with unattached officers from various colonies at the head followed by the mounted troops and infantry, the Canadian Mounted Police closing the rear of the great procession. In this order the procession returned to Buckingham Palace, crossing London Bridge to the Surrey side and recrossing on Westminster bridge. Every one who marched in that memoral procession can never forget the multitude of faces they passed by for six miles. Loyalty, enthusiasm and good humour being the chief characteristics. Floral and other decorations with appropriate mottoes expressive of the occasion were visible everywhere, which with the seating accommodation in every available space and the crowds that lined the pavement made a most picturesque *tout ensemble.* Some 48,500 troops composed of British regiments, militia regiments and volunteer corps lined the route in single rank, supported in rear by members of the police force. From start to finish there was not a hitch in the proceedings which governed the march of the procession, no accidents and no confusion. The movement of the procession was governed by bugle sound from the rear, and it was signalled by signal men from the tops of houses so that through the heart of the great city the movement of the procession was governed as one man. The Duke of Connaught assisted by General Lord Methuen in command of the home district, and other officers were the official heads who planned and guided its movements. There could be only one impression formed during the stay of the colonial force in London, and that was, that the principles of government had reached its highest development in the government of the five or six million people within such a narrow sphere, with a cordial assent by the people both rich and poor to be controlled by the governing forces whose rule of conduct is "liberty without license." The Queen, as she stepped into her state carriage at Buckingham Palace, handed for publication a loving message to her subjects throughout the British empire. At the gate of Buckingham Palace one of the chief electricians had an instrument, and as she put her foot on the step of her carriage, she pressed a button, and immediately to every centre in her extended British Empire, her message was sent, and in some cases upon her return to the palace replies were awaiting her.

Although at the advanced age of 78 Her Majesty bore the fatigue of the procession well. Her carriage was an open one, and she was seen to the best advantage by the populace, who received her with loud acclamations. The colonial premiers of their respective governments and the various contingent forces were regarded with almost as much interest as Her Majesty. Their physique, their discipline, the variety of

their uniforms, their carriage with just sufficient rivalry among themselves to please, showed them off to the best advantage, and they were all heartily received as friends and comrades by the spectators of the great procession, a portion of which was reflected by their commander, Field Marshal Lord Roberts, who led them on his Arab pony that had carried him on his celebrated march to Kandahar. The force combined great varieties of picturesque uniforms and every shade of facial colour was represented in all its gradations, from the blackest ebony of the equator to the fair sons of the north and south, all standing shoulder to shoulder in the same cause, "Our Queen and Empire."

Officers and men were under arms and on the march for nine hours, those who lined the route, probably having the most fatiguing duty. The morning was cloudy, but a little before noon the sun shone out in all its warmth and brightness, and Queen's weather was maintained on this brightest of all Her Majesty's reign.

In the evening Lord Methuen entertained a large number of the colonial officers to dinner and with him after dinner every one turned out to view the illuminations. The streets were thronged till an early hour of the morning, no vehicles were permitted and the whole of the great London thoroughfares through which the route of the procession passed was alive with human nature in its merriest mood. The decorations were exceedingly good and lighted up were shown to the best advantage. On Wednesday the 23rd, parade was in order for 6.45 to be inspected by the commander in chief, Field Marshall Lord Wolseley, in Hyde Park, who was accompanied by a large staff. After a general salute, Lord Wolseley with Lord Roberts and Colonel Herbert rode down the ranks, the band of the Grenadier Guards, who oftimes gave their services to the colonial force played for us. After the inspection the troops marched past, and the officers were then called to the front and addressed by the commander in chief who complimented the force upon its soldierly bearing and good marching, and made especial reference to Canadians with whom he had been closely allied in his past services, especially in the Red River expedition which he commanded in 1890. Lady Brassey invited the officers on this day to an entertainment at Normanhurst Court Battle to meet the colonial premiers, but the commander in chief's inspection prevented their attending. In the evening Albani invited the force to a special concert at Albert Hall. On the 24th an invitation was sent by the Maxim Nordenfeld Company to visit the Einsford ranges. The whole force paraded and took the train at 11 o'clock, tickets being provided by the company and a most hospitable repast was provided for both officers and men. An interesting afternoon was spent inspecting the works and witnessing the shooting of the rapid firing guns. The men returned to barracks in the evening greatly pleased with their day's visit and the kindness and attention of the Nordenfeld Company for the instructive day. The managers of the theatres sent invitations to the colonial troops to attend, so that all who desired could enjoy themselves to their hearts' content in the field of tragedy or comedy. On the 25th the Canadian contingent paraded at 11 a. m. to receive the Right Hon. Sir Wilfrid Laurier, Premier of Canada, and the High Commissioner, Sir Donald A. Smith. Sir Wilfrid Laurier, notwithstanding the round of visits he had paid to some of the chief centres in Great Britain, the hospitable welcome he had received and the number of speeches he had made, looked remarkably well. He made a close inspection of the force, and afterwards called the officers and men to the front and complimented them upon the excellent appearance they had made everywhere, and the credit they reflected upon Canada. Photographers were our most constant visitors during our stay, and it was not their fault if groups were not taken of this most memorable gathering.

On the 26th parade was ordered for 4.30 a.m. to take the train for Portsmouth to witness the naval review, eleven officers in command with the colonial troops. The remainder of the officers went at 8.30 from Waterloo station, the troops were hospitably entertained to breakfast by the Admiralty, after embarking on the "Kohinoor," an excellent dinner was also served at one o'clock. They were conveyed to their anchorage through the British fleet that lay anchored in column of ships to the number of 200 awaiting the inspection of the fleet by His Royal Highness the Prince of Wales, on the "Victoria and Albert." The officers of the contingent embarked at 12 o'clock on the "Dunera," which was placed at their disposal and the disposal of the representatives

of the press by the government. A few of the officers were invited to witness the review from the "Campania" by the Right Honourable Mr. Joseph Chamberlain, upon which were the members of the House of Lords and Commons. Of the 200 vessels at anchor 165 were British ships of war. Foreign nations were represented by one line of battleship each. Here was seen the latest modern improvements up to date of naval architecture and armament, in which England leads the way in the essential points. The great crowds who witnessed the magnificent spectacle could not but be impressed with the advance in sea power made by the British government in the last decade. Notwithstanding the powerful fleet at British stations throughout the world which remain at their posts, the admiralty were able to muster for inspection 165 ships of war with their crews, from the most powerful line of battleships down to the swift torpedo boats seen ploughing the water at the rate of 25 miles an hour. They were all decked out in their holiday bunting from stem to stern. At 2.30 o'clock the "Royal Salute" boomed out as the Prince of Wales left Southampton with his escort of steamships, and when he reached the fleet the "Royal Salute" belched forth again from the noble array of vessels, and the yards were manned by the seamen, or rather such yards as the modern Leviathans are now enabled to display. In the evening a display of fireworks lightened up the heavens in a manner that can only be rendered with the same effect by such a fleet. A heavy thunderstorm at 6 o'clock brought into being by the artillery of the afternoon damped the ardour of a number of the sight-seers, and this magnificent part of the programme was missed by many, although the thunder storm appeared to be but the echo of the god of war and did not last longer than the earthly cannonade had done. The troops returned to Victoria station well satisfied with the new sensation presented to them by the splendid spectacle of naval power, and the attention they had received from the Admiralty upon their visit. On Sunday, the 27th, church parade. Monday, the 28th, was fine though warm. Parade was ordered at 9 a.m., but dismissed and the men had the rest of the day to themselves. The social event of the day was Her Majesty's garden party at Buckingham Palace for which the Queen returned from Windsor Castle to attend. With all the members of the royal family a most brilliant gathering of the English nobility and London society was entertained. Invitations were issued to the officers of the contingent who were members of their respective colonial parliaments and others who had recorded their names in Her Majesty's visitors' book at the palace. The crowds around the palace gates and leading thoroughfare showed the interest taken by the public in Her Majesty's entertainment. On Tuesday, the 29th, there was no parade and the men had the day to themselves. In the afternoon the commander in chief held a levee at the Horse Guards at 3 o'clock, which the officers attended in uniform, and to whom each officer was individually presented and had a private interview. In the evening the High Commissioner of Canada, Lord Strathcona, issued invitations to a large dinner party at which guests sat down to the number of 350 at the Hotel Cecil. He was supported by the Hon. Sir Wilfrid Laurier on his right and the Marquees of Lorne on his left. Lord Mountstephen, Archbishop Machray, Primate of Canada, Field Marshal Sir Donald Stewart, Admiral McClintock, the Hon. Edward Blake and a number of other distinguished officers and men were present. At 11 o'clock a number of the officers left to attend an "at home" of the Marchioness of Lansdowne, to which all had been invited. The streets of London at one of these great receptions of London's nobility are a sight, the concentration of such a large number of private carriages with their brilliant lamps, splendid horses and equipment and gaily dressed occupants waiting for an opportunity to alight, create a *tout ensemble* intermingled with the ordinary traffic the like of which it is difficult to imagine, though all controlled by the police in a remarkable manner. On Wednesday the 30th parade at 7.15, an invitation had been extended by the Right Honourable Joseph Chamberlain, Colonial Secretary, to the whole colonial force to visit the dock yards at Portsmouth and also to inspect the great battleships. Upon arrival at Portsmouth they were entertained by the mayor and citizens of Portsmouth in a most hospitable manner to a banquet, and upon their return from inspecting the ships they were entertained to supper. They were divided up into sections and conveyed by steam launches to the various ships, where every

opportunity was afforded by the naval officers to inspect the men of war and their armaments. In the evening Mrs. Chamberlain had issued invitations to a reception to meet the Prince and Princess of Wales, which was another of those large social events that attracts London society in very large numbers, and Piccadilly shone like stars with the numerous carriage lamps. The floral decorations in the reception rooms were magnificent and the guests numerous to do honour to the occasion. On Thursday, the 1st of July, parade at 7.45 to attend the military review at Aldershot for the inspection of the Queen. The colonial troops entrained at Nine Elms station, and arrived at Aldershot, and their train was put into a siding, behind the commissariat department. They were met at the station by His Royal Highness the Duke of Connaught, and marched, headed by the band of the Rifle Brigade, the Artillery band, and one of the militia bands. The cavalry were attached to the 3rd King's Dragoon Guards and Hussars, and the infantry were attached to the Rifle Brigade, Royal Engineers' regiment, &c., where the officers and men were hospitably entertained at the various regimental messes. The arrangements for the review were very complete, those who received tickets for seats at the grand stand, went down at 1 o'clock from the Waterloo station, and all the passengers were met by the wagons of the Army Service corps and conveyed to the review grounds, where light refreshments were provided. All the troops, including the colonial contingents, for review mustered on Laffan's Plain at 2 o'clock. The Queen's carriage with four grays and outriders followed by the other state carriages took up their position at the saluting point at three o'clock. Her Majesty was received with a royal salute of artillery upon leaving the special train which conveyed her to Aldershot and upon arriving upon the ground she was met with a royal salute by the troops under the command of the Duke of Connaught, the bands massed, playing God save the Queen. A brilliant staff of foreign officers took up their position in the rear of the Queen's carriage. His Royal Highness the Prince of Wales took up his position, and as colonel, marched past at the head of his regiment, the 10th Hussars. The Duke of Cambridge also once more fell into the ranks as colonel of his regiment to salute Her Majesty—the Queen must have been a proud woman as well as a proud sovereign to see her sons and her grandson, the Duke of York and all the members of Her Royal family surrounding her and filling their station with such honour to themselves in the ranks of her service, both civil and military. The review was a grand sight, and numbered 27,500 on the parade state. Seven battalions of the Guards were present which is an unusual muster of these celebrated troops. The place of honour in the march past was accorded the colonial force which acquitted itself with credit. The Canadian mounted troops leading the mounted, and the Canadians again leading the infantry, the two wings of the colonial force was divided in two. The Canadian troops have adopted the uniforms of the British service in their dress regulations both in cavalry, artillery, engineers and infantry. The Australians were all neatly uniformed in brown, with felt hats turned up on one side; in that way they were better distinguished by their dress, otherwise the Canadian uniforms were the favourites. The Cape mounted rifles, in their rifle dress, were very smart, and were a counterpart of the Canadian Mounted Police in scarlet. The physique of the whole force was excellent. The eastern native corps were uniformed more in accordance with eastern customs, and the Sikhs were fine soldierly men. Sierre Leone, the West Indies, Hong Kong, and the numerous outlying spots on the face of the earth where the British flag waves, were all represented in filing past Her Majesty, their hearts all swelling with pride that in the historic military camp of Aldershot they could take their place as members of a great imperial force coming into existence, as Britain's world-wide interests grew and developed under the fostering influence of the British constitution. After the brigades had marched past in open column, with their massed bands leading them, the cavalry then galloped past, and the infantry returned in quarter column. The whole great line of columns then advanced in review order to Her Majesty's carriage. The Duke of Connaught, who commanded the Aldershot camp, gave the word: "Prepare to give three cheers for the Queen!" and a wave of hearty British cheers went down the line as the order was issued from right to left, bands playing the national anthem.

After this last royal salute, the Queen took her departure with her escort, receiving an ovation from the troops as she passed down the line in front of them, which did not cease until her carriage had disappeared from sight. The colonial force returned to Chelsea barracks by train. The Army Service corps in full force conveyed the guests at the grand stand back to Aldershot station, and the precision of arrangements in carrying out all the great events of the Jubilee was thoroughly exemplified on this occasion in the conveyance and management of the large crowds, and the movement of the troops. In the evening there was a reception at the Imperial Institute in London by the High Commissioner for Canada, Sir Donald and Lady Smith, now Lord Strathcona and Mount Royal. On Friday the 2nd parade was ordered at 8.45 to proceed to Windsor Castle to be inspected by Her Majesty on the lawn below the castle. The Queen hearing that some of the colonial troops had not had the opportunity of seeing her on the day of the procession, invited them down to visit her at her palace. They marched through Hyde Park to Paddington station and took the train for this historic royal residence, Field Marshal Lord Roberts and Colonel Herbert in command. The portion of the palace in which the Queen makes her home has been in continuous occupation since the 12th century, other portions have been added since. Upon arrival at Windsor the troops marched to the grounds of the palace where tents had been erected and a sumptuous repast had been provided for them. The officers were all invited into the palace, and into the Waterloo Chamber, the ante-chamber of St. George's banquetting hall. They were received by the Lord Chamberlain and the officers of Her Majesty's household. The Queen sent her autograph book to obtain the autographs of all the officers who were her visitors. The officers were then invited into St. George's banquetting hall and sat down to the number of one hundred and thirty. The Lord Steward presiding. Of all the guests who have in the past sat down in this historic chamber to accept the Queen's hospitality, none have possessed such a remarkable character or possessed so much significance in the growth and the unity of Her Majesty's subjects throughout the British empire, and the respect they entertain for one another. The band played throughout the repast which lasted for an hour. At its close the Lord Steward proposed the health of the Queen, the band playing the national anthem. He then proposed the health of our guests, and the party broke up and dispersed to visit the chambers of the castle, which had all been prepared for public inspection. To attempt to describe the beauties of Windsor Castle and its surroundings is not part of the object of this memento of daily details, especially when its beauties have been so often eloquently described, but the fact was impressed on our minds that the 930 of Her Majesty's colonial troops who were so hospitably entertained were not merely visitors to the castle, but honoured guests of the Queen. After the bodily comforts had been well refreshed, the troops were assembled on the lawn surrounded by magnificent elms, and formed up in line facing the castle. It was to all intents and purposes a private parade, no one but representatives of the pictorial and daily press being present, in addition to the royal guests of Her Majesty's household. Her Majesty the Queen arrived in her carriage with four grays and their postilions in scarlet, an outrider in front on a handsome spirited gray horse. Her carriage was supported on either side by two equerries, and Princess Christian accompanied her. The Queen was received by Field Marshal Lord Roberts at the saluting point, whom she called to her side. The colonial force drawn up in line, under the command of Colonel Herbert, received the Queen with a royal salute, the Grenadier Guards band supplying the music. The Queen then drove down the line and Lord Roberts walking beside, explained to her the various corps and the countries they came from. She stopped and spoke to one or two of the Indian officers and conversed with them in Hindustani. After her inspection of the force, the Queen again took up her position at the saluting point, and they marched past, then formed line and advanced in review order to her carriage and gave a royal salute. The Queen then directed Lord Roberts to present the officers to her, and also to select a non-comissioned officer from each corps to be presented. Commencing with the attached officers the presentations took up half an hour, Lord Roberts presenting each as they came up. Her Majesty spoke to some of the men and conversed in Hindustani with her Indian subjects. It was an impressive scene, this royal lady, 60 years a monarch, interesting

herself in the minutest details, doing and saying everything that was likely to please those who had come thousands of miles to show their homage to her person and throne. After the presentations were over she asked Lord Roberts to express to her colonial soldiers, the gratification it had given her to meet them, that she wished them all a safe journey to their distant homes, and every happiness and prosperity in their future lives. After the presentations were over, a royal salute was again given and Her Majesty closed a most memorable ceremony of the numerous ceremonies that marked her Diamond Jubilee. The troops returned to the station through a dense line of Windsor's citizens who assembled to see the colonial troops and officers. They returned to London only to see another dense crowd awaiting them there, and arrived at Chelsea barracks at 7.30. Wherever the colonial troops were known to be coming or going there was sure to be a great crowd in the streets to see them pass. The Indian princes and officers who came over for the Jubilee did not accompany the force to Windsor but had a separate audience with Her Majesty on the Monday following, while the members of parliament were received by her officers Saturday, the following day to our inspection. This was only one of the almost daily receptions or inspections Her Majesty held during the three weeks of the Jubilee celebrations and is an evidence of the strength of body and intellect she has preserved during 60 years of her official life as a constitutional sovereign. The evening of Friday was marked by a large banquet at the Colonial Insiitute, presided over by the Duke of Connaught at which the colonial premiers were present, and invitations were issued to a number of officers to attend. As the Canadian contingent were under orders to entrain at Euston station to return to Canada at 3 o'clock the next day, July 3rd, and have their baggage ready by 11 o'clock and march to Buckingham Palace to receive their Jubilee medals from His Royal Highness the Prince of Wales, with the exception of a few they could not attend the banquet The Canadian government having taken a return passage for the Canadian contingent upon the 1st July the steamer was delayed two days to allow the Canadian contingent to participate in the visit to Windsor and the presentation of the medals by His Royal Highness Prince of Wales, but no further arrangement could be made to prolong their stay. On Monday, the 3rd July, parade was ordered for the whole force at 10 o'clock to march to Buckingham Palace in review order to receive from His Royal Highness the Prince of Wales, a Jubilee medal in commemoration of the great event which was now drawing to a close. The troops marched into the private grounds behind the palace under the command of Colonel Ivor Herbert, where they were met by Field Marshal Lord Roberts, and formed a hollow square in single rank with the attached officers on the right and the contingent forces of the various colonies and dependencies formed up in the regular order upon which they were accustomed to appear on parade. Field Marshal Lord Roberts, whose interest in the colonial forces of Her Majesty never abated, was present at their head to receive His Royal Highness the Prince of Wales. The Commander in Chief, Field Marshal Lord Wolseley was also present. His Royal Highness the Prince of Wales, His Royal Highness the Duke of Cambridge, the Duke and Duchess of York, the Duke and Duchess of Connaught the Duke and Duchess of Edinburgh, Hon. Mr. Chamberlain, the Colonial Secretary, the colonial premiers, and a very large number of distinguished officers and statesmen were present to witness the distribution of Her Majesty's jubilee medal, an emblem of peace rather than of war, which was to take precedence of all medals except the Victoria Cross, an insignia of individual courage. His Royal Highness went down the ranks and made an inspection of the whole force, 930 strong on the parade state. He then took up his position in front of the hollow square under the shade of a wide spreading tree, where the medals were all laid out in their boxes, and the nominal roll of the force was attached. The word was then given, to the right turn, follow in succession to receive medals, and the presentation commenced with each officer, non-commissioned officer and man receiving from the hands of the Prince of Wales a medal with ribbon and fastening attached, until he had presented the whole 930 as they filed past him in single file, a ceremony which lasted about two hours. The Canadian contingent of the colonial force were invited by the Guards to mess at Wellington barracks prior to their

departure for Euston station en route for Canada. After dinner the Canadian force marched to Euston station to entrain at 3.30 o'clock, the Army Service corps having already transported their baggage. They were accompanied by the band of the Grenadier Guards, the fife and drum band, and pipers of the Coldstreams and the band of the 13th Middlesex. A large and sympathetic crowd of friends and well-wishers were present to see them off by whom they were loudly cheered. Major General, Lord Methuen, Colonel Ivor Herbert and Colonel Ward with Lord Strathcona were there to see us entrain and take their leave of that part of the contingent force of the British empire that came across the Atlantic ocean or "herring pond," as it is familiarly called, to do honour to Her Majesty the Queen, and to unite with all the other troops in developing the defences of the British empire. To these three officers is largely due the successful management and discipline of the Chelsea force of colonial troops, and the sympathetic efforts they made to remove every grievance. No one can imagine for a moment the enormous strain that was put upon both official and civil life of London to carry through successfully, in the midst of a population of some six or seven million people in London, the succession of remarkable events crowded into the space of a fortnight, without encroaching upon the daily business of the population. As the train moved off the bands played their parting farewells, and the demonstration was not the least imposing of a series of parades and reviews that had followed one another in rapid succession, which showed the strong bond of union and affection that had gained strength with age for the descendants of the race that had gone far afield on the world's surface, and who had, with so much success, added renown to the British empire and strengthened its world-wide combination of force. Saturday the 3rd July, practically closed the official parades of the colonial contingent force, and preparations commenced for the dispersion of the remainder of the force to their destination. Colonel Ivor Herbert officially reported on Tuesday, the 6th July, that the conduct of all the men had been most exemplary. There were 1,000 men of every nationality, and yet not one man's name appears on the defaulter's sheet for the whole five weeks.

Detachments of native sappers from Malta, the west coast of Africa, Jamaica, Mauritius, the Strait Settlement, Hong Kong and Ceylon departed on Monday to the School of Military Engineering, Chatham, where they will undergo a short course of special training before returning to their respective stations. Fifty-four artillerymen from Hong Kong, Singapore, Ceylon, Mauritius, Jamaica, St. Louis, Sierra Leone, Bermuda, Malta and Lagos left on the same day for Shoeburyness for a course of training. The New Zealand military contingent went to Aldershot for three weeks' training with the regular troops. Portions of the Australian troops were also to remain for a short time and training. The Rhodesian force under Capt. Gifford who had lost an arm in the Matabele fighting in South Africa was a popular hero on the line of our various marches. This officer served in the Northwest field force of Canada in 1885 in Capt. French's corps of scouts. In addition to the assemblage of the colonial forces in Chelsea barracks the colonial premiers had assembled upon the invitation of the Right Honourable Joseph Chamberlain, the Colonial Secretary, to take their places in the Jubilee procession to St. Paul's Cathedral. They visited in company with the Right Honourable Joseph Chamberlain, the Duke of Devonshire and others, and were introduced to the British population where they were everywhere hospitably and enthusiastically received. A record of the important speeches that were made and the significance attached to their visit officially, all tended to broaden the statesmanship of those who are responsible for the guidance of the people they represent at home and abroad in consolidating a powerful force to aid in the promotion of the welfare of the world's population, the carrying out of which has only now been rendered possible by the advance in the rapid means of communication which the creative power of man has given. To attempt to give any account of the brilliant receptions held in their honour is beyond the purpose for which this memento has been prepared, except so far as to show that the statesmen of the countries represented by the defensive force in Chelsea barracks were helping to lay a foundation for imperial unity in working out the British constitution, which is the leading rule of political life in the govern-

ments of nations, and that, while the initiation of a united defensive force was inaugurated through their military contingents, the governing forces were aiming to work out problems which would result in a healthy march of progress.

This sketch is not intended as a description of events which have been so graphically described in the public press and which has been so widely distributed by means of the submarine cables which focus the daily events of the world, and enables the British empire in its official relationship to move by clock work. It is merely intended in connection with other official data and a nominal roll of the force to give to each soldier a memento of his service to preserve as an heirloom his participation in one of the most momentous, political, and physical forces that the world has ever known based on freedom, and humanitarian in its design. For weal or for woe it is the crowning act in the drama of the long life of a good woman and a noble sovereign. And as she heads the list of names enrolled in this soldier's memento as the supreme authority over Her Imperial army through her viceroys, governors general, and subordinate officers it gives a lustre to the list which will justly cause every soldier and every citizen whose defencive force he is to regard his memento with pride and with honour.

I have said sufficient to show you how connected the 100th Regiment is with Canada, the services it has performed, the fact that it was raised for service in 1805, the fact that it served for 13 years in Canada, the fact that when disbanded its members did not return to the old country but became pioneer settlers of Canada and that their descendants occupy a very large field in Canada itself; that the same opportunities that exist in the old country should be accorded to Canada for service in the army, and the opportunity for this service should not be withheld for the want of any effort on the part of our Canadian government. The petitions were most varied. The petitions were to His Royal Highness the Prince of Wales, but none the less are they significant to our government of the wishes of a large number of Canada's citizents and citizen soldiery, who believe we are entitled to take our share of responsibility in the stirring events of the world and in the government of nations which is so essential of the world's peaceful progress. From every part—I think every member of the provincial government of the province of Quebec on the east and British Columbia on the west signed it from the governor down, every senator signed it, every member of the last parliament signed it, corporations and governments and military men and regiments have all taken their share in presenting the magnificent testimonial of the Canadian people to effect the desires that I have been presenting to you to-day. It is, therefore, with very great pleasure that I now put the question to the hon. leader of the government in regard to this matter, to ask him to lay on the table of the House any correspondence there may be, in addition to what I have already presented, and which shows to the extent that it had passed that we may know exactly the position in which this matter does stand before the Canadian people in the hope that further action may be taken to identify Canada in the imperial service.

Hon. Mr. ALMON—I am sure, after hearing the patriotic speech of the hon. member for Shell River, that all hon. gentlemen are desirous of enlisting in the British army, and not only themselves, but all their friends and relations. They may become corporals, sergeants; in fact, every office in the army is open to them, that is among the non-commissioned officers, and I beg to tell them that in the state of excitement they are in, all they have to do is to go to Halifax, give their name and go before the magistrate of the county and they can enlist and be received into the army without any expense or trouble.

Hon. Mr. MILLS—I am sure we have all listened with interest to the historical sketch which my hon. friend has given of the regiments of the British army that have borne the number 100, and he has explained to us how that one of these has in time disappeared and been superseded by another. We all recognize that there are other than legal bonds that hold the parts of the British Empire together, and this no doubt is one of them, our being associated with the British people in the formation of a regiment which served in the army, Canadians as well as Englishmen, Irishmen and Scotchmen. Constant association remind those of each nationality that they are part of the same country. The tendency of every new country is to for-

get the larger questions, and to turn attention to those which more immediately concern their material progress and their individual welfare. The growth of a community in its political sentiment is not unlike the growth of an individual from childhood to manhood. The questions which, in our earlier years, make little or no impression upon our minds are those of the most intense importance, when we come to reflect and appreciate their value to us. In our historical progress I think it is evident to every one that the events which have transpired during the Diamond Jubilee of Her Majesty have awakened in the people of Canada, and in every colonial possession of the empire, an intense interest, not merely in that section of the empire which they occupy, but in the unity of all the British populations as one people. We are growing in that direction every year more and more. The formation of a regiment, its return after long years, the admission of the public men of Canada to the Judicial Committee of the Privy Council, the taking part in the negotiation of treaties which concern us, especially those of a commercial character, our interprovincial conferences, the common consideration of questions affecting the general well-being of the empire, all tend to cement us together as one people, are all of importance in our growth and progress; all show that we are becoming one people, cemented together by common interests, actuated by a determination to stand together in the maintenance of our rights in a far greater degree than were those of former generations. I think this is the necessary outcome of our progress. I have never myself regarded it as important, nor have I had any particular sympathy with those who are anxious to meet together and to devise a written constitution for the empire—a mechanical contrivance under which the empire is to be ruled and governed for all time to come. The British empire is a thing of growth. The English constitution is the product of vital forces. It is not a mechanical contrivance, and in my opinion the same vital forces which have tended to develop the English constitution, and to make it that important and delicate organization so well adapted to the government of the United Kingdom, and so well adapted to the government of each dependent or independent self-governing colony embraced in the empire, will also tend to develop an Imperial constitution equally suited to the wants of the empire, and equally well calculated to hold all its separated parts together in one political organization. I may say to my hon. friend that I shall bring to the attention of my colleagues the observations which he has addressed to this House for their further consideration, and I will see that the papers for which my hon. friend has moved are brought down during the session at as early a period as they can be.

The motion was agreed to.

CORRESPONDENCE WITH MACKENZIE AND MANN.

MOTION.

Hon. Mr. LOUGHEED moved:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be presented to the Senate, copies of all letters, papers and documents which passed between the government, or any member thereof, and Messrs. Mackenzie and Mann, previous to the signing of the Canadian Yukon Railway contract.

He said: In anticipation of the discussion which will necessarily take place at an early day, I do not purpose making any remarks on the subject, but I presume my hon. friend will bring down those papess, so that they may be on the table of the House when the matter comes up for discussion.

Hon. Mr. MILLS—I may say to my hon. friend that I am not aware that there are any papers, but I will bring the matter under the attention of my hon. colleagues, and if there are any papers they will be brought down.

Hon. Mr. LOUGHEED—At a later day will the hon. gentleman state whether there are papers?

Hon. Mr. MILLS—Yes, I will make inquiry, and let my hon. friend know.

The motion was agreed to.

CORRESPONDENCE *RE* HAMILTON SMITH.

MOTION.

Hon. Mr. PERLEY moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Ex-

cellency will cause to be presented to the Senate, copies of all telegrams and letters passing between any member of the government and the High Commissioner relating to Mr. Hamilton Smith, and all papers, communications and documents, the contents of which led or induced the government to send such telegrams or letters.

He said: I may say in this connection that in a very short time we expect the Yukon Bill to come before this Senate for discussion and consideration, and in view of that fact I think it is highly important that all the information should be given to hon. senators, in order that they may be able to have an intelligent discussion and give an intelligent vote on the question. There are some doubts with regard to what has transpired, or what correspondence has taken place, between the government and Mr. Hamilton Smith in reference to his connection with this contract, and it would be important for us to have those documents or letters, whatever they be, so that we can look into them and see in what way they bear on the contract with respect to the building of this railway.

Hon. Mr. SCOTT—There is no objection to bringing down the telegrams received by the premier from the High Commissioner, but, as the hon. gentleman probably knows, the production of the telegram from the premier to Lord Strathcona was refused in the other chamber. It was of a private and personal character, and the premier declined to bring it down. I am not aware that there are any other papers, communications or documents, which led to the sending of that message. If there are any, I shall be glad to make the inquiry, and give the hon. gentleman the information.

Hon. Mr. ALMON—I would like to know what is meant by "personal character." How can a telegram be of a personal character if it is on public business—whether Hamilton Smith is connected with the Rothschilds or not? I do not think there can be anything personal in that question.

Hon. Mr. SCOTT—The premier gave a very full answer in the other chamber. The telegram was one purely private and personal. I have not seen it myself. It did not come before council in any way, and, under those circumstances, the telegram cannot be produced.

Hon. Sir MACKENZIE BOWELL—I must express my great surprise at the position taken by the hon. Secretary of State and also by his chief. As the hon. member for Halifax has already pointed out, when a question is asked a public officer, occupying the high position that Lord Strathcona does, and the answer received and that answer made public, and given to the world, how can that question which was put, which called forth that answer, be called private and personal? If a private and personal telegram were sent to any official for information, that information being received upon a private telegram, would it not be equally consistent for the answer to be withheld? I have noticed in the negotiations which have taken place by this government and provincial governments—and this is a continuance of the same policy—that when correspondence has been asked for, we have been told there is no correspondence, that the conclusion at which they arrived was after consultation, and during informal conversations. I scarcely think there is any parallel in the history of our country where the government has been conducted on those principles. Wherever any important question has arisen between a foreign nation or the Home government; or, in our case, between the provincial government and the Dominion government, there has been in the past a record of it. But it has been found convenient since the present government has been in power to carry on negotiations of the most serious character, affecting most important questions that have agitated the people of this country, and when papers have been asked for, we have been coolly told there has been no such correspondence, and there are no such records. Such was the case in that memorable discussion in connection with the Manitoba school question which every one will acknowledge was of the most important character. The government with which I was connected, in all our negotiations and intercourse with the provincial government, had everything put in writing and every document was laid before parliament. It is true that when a telegram was read in the Lower House by Sir Charles Tupper, in reply to a telegram that had been sent to the premier of the province of Manitoba, he said that just as soon as he could communicate with the premier of Manitoba he would be able to give an answer. We were anxious to make everything connected with the matter public, because we had

nothing of which to be ashamed. The telegram was open, plain, distinct and to the point, but the premier of Manitoba refused to give us his assent to make it public. We had nothing to keep from the public view, we were anxious that all the facts should be known in order that the public might draw their own conclusions as to the course which we had taken. We have here a case in which a man's reputation is at stake—a man who, after investigation, I find occupies a high position in the commercial world. He stands at the head of his profession as a mining engineer in London, the great metropolis of the world. An answer comes from our High Commissioner making a certain statement. Surely the question which elicited that answer is of much importance to the people of Canada, and more particularly to those who have to deal with a question which comes before the Senate in a few days, as the answer itself was. How is it that a policy of this kind can be tolerated in this free country, more particularly a country governed by responsible advisers, is something I cannot understand. True, the premier and his colleagues can say "we are responsible to the people, we refuse to give you that information and we take the responsibility of our refusal." If the people are satisfied with government of that kind, we should know it, and the sooner the people are appealed to for the purpose of ascertaining if that is their idea of responsible government, the better. I repeat, it is unprecedented in the history, not only of this country but in the history of England, that where a question has been asked of a foreign nation and an answer given, that the question which elicited the answer has been refused. Very soon we shall have to consider an important measure on which we will be required not only to express our opinion, but in all probability cast our vote, and the very question which was asked and which elicited the telegram from Lord Strathcona might influence to a very great extent those who are to deal with the question. We have the answer—I do not know what the question was—that Mr. Hamilton Smith had no authority from Lord Rothschild to make a certain offer to the government of Canada. Mr. Hamilton Smith never made the statement that he had the authority of Lord Rothschild to do anything of the kind. The people must come to the conclusion that there is something concealed which elicited that answer, something which the government of the day are afraid to let the people know; if they were not, they would place the question before the country just as they have placed the answer. They take the responsibility to suppress the question and the people will draw, as we are drawing, their own conclusions and deductions from it.

Hon. Mr. MILLS—My hon. friend would have this House believe that when he was in office that was the golden age and that ever since this country has more and more deteriorated. I do not think hon. gentlemen will find that the practice of the present government differs very much from the practice of the government which preceded it—

Hon. Sir MACKENZIE BOWELL—Oh yes.

Hon. Mr. MILLS—Except for the better. Let me remind my hon. friend of some facts which he seems to have forgotten. Take the negotiations in Washington in 1887. Has my hon. friend ever read the protocols in that negotiation? Does he know that of the forty or fifty meetings that took place each protocol consists of two or three lines and that every protocol is exactly the same, that no information was given, not a thing conveyed to this parliament? Has it ever been conveyed to the parliament from that hour to this? If my hon. friend's rule is correct, that was all wrong and yet that was all done when my hon. friend was in office. Let me refer to another matter; my hon. friend when in office went to Washington. I think the member for King's, Mr. Foster, went with him. Several telegrams passed between the colonial office and the government here through the British Ambassador at Washington.

Hon. Sir MACKENZIE BOWELL—Not at that time.

Hon. Mr. MILLS—Yes. My hon. friend has forgotten, for I called attention to the telegrams and despatches and asked again and again for their production, and my hon. friend did not produce those dispatches or telegrams although without that information in our possession the hon. gentleman's colleagues insisted upon a discussion in the House of Commons.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has alluded to another deputation, not the one that I was on. However, the principle is the same.

Hon. Mr. MILLS—My hon. friend says the government ought to bring down all the papers.

Hon. Sir MACKENZIE BOWELL—No, I did not say that.

Hon. Mr. MILLS—Well my hon. friend's proposition was a good deal broader than the facts warranted. Let me say this, there is not a British ambassy abroad in which there is not extensive correspondence that is private and confidential. Lord Palmerston on one occasion said that it would be impossible to maintain the friendly relation that exists between the different states if the private and confidential despatches, that it was necessary a government should have in its possession to warn it of dangers, were given to the public. An ambassador may believe that there are intrigues going on against his government. The reports may be foundationless and yet it is important, if there be suspicion of that kind, that it should be communicated to his government, and yet the government could not disclose it. Lord Palmerston said on one occasion that he settled more occasions of difficulty between himself and the other states of Europe, that were represented at the Court of St. James, at his dinner table than he had ever settled by correspondence. Those dinner table discussions are not brought down to parliament. My hon. friend declares that we ought not to have held personal intercourse with Mackenzie & Mann, that everything of that kind should have been done by correspondence. I deny that—that is not the rule, and if we have not any papers to produce we can produce results, as my hon. friend and his colleagues did in 1887 when they submitted to the parliament of this country the Washington Treaty without a single particle of information contained in any protocol that was kept during the period of the discussion. Now we say here you have the contract between Mackenzie & Mann, on one side, and the government on the other—that is the result. You are competent to judge of the merits of it from that. You do not require to have a report kept of every word that was said on the one side or the other, and of the various suggestions and amendments and changes that were made during the progress of the discussion.

Hon. Mr. MACDONALD (B.C.)—Why then did the premier try to damage the reputation of Mr. Hamilton Smith?

Hon. Mr. MILLS—There was no attempt to damage the reputation of Mr. Hamilton Smith.

Hon. Mr. MACDONALD (B.C.)—Oh, yes there was.

Hon. Mr. MILLS—The newspapers that support my hon. friend and that supported Mr. Hamilton Smith in his desire to foist the Washington bill on the people of this country, every one of them represented Hamilton Smith as the agent of Rothschild, and it was put forward from day to day that the government should deal with Hamilton Smith because he was a representative of so powerful a company of capitalists as the Rothschilds and those associated with them.

Hon. Mr. LOUGHEED—Does my hon. friend know that the premier, at the time he sent that cablegram, had a communication from Mr. Hamilton Smith saying that he in no way represented the Rothschilds? And will my hon. friend, while he cites parliamentary usages and precedents, cite a case in which a premier of any country unwarrantably used in such a way the name of any individual and received an answer thereto, an answer containing an innuendo which, to those not knowing all the circumstances, was made use of by the government here to vilify and falsify and slander that individual, while at the same time he feared the challenge of public opinion in producing a copy of the message he sent?

Hon. Mr. MILLS—My hon. friend puts a question that is at variance with the facts. Those who are supporting Hamilton Smith and seeking to damage the government and frustrate the attempts to establish an all-Canadian route to a Canadian territory, a route under Canadian control, represented Hamilton Smith everywhere as the man who had the Rothschilds behind him. Was it not perfectly natural, under the circumstances, that the Prime Minister should make inquiries and that he should

make it at the only place where accurate information was certain to be obtained?

Hon. Mr. LOUGHEED—Then why should he hesitate to show his inquiry to parliament?

Hon. Mr. MILLS—The House was entitled to know what the answer was to the statement made whether Hamilton Smith was the agent and representative of the Rothschilds or not. That is what the public were entitled to know. That is what they do know. That information was given to the public and my hon. friend is not entitled to know what the Prime Minister put in his telegram. He may have inquired about a dozen other things in the same telegram. They may have been of a strictly private character.

Hon. Mr. LOUGHEED—We are willing that he should eliminate those that are private.

Hon. Mr. MILLS—I have not seen the telegram any more than the hon. gentleman has, and I think I would have an equal right to the hon. gentleman to see it, but I claim no such right. I have answered the observations made by my hon. friend (Sir Mackenzie Bowell), I have shown that he laid down rules that are never acted upon, that no government has acted upon or can act upon The reason for keeping a written record of what transpires between one state and another does not apply to the government in its negotiations with a private corporation. There is not an interview that a British ambassador abroad has with the representatives of the country to which he is accredited, in which he does not make a record of the correspondence that has passed between them, in order that it may be referred to afterwards, because it may to a certain extent, bind his government. There are political considerations and reasons of state why that should be done, but no such reason of state applies to negotiations between the government of Canada and Messrs. Mackenzie & Mann with respect to the construction of a railway, and so I say the hon. gentleman has not acted upon those principles of ideal practicability, nor has he done so heretofore.

Hon. Mr. MILLER—I do not think the answer of my hon. friend the Minister of Justice is such a one as he should have given to the speech of the leader of the opposition. Any one who has experience in public life knows that there are many occasions on which it is not expedient that correspondence should be made public; correspondence relating to business negotiations being transacted at the time should not be given to he public, and under all such circumstances discretion is allowed to the government to withhold information which, if made public, might be detrimental to the public interests. We all know that the precedents cited by my hon. friend the leader of the House are perfectly consistent with constitutional usage, both in Canada and Great Britain, but these cases are not at all parallel with the case that is now under consideration. The case before us is one to which no parallel can be found anywhere, for the conduct of a government in withholding information that was asked for is unjustifiable. If Mr. Hamilton Smith had represented himself to be the agent of the Rothschilds, then there might be some excuse for giving information in the way it has been given without the telegram which elicited that information, but there is not a tittle of proof anywhere that Mr. Hamilton Smith represented himself as such agent. On the contrary, we have the clear and distinct language of that gentleman addressed to the government that he was not an agent of the Rothschilds. This telegram was sent under peculiar circumstances. A great question was before parliament, and in the public interest it had been submitted to the House of Commons that another syndicate was prepared to undertake the work which was contemplated by the bill then before parliament for a far less subsidy than the government was willing to grant to the favoured company, and that, of course, had a great effect upon the public mind. It was to discredit Mr. Hamilton Smith that the information was sought from the High Commissioner, and it was necessary to get such a telegram as would suit the purpose, especially on the eve of the elections in Ontario, for we all know that the information was given two or three days before the election in Ontario, where public sentiment was, I believe, running very strongly against the improvident bargain that the government were then attempting to rush through the House of Commons. All the circumstances point to the fact that

a telegram unfair to Mr. Hamilton Smith, and a misleading telegram, calculated to elicit a reply to mislead the country at an important crisis, was sent by the Prime Minister, or some member of the government, to the High Commissioner, and that the High Commissioner was led to give such an answer as would suit the purposes of the government for the time being. The unfairness is, that the government, having given to the public one side of the question, has not given the telegram which elicited Lord Strathcona's reply. To every fair minded man it must appear that a most unfair advantage was taken of Mr. Hamilton Smith under the circumstances, that a most unfair attempt was made to mislead the country under the circumstances, and that it had the desired effect. If the government had not made the answer known to the public, there would not have been the room for complaint that there now is at the conduct of the premier in withholding the message he sent across the water, but having given the answer, I think, under every principle of justice and fair play, in order to give correct information to parliament and to the country, he was in duty bound to submit to the House at the same time the terms of the telegram which drew that inquiry from the High Commissioner. It is a most unfortunate thing that such tactics should be resorted to, clearly for the purpose of misleading the country I see no justification whatever for the course pursued by the government. The precedents cited by my hon. friend are not at all in point and do not justify the course adopted. Circumstances may arise at any time under which a government is justified in withholding information, but no circumstances can arise where an *ex parte* attempt can be made, such as this was, to give a wrong impression to the country, an impression which the circumstances did not warrant and which I think was not at all creditable to those concerned in it. What occurred afterwards? The most astrocious charges were made on the strength of that telegram, on the floor of parliament against a gentleman whose character stands high wherever it is known, and who is known all over the world as a great capitalist and a man occupying a high position not only in the commercial metropolis of the world but also in many other leading centres. An attempt was made to defame the character of that gentleman on the strength of this telegram, and therefore it was the simplest fair play and justice that the information on which that answer was got from the High Commissioner should have been submitted to parliament I do not consider that my hon. friend who has made this motion on the other side of the House has got an answer with which he ought to be satisfied with or which the Senate ought to consider satisfactory. The Senate can only supplement, by the opinion it must entertain on this question, the judgment which I believe has already been pronounced in the country upon a most indefensible mode of action.

Hon. Mr. POWER—It is to be hoped that the speech delivered by the hon. gentleman from Richmond (Mr. Miller) is not, a sample of the spirit in which the government measure, which is coming down next week, will be dealt with here.

Hon. Mr. PROWSE—That is another question.

Hon. Mr. POWER—I hope it is not to be regarded as a specimen of the non-partizan character which this House is supposed to possess.

Hon. Mr. MILLER—You are not a partisan at all.

Hon. Mr. POWER—I have never denied that I was a party man, but I do not think I allow my party feelings to carry me away in the manner in which some other gentlemen allow theirs to carry them away. The hon. gentleman succeeded in the few minutes he was on his feet in making most serious charges for which there is no foundation whatever. The hon. gentleman has stated that the people of Ontario are very much exercised over this Hamilton Smith's offer to the government, in fact that the result of the Ontario elections depended on Mr. Hamilton Smith's offer. I took occasion—not thinking about Mr. Hamilton Smith particularly—after the Ontario elections were over, to inquire of gentlemen who had been in different parts of the province, as to the influence which this Yukon Bill and the business connected with it had upon the result of the elections in the different constituencies in Ontario, and the answer I received in every case, answers given from gentlemen who had been in different parts

of the province, was that the Yukon Bill had not cut any figure in the elections at all.

Hon. Mr. MACDONALD (B.C.)—Was it a Conservative or a Liberal who told you that?

Hon. Mr. POWER—I naturally looked for information to Liberals; I spoke to gentlemen some of whom were not very enthusiastic, perhaps, on the subject of the government measure, and I asked them for information with respect to the political effect of the government measure; and the answers which I received in every case were that, as far as these gentlemen were aware, the Yukon Bill cut no figure in the elections. So much for the Ontario elections. Then the hon. gentleman went this far—and I am surprised that even he should have taken that ground—here we have as high commissioner in England Lord Strathcona, a gentleman of, I think, unimpeachable character. It is true that a great many years ago some unpleasant references were made to him in the other chamber by prominent Conservatives, but I think those references were made under the influence of temper; and we know the leaders of the Conservative party took Sir Donald Smith to their bosom afterwards. He was one of their friends for a great many years, and I presume he is still a Conservative; and he is a gentleman of unblemished reputation.

Hon. Mr. LOUGHEED—I think in justice to the High Commissioner my hon. friend should certainly not introduce a phase of the subject which he is entirely unwarranted in introducing. There was no reflection whatsoever made on the High Commissioner. He performed a duty in answering the telegram of the Prime Minister.

Hon. Mr. POWER—Will the hon. gentleman allow me to continue my remarks? He is crying out before he is hurt. He can reply to me.

Hon. Mr. LOUGHEED—I object to the hon. gentleman misrepresenting what is said on the subject. The name of the High Commissioner was not imported into the discussion.

Hon. Mr. POWER—I did not propose to say the High Commissioner had done anything improper, but I was going to say that the hon. gentleman from Richmond had intimated that the High Commissioner was instructed as to the sort of answer he should give.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. POWER—And I am saying it is not so.

Hon. Mr. LOUGHEED—Did I understand my hon. friend to say——

Hon. Mr. POWER—I said the hon. gentleman from Richmond had given the House to understand that the High Commissioner had been instructed as to the answer he should give. If the hon. gentleman from Calgary has anything to say with respect to that statement, he can make his statement now.

Hon. Mr. LOUGHEED—I did not understand my hon. friend from Richmond to say he was instructed as to what answer he should give.

Hon. Mr. POWER—Is it not perfectly absurd to suppose that a gentleman of the character of Lord Strathcona would knowingly be a party to any unfair transaction?

Hon. Mr. PROWSE—It was not knowingly.

Hon. Mr. POWER—And the hon. gentleman from Richmond said that if Mr. Hamilton Smith had claimed that he was the agent of the Rothschilds then there might be some excuse for the government's conduct, and the hon. gentleman would have thought, under those circumstances, there was no reflection on Hamilton Smith's character or reputation. I cannot understand how any hon. gentlemen can look at the matter in that way. It is alleged now, that Mr. Hamilton Smith never said he was the agent of the Rothschilds. What did Lord Strathcona's despatch say? It simply said that Hamilton Smith was not the agent of the Rothschilds; that is what he has been saying himself all the time, and the reflection made by the cable despatch was not on Hamilton Smith but upon the newspapers of the hon. gentlemen opposite which had been claiming in contradiction to Mr. Hamilton Smith, that he was the agent of the Rothschilds.

Hon. Mr. MILLER—What does the Minister of Marine and Fisheries say about it?

Hon. Mr. POWER—I do not know. I do not read the speeches in the other House, as a rule. I do not know what the hon. minister said, but what he said could not affect the true position. I should have preferred, myself, that the whole of the premier's communication to Lord Strathcona had been made public, but we are not to assume that the premier is an utterly unscrupulous and wicked person. That is not the reputation which he bears in the country. If he bore such a reputation as that he would not be where he is.

Hon. Mr. MASSON—But he was ready to give the telegram at first.

Hon. Mr. POWER—He thought of giving the telegram; but it occurred to him afterwards that there were objections to doing so; and the natural objection is the one suggested by the hon. the Minister of Justice, that the telegram might not have been confined to the Hamilton Smith matter, and that it contained other matters which it would not be proper to make public. We ought to try and keep calm and should not get so worked up over such a very small matter. We ought to proceed to consider the measure, when it comes before us, in a calm and temperate spirit.

Hon. Mr. MILLER—I just want to say one word with regard to the reference made to the High Commissioner. I pass no reflection to the High Commissioner nor do I think him open to censure in any way. An improper telegram might have been sent to him although the answer elicited from him was proper, and the inference is that it was not a proper telegram or the public would have been favoured with its contents. As to the remarks of my hon. friend as to people keeping calm, every one knows that there is not a stronger partisan in the House than my hon. friend himself. We know it is the habit of some members to speak more warmly when in earnest than others, but I do not think it is a fit subject for remark by any member of this House. I do not criticise my hon. friend's style of speaking; I have my own peculiar style of speaking and when I speak in earnest it does not follow that I am out of temper.

Hon. Mr. MACDONALD (B.C.)—The most humiliating part of this subject is that the premier had to take his word back on the floor of the House of Commons. He promised to bring the telegram but did not bring it down. Why did he not bring it down if it was simply an inquiry as to Hamilton Smith's connection with the Rothschilds and his financial standing. It was a fair question to ask what is the standing of Hamilton Smith, what is his connection with the Rothschilds? If that was the question, what has the premier to hide? Looking at the telegram he found it was not a fair and just one, but a leading question which might bias therefore the mind of the High Commissioner, he could not bring down a telegram which conveyed that impression. That is quite clear to the country and to every member of this House.

The motion was agreed to.

YUKON RAILWAY BILL.

FIRST READING.

A message was received from the House of Commons with Bill (6) "An Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann and to incorporate the Canadian Yukon Railway Company."

The bill was read the first time.

Hon. Mr. MILLS moved that this bill be read the second time on Tuesday next.

Hon. Mr. MACDONALD (B.C.)—I would make this suggestion to the hon. minister, that it would be well, before the second reading is taken upon this bill, that we should be informed what progress has been made with the sleigh road from the mouth of the Stikine River to Teslin Lake. I would also suggest to the hon. Minister of Justice that he should ascertain the opinions of the contractors as to the utility of the line as a commercial route. I know their opinions. It was volunteered to me. It would throw a great deal of light on the subject to have their opinion.

The motion was agreed to.

THE PLEBISCITE.

INQUIRY.

Hon. Mr. PERLEY—Before the orders of the day are called, I should like to call the attention of the hon. Minister of Justice and

his colleagues to an item I have cut out of one of the Hamilton papers:

It is stated at the Dominion Council Convention of Royal Templars in session here that you publicly promised that the plebiscite would be free from any rider or qualifying question. Is it true? Kindly wire reply.

This telegram was sent to the Hon. Sir Wilfrid Laurier, and I presume, if the hon. leader of the government wrote a reply it was with the consent and knowledge of the government that that answer was given. I should like to ask the hon. Minister of Justice if the reply that was given was that they did not attend to attach any rider to the question? If the government sent an answer I hope my hon. friend will say what the answer was.

Hon. Mr. MILLS—I know nothing about this.

JUDICIAL APPOINTMENTS IN THE YUKON TERRITORY.

INQUIRY.

Hon. Mr. LOUGHEED—May I direct the attention of the hon. leader of the House to an item that appears in this morning's *Citizen*, and one particularly relating to his department and affecting the North-west Territory:

There is a well authenticated rumour abroad to the effect that the government intend appointing Mr. Cook, a Quebec barrister, to be a judge in the North-west Territories, with jurisdiction extending into the Yukon district. Further, that Police Magistrate Dugas, of Montreal, is to be mollified with the position of Lieutenant Governer of the North-west Territories, and that Mr. Beausoleil, M.P., will get the police magistracy of Montreal.

I desire to make reference to the reported judicial appointment of Mr. Cook. I do not know whether my hon. friend contemplates making an appointment, but I would wish to point out to that hon. gentleman that there are members of the profession in the North-west Territories, and of the proper political stripe, who would consider themselves well qualified to occupy a position on the bench of the Territories, and whom I also feel satisfied would have the confidence of their fellow-citizens. The late government very happily adopted a precedent in the last judicial appointment, by which they selected from the bar of the Territories the most recently appointed judge, Mr. Justice Scott, a gentleman well qualified for that position; and I hope it will not be found necessary for my hon. friend to go outside of the Territories for the purpose of appointing a North-west judge. I should point out also in this particular item that reference is made to the judge having jurisdiction in the Yukon. As my hon. friend pointed out very properly the other day, the Yukon district is part and parcel of the North-west Territories, and the jurisdiction of the present judges extends to the Yukon district, as has been demonstrated by the government having sent Mr. Justice McGuire, a North-west judge, to administer justice in the Yukon. In regard to the appointment of Lieutenant-Governor, so many rumours have been afloat in regard to that appointment that we have been more than satisfied on that point; but it is very pleasant to know that Police Judge Dugas is to be mollified. That is very satisfactory. I thought that gentleman is being mollified at the present time by having been deputed to make an investigation in the case of the Crow's Nest Railway employees, but that apparently is not sufficient. A further dose is to be administered to that gentleman which I hope may have a satisfying affect.

Hon. Mr. MILLS—I am sure that my hon. friend does not expect me to answer this question. I am not going to enter into a discussion of every item in the newspapers. I may say to my hon. friend that I have not discussed the question of judicial appointments with my colleagues who would be entitled to precedence in that matter, and I don't think I will discuss it with my hon. friend here on the floor of the Senate.

THIRD READING,

Bill (B) "An Act incorporating the Central Canada Loan and Savings Company"—(Hon. Mr. Allan).

THE SENATE.

Ottawa, Monday, 21st March, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

THE ANGLO-GERMAN TREATY.

INQUIRY.

Hon. Mr. POIRIER rose to—

Inquire of the government if it is true, as reported in the public press, that the Canadian High Com-

missioner in London has been sent to Berlin in connection with the lapsing, in July next of the Anglo-German treaty of Commerce, and what is the nature of his instructions?

Also, whether it is the intention of the government to send Lord Strathcona to Belgium, France and other European countries for the same object?

He said: This question is not an idle one, in my estimation. We are all interested in the extension of the trade of our country, and particularly in knowing the course the government intends pursuing in the complicated or entangled state of our tariff. We all know that after the 31st of July next we will enter into new phases of commercial relations with the world, and the attitude or the course that the government is going to take is not clear to the public, if it is clear at all to the government themselves. When the rumour came that Lord Strathcona had gone to Berlin, it was supposed, and naturally so, that it was in connection with the lapsing of the treaty, for many of us are aware now—though we were not aware before, and possibly the government neither—that the nation that denounces a commercial treaty is, by etiquette at least, supposed and obliged to take the initiative of renewing that treaty; otherwise it would be considered as commercial warfare. I was informed—and no doubt truly informed—that England, on the very day of the denunciation of the treaty, which came about by the influence of our Prime Minister in England, as I understand——

Hon. Mr. MACDONALD (B.C.)—Oh, no.

Hon. Mr. POIRIER—England, through her ambassador in Berlin and in the principal capitals in Europe, did propose a renewal of the commercial relations, as she was by etiquette and courtesy obliged to do, but our government have failed to do likewise. True, we did not deal directly with those nations, but we were and are directly interested. It was gratifying for the country to hear that, although late, the government had sent to Berlin their high commissioner in London, apparently for the purpose of complying with international etiquette or courtesy. I, for one, do not know, what is the positive mission of our commissioner there, and it is with the object of finding that out that I put this motion. But the fact of his going there created some commotion in the country. I read in a Toronto paper a long article on the subject, from which I extract this part. The news came from Ottawa by despatch:

Indeed it is understood here that the feeling of Germany which takes over $600,000 of our exports is to put up a discriminatory duty of 25 per cent against Canada after the present treaty is out of the way. It is to be hoped that this is not the case but from information which is obtained from a good source your correspondent learns that the question has been discussed and that the measure is within the range of possibilities.

It is to be hoped—I hope for one—that Germany will take no retaliatory measures, and my inclination just now is to congratulate the government on the step they are taking towards rendering more easy our trade intercourse with foreign countries. We are all aware that we are in a mood of generosity. Our Premier, while in England, acted grand seigneur, as we say in French, and made generous promises to England, fulfilling what the French adage goes to say, that "it is the poor who are generally the more generous." We do not object to buying all our goods from England, or at least all we can, but we are interested in selling not only to England, but to all other countries the most we can, and relations with Germany now, hon. gentlemen, are rather one sided. In the leisure I had between my notice and these few remarks I am making, I went through our trade department reports, and I find that last year, while we exported to Germany to the value of $6,493,368, we only imported to the extent of $1,045,432. That is to say, we imported more than six times the amount we exported, which is a balance of trade decidedly against us. Now, hon. gentlemen, if by any act of our government that amount which you export to Germany should be diminished, that would not be gratifying to us. I have been looking into the reports of our commerce with other countries of Europe, and the result is not more satisfactory from a Canadian point of view. Barring Great Britain and the unspeakable Turk, our entire exportations to European countries amounted last year to a little less than two and a half million dollars, while we imported from the same countries—fourteen in number—over twelve million dollars' worth, leaving a balance against us in the ratio of one to five. That is not satisfactory. From some European countries—from Austria for example, we imported to the extent of nearly half a million, in round numbers, and exported nil according to the

returns. The same with Denmark, Greece and Iceland. Only two nations—Norway and Portugal—give us the benefit of the balance of trade on a very small amount.

Hon. Mr. MACDONALD (B.C.)—Do we have importations from Iceland?

Hon. Mr. POIRIER—Yes. Portugal purchased thirty-six thousand seven hundred and forty-five dollars' worth from us, while we got from them sixteen thousand dollars worth, leaving a balance of twenty thousand dollars in our favour.

Hon. Mr. MACDONALD (B. C.)—I said Iceland.

Hon. Mr. POIRIER—The amount from Iceland is very small. We get from them $784 and send them zero, so that would not be much of a balance.

Hon. Mr. DEVER—They have zero there already.

Hon. Mr. POIRIER—So we have sometimes here, in the Senate. We imported from France over two and a half millions worth and exported less than seven hundred thousand dollars worth. That does not seem to me very gratifying. While favouring greater privileges to Great Britain as much as we can, if there should be such a thing as feeling in commercial matters, we should try and improve our commercial relation with other countries, especially France and Germany which, viewing the proposed steamer line to the continent, we will soon be in a position to increase to a voluminous extent. I have looked into the figures concerning the importations of those two countries of articles which they could buy from us, and here are a few of them. The importations of Germany last year altogether amounted to over four billions of marks—I believe a mark is worth about twenty-five cents—with exportations a little below; and among the articles which Germany imports and of which we could supply them a good portion, are the following:

	Marks.
Horses	74,843,000
Cattle	111,750,000
Copper ore	40,161,000
Eggs	74 353,000
Grains and flour	438,000,000
Hides	144,000,000
Iron ore	36,304,000
Wood	149,605,000
Wools	247,989,000

Aggregating over one billion and a quarter, and of that, hon. gentlemen, we supplied only one million, a very low figure compared with the amount of trade that we could, under favourable and improved circumstances, have with that country. The figures are perhaps more startling still in the case of Belgium, that little European kingdom which stands foremost amongst the nations of the world for commercial and industrial activity—I do not except even England. The total commerce of Belgium last year was over five and a half billions of francs, that is over one billion dollars, the importations being three billions of francs. Among those importations we find the following items:—

Horses, over	$ 4,000,000
Cattle, sheep and hogs	7,250,000
Wood	18,500,000
Pulp wood, nearly	7,742,000
Butter	3,000,000
Cheese	1,600,000
Eggs	2,300,000
Grains and flours	59,000,000
Hides	10,000,000
Iron ore	4,000,000
Cast iron	4,000,000

Of the whole amount we contributed only $354,584, which is less than one per cent of the whole importations of Belgium. For a young country, as we are, with so many things to export, it is worth while making efforts to improve our relations with that country, which would be willing, no doubt, to buy from us, if she could, on as cheap or cheaper terms as from other countries. Referring to my notice, I, for one, and I am sure the country at large, would hail with satisfaction the announcement that the government intend to take the initiative in renewing our trade relations with those countries. If retaliatory measures should be taken against us, as might be done—the article I read was from a leading Toronto paper, and it is the opinion with many that those nations, unless we take the proper steps to renew our commercial treaties, might retaliate against us—what would be the consequence? The little, I was going to say the paltry amount of our exportations to those countries still would diminish.

Hon. Mr. DEVER—According to your own showing, we would not lose much.

Hon. Mr. POIRIER—Still it would be something, a couple of millions, and who would benefit by it? The English importers, as they are doing now, to a slight extent,

would then to a larger extent buy from us, put the English stamp on our goods and send them to Belgium, France or Germany. We would be selling those articles *bona fide* to English buyers at a minimum rate, and they would get a profit on them. Those considerations are worth being studied. I do not believe we can afford to act in such a way with countries which could come in and help us handsomely in our commercial relations. I will not detain the House longer at the present time.

Hon. Mr. MILLS—I may say to my hon. friend that the Canadian High Commissioner in London has not been sent to Berlin in connection with the lapsing of the Anglo-German treaty of commerce, that it is not the intention of the government to send him to Belgium or France, or any other European country in reference to that object. I have listened to the speech of my hon. friend with interest, and if I rightly understand him, he is desirous of more extensive commerce with those countries. I dare say that would be advantageous to this country if it could be secured, but I suppose so far that the people of Canada, who are engaged in commercial undertakings, have sold the products in those markets where they command the best price, and if we have sold but little in the markets of Germany and Belgium, it is because we have found a more favourable market elsewhere. I may say, further, to my hon. friend, that I do not at all question the fact that with more energy and enterprise we might perhaps open markets with some European powers, and the effect of the opening of those markets might induce this country to produce more than it is producing at the present time, for we generally find that high prices stimulate industry and that the country may produce, without any apparent increase of capital, a larger quantity of its products for sale abroad when it has a motive for doing so, than it does when such motive is withdrawn. I notice that my hon. friend refers to the amount of pulp for the manufacture of paper that is required for consumption in Belgium. That is an article which we might supply to an almost unlimited extent, and, what would perhaps be better, we might convert the pulp into paper in this country and supply the various European markets with that article. I have nothing further to say to my hon. friend's question. I have given him the information which he asks for, and I trust that the trade relations between Germany and Belgium, on the one side, and Canada on the other, will not be seriously affected by the abrogation of the treaty.

Hon. Mr. BOULTON—This is a subject that I have discussed before the House heretofore, and when my hon. friend from New Brunswick rises to discuss the same question, he presents one phase of it, and probably ——

Hon. Mr. MILLS—He is encroaching upon your preserve.

Hon. Mr. BOULTON—Yes, perhaps so, but from a different standpoint. I am glad to see that he has started thinking at any rate. There is one thing I would like to draw the attention of the hon. gentleman to, and that is the fact that it is made apparent by the returns which have just come out, to 28th February, for eight months, that we have exported 38 million dollars from the country, more than we have imported into the country. That is a very serious state of affairs. The hon. gentleman has shown us that we have imported from European countries, made up of small amounts, some 12 million dollars while we have only exported to them two million and a half. I think those were the figures he gave. That shows that the heaviest excess of imports has come from European countries whose markets are closed. The heaviest exports have gone to the free markets of Great Britain. That proves to us that if we want to export, we must have a greater economic force through the production that we are able to put into the country in order to force our goods through high tariffs which exist on the continent of Europe, and the only way to do that is to apply the same economic force to our production that the people of Great Britain apply to theirs. If we do that, we will then force barriers in a great many articles that are natural to our country, as for instance in the article the hon. minister has just drawn attention to, the article of pulp wood. That is one of the natural productions of the country. It does not require any protection at all. If protection has any effect upon it in any shape or form, it is to reduce our power to produce it. We have the raw material, and we pay nothing for it. It is

the raw product of the country. Every additional expense that is imposed upon that by protective taxation restricts our power to export that pulp, either in its raw state or manufactured into paper, as the hon. Minister of Justice has suggested; and restricts our power to force the barriers of those countries that maintain protective taxation; it restricts our power even to send it to the free markets of Great Britain, where Norway and Sweden are competing with the same product under better economic conditions; and therefore if we want to accomplish what the hon. gentleman has so forcibly suggested, and put the power to export to those foreign countries upon equality of basis to a purchasing power from them, we have to employ that economic condition which will enable us to produce it so much more cheaply than other countries who compete with us in those markets, but what I would like to suggest to the hon. Minister of Justice, and what I have suggested before, is that he should take into his serious consideration the advisability of trying to remedy that condition, which is a very serious one. The fact that we are exporting to-day 37 million dollars more than we are bringing back to the country——

Hon. Mr. MILLS—We are paying our past old debts.

Hon. Mr. BOULTON—No, you are paying more than your past old debts. It is unfortunate that the debts have arisen, but I do not see that the hon. gentleman, or the government that the hon. gentleman is a member of, is taking any steps at all to reduce those debts. In the two years that the government has been in power, they have taken very great pains to increase those debts, and therefore, if they go on in that same condition, it will be just as aggravated as he suggests now has been the case. The result of 1897 is a loan of ten million dollars, a grant to that exceedingly rich corporation the Canadian Pacific railway of $4,000,000, a grant of two million for the Drummond railway to parallel two other lines, and an increase of the taxing power of the Grand Trunk railway to the extent of two million dollars or $12,000,000 additional burden on the people of the country. But it is not altogether the absorption by the payment of the debts. No doubt those liabilities we have to remit abroad are remitted by our exports, and it is the farmers of the country, those who produce pulpwood, those who produce lumber, the fishermen, and those who work the mines, who are paying the debt of the country through what they export. There is where the burden of taxation is lying; there is where the burden of debt is lying, upon those interested. Instead of the money they earn by the production of those exports being distributed in their own locality, in the rural, mining and fishing districts and then redistributed through the country, it is directly absorbed, and collected abroad through the system we are now pursuing, and I would suggest to the hon. Minister of Justice, as one of the free traders of the government—who as yet has made no effect at all upon the mind of the government apparently—that so far as Great Britain is concerned, he admits the products of Great Britain on exactly the same terms that Great Britain admits our products; and if he does he will see the wealth flow back to this country in a way he has no conception of at the present moment. Those debts, in the course of ten or fifteen years, will be entirely wiped out and the wealth of the country will be increased to that extent. There is not a shadow of a doubt about that; and more than that, the wealth will be more equally distributed. I explained the other day how wealth is being collected in certain hands in consequence of the policy we are now pursuing. It is a great deal better that that wealth should be distributed by the hands of those who produce it than by our protective legislation creating monopolies that absorb that wealth. Every hon. gentleman in the House knows perfectly well that the foundation of the wealth of Canada comes from the soil, from the forest, and from the raw products of the country—that that is the only source of wealth here, and that it is the equitable distribution of that which should receive the honest attention of any government that may be in power, because our condition is being forced upon our attention to-day by that very fact that we are parting with thirty-seven million dollars worth of the products of Canadian labour more than there is a visible return for coming back to Canada. The question which the hon. gentleman has put to the leader of this House as to the visit of Lord Strathcona and in connection with the treaties has received its reply, that it has nothing whatever to do with the treaty, that was denounced a year ago; but I would impress upon the govern-

ment that most beneficial results to the whole country would flow from a further reduction of our tariff, making it free and allowing British goods to come into this country on the same terms that Great Britain admits our goods. It is nothing but fair play and justice and cementing that union which every hon. gentleman in this House hopes will be always closer. I have taken the opportunity of this question being put to advance once more the views which I have from time to time expressed in this House.

Hon. Mr. DEVER—I do not think that I am strictly in order in speaking on this question, because an inquiry calls simply for a reply, but inasmuch as some hon. gentlemen have taken advantage of this opportunity to say a few words, I may be permitted to say something also. If there is anything that should be satisfactory to the Senate in connection with the recent tariff, it is the fact of its being lowered in favour of Great Britain. My hon. colleague from New Brunswick has taken the trouble to quote from the trade returns showing that several countries from which we should expect trade are practically taking nothing from us—in fact, his own expression was that the trade is nil. That alone is sufficient to show that we should turn our attention to that country which takes all the goods we have to sell. Great Britain is our best customer and best friend, and therefore we have a right to arrange our tariff in such a way as to favour the mother country. The government should be congratulated for having done so. I trust that when the new tariff comes fully into operation, Great Britain will supply us with a market for all our surplus products and that, if possible, we shall in purchasing confine ourselves to dealing with Great Britain in return. This is the cardinal point that I wish to place before the House and the country. It is very satisfactory to me, as an old trader, and I am glad that this question enables me to express my opinion on the subject.

DRUMMOND COUNTY RAILWAY.

MOTION.

Hon. Sir MACKENZIE BOWELL moved:

That a special committee of the Senate be appointed—

1. To inquire into the amount, source and expenditure of all subsidies granted to the Drummond County Railway Company, and of all other moneys received and expended by the said company, and the times and manner of such expenditure.

2. The capital stock of the company, proceeds of all sales of same by the company, subscriptions of stock, names of subscribers, amounts subscribed, calls made thereon, and amounts paid on same, transfers of stock from time to time, and to whom.

3. The financial position of the company, its liabilities, matured or accruing, inclusive of bonds sold and their proceeds, of loans, or advances made to or by the company, and the application of the same, together with particulars of all guarantees or endorsements given to or by the company in relation thereto.

4. The particulars of all offers, or negotiations for the sale, lease or transfer of the company's property.

5. The classification and condition of said railway and equipment, at any time or times, together with all matters and things relating to the said Drummond County Railway Company, inclusive of all negotiations and dealing swith the government of Canada in reference to the said company.

Said committee to be as follows:—The Honourable Messieurs Clemow, Cox, De Boucherville, Ferguson, Kirchhoffer, King, Loughheed, Landry, Miller, Mills, Macdonald (B.C.), Power, Prowse, Primrose, Thibaudeau (de la Vallière), Wood, and the mover; with power to send for papers, persons, and records, and to employ such persons as the committee may deem necessary for the purposes of the said investigation, and to report from time to time.

He said: The reason why I asked some ten days ago for a postponement of this motion is upon record. I have watched as closely as I could the proceedings of the investigating committee of the other House, and if the past is to be a guide to the future, the information sought by this motion will not be obtained; otherwise, I should have asked the Senate to postpone this matter to a future day. But when I see witnesses refusing to answer important questions intended to elicit the information that this motion is intended to bring to light, and that a majority of the committee have justified the action of that witness, I came to the conclusion, as I think every other man who desires to ascertain the facts in connection with this matter, has, that under the circumstances it is the duty of the Senate to appoint its committee to proceed with the investigation. Had a motion not been carried at the last session of parliament by this House for the purposes indicated in this motion and postponed at, I think I might say, the solicitation, or at least by an agreement with the then leader of the House, with the distinct and positive understanding that we should proceed with an investigation this session, I do not know that I should have taken upon myself the responsibility of asking for a committee, until the other House had exhausted the question as far as the scope of their committee would permit. But under the circumstances, and in view of what has taken place, it is my duty

as a member of the House, having placed the motion on the notice paper (and I deem it also the duty of the Senate, after what took place during the last session of parliament) to proceed now at as early a date as possible to elucidate all the facts possible in connection with this transaction. I realize, and I think every member of this House realizes the importance of the action which we are taking. I think also, we realize fully the responsibility which now devolves upon us in view of the action that was taken during the last session of parliament. We took the responsibility of rejecting an agreement which had been made for the leasing of this road in connection with a section of the Grand Trunk, and having taken that responsibility—and that responsibility was taken under the firm conviction that the bargain that was made was an improvident one, that it was one into which the country should not enter,—without discussing the question at all of the necessity of having a western terminus at Montreal, that it becomes our bounden duty to proceed now to ascertain whether the action of the Senate in the last session was justified, or not. If any one reads the remarks which I made upon that occasion, he will find that I took the ground for the course that I pursued upon the presumption, and the firm conviction in my mind, that we were paying too dear for what we were obtaining; and if that were the case, that we should not confirm the agreement that was made. The great majority of the Senate took the same view that I did, and the hon. gentleman who moved the resolution at that time; and having done so, now it is our duty to proceed, and if it can be shown that the government paid no more than the value of the property, then they will be justified, and the Senate will have to bear any odium that may attach to the investigation. If, however, it can be shown that the bargain was too extravagant that it was not in the interest of the country, then the country will say that under the circumstances the Senate was justified in what it did.

Hon. Mr. POWER—Before my hon. friend sits down may I ask him this question: like, I presume, many hon. members, I have not been following the evidence, taken before the committee of the other House, as closely as my hon. friend, and for the information of these other members and myself, perhaps the hon. gentleman will be good enough to state in what particular the committee of the other House have failed in the discharge of their duty.

Several Hon. MEMBERS—No, no.

Hon. Mr. POWER—I think it is reasonable; we are asked now to take a rather important step on the ground that the committee of the other House has not been carrying on the investigation taking place before it in a thorough way, and it is only reasonable that we should know where the defect has been.

Hon. Sir MACKENZIE BOWELL—I do not know that it becomes my duty to do this. Hon. gentlemen are as intelligent as myself, and have had the same access to all the information that I have had, because all the information that I could possibly receive has been through the newspapers. I read the first report of the committee appointed by the House of Commons to look into this question and noticed a paragraph stating that the evidence was to be printed daily for the information of the committee. In the past I know that when evidence of that kind has been printed from day to day, it has been at least accessible to other members of parliament. I took the trouble to go to the distribution office to make inquiries about it. Having placed this motion on the paper, I felt it my duty to keep myself fully informed of what was going on. I was told that there were no printed reports of the proceedings sent to that office, nor did they know anything about them. I then turned my attention to the newspapers, which are open to my hon. friend as much as they are to me. I do not deem it my duty to enter into a full explanation at the present moment, but I may say this to him that when certain questions were asked which would have given the information on some of the points specially indicated in this motion, the witness refused to answer them and he was sustained by the committee.

Hon. Mr. MILLS—I stated last year my objection to the form of the motion of my hon. friend from Richmond, and I make today the same objection to the first proposition contained in this motion of my hon. friend. I pointed out then that this House was not clothed with authority to directly institute an inquiry with respect to the appropriation

of public money by parliament. I referred to a case in the House of Lords—and my hon. friend also referred to it this year—and the case is as well illustrated by what was said in respect to the motion then before the House as by what was said in respect of the matter itself. The motion that was before the House of Lords was one to inquire into expenditures in India. Mr. Disraeli quoted the rule as to the inability of the House of Lords to inquire into the expenditure of public moneys, and Mr. Gladstone said he admitted the accuracy of the hon. gentleman's contention in respect to the appropriation of money made by parliament, but this inquiry was not in respect to the appropriations of money made by parliament, but in respect to the appropriations made by the government of India for Indian purposes, and that, not being an appropriation made by the House of Commons in the United Kingdom, it was as open to inquiry by the House of Lords as it was to inquiry by the House of Commons, and that, therefore, it was proper that a joint committee should be constituted to inquire into this matter. My hon. friend from Richmond last year, and again this year, referred to the 18th section of the British North America Act, which he thinks gives to this Senate broader powers in respect to inquiries of this sort than are possessed by the House of Lords. That rule reads as follows:

> The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by act of the parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

Now my hon. friend contends that as the privileges, immunities and powers of the House of Commons in the United Kingdom are the standard by which the rights, privileges and immunities of both Houses of this parliament are measured or restrained, therefore this parliament has broader powers than the House of Lords has in England, and that we are to look to the powers, immunities and privileges possessed by the House of Commons in the United Kingdom to ascertain what the powers, privileges and immunities of this House are. Let me say, hon. gentlemen, that that is only correct to a limited extent. For instance, one of the powers of the House of Commons in England is to vote supplies. Will it be argued that because the House of Commons in England possesses that power, that power is by this section conferred upon this House?

Hon. Mr. MILLER—No, of course not. We are restricted in that respect by the express terms of the Act.

Hon. Mr. MILLS—Then it is true in regard to all other matters? I say certainly not. I say that you look at the powers, immunities and privileges as a limitation which never can be exceeded, but not as a grant of powers, immunities and privileges that may be in every case entirely covered, and you are to look at the nature of the constitution of this House and at the nature of the constitution of the other House to see what the powers, immunities and privileges of both Houses are under this particular section. How are we to distinguish them from these words—what are the powers of this House and of the House of Commons in this matter? You look, let me say hon. gentlemen, to what the power is in respect to making an appropriation. It is within the power to make the appropriation that power to make the inquiry arises. I have a perfect right to inquire into the expenditure of my money with which I have entrusted my servant and my agents, but my neighbour has no such right to inquire into the expenditure of my money by my servant. It is out of the power conferred upon the House of Commons in this matter that that House has a right by the constitution of a committee to follow the expenditure and see what has become of it. That is the power the House possesses. But we have no power to make the appropriation, we have no power to amend it or alter it, and that being so, we have no power to inquire into it and see what has become of the money so appropriated. I am calling the attention to the legal position of the matter, and what I would suggest to my hon. friend—and it does not practically restrain it, but makes the motions that are proposed in this House conform to the law of parliament in this regard—is to inquire into the finances of the Drummond County Railway Company, and of moneys received and expended by the said company and the times and manner of such expenditure. Then you are inquiring, not in express terms into the appropriation of public

money, but you are inquiring into the financial standing and management of the affairs of this company, and as an incident to that, you may have drawn under your notice the fact that public moneys have been granted, and you may inquire what has become of them, and in precisely the same way as you may with regard to any other money for the purpose of ascertaining the main object of your inquiry—the management of the finances of the company. My hon. predecessor here last year made a promise to this House that it should have the privilege of inquiring into this matter; with the approval of the government. He invited inquiry. The motion was made at so late a period last session that it was felt that it would unduly delay the termination of the session. I am not at all calling in question the duty of the government to fulfil that promise; all I am calling the attention of my hon. friend to is that the motion should be put in such a shape as to conform to the functions and powers of this House in respect to matters of this sort. It will not in the slighest degree limit the inquiry, but it will remove from the motion an objectionable feature, an unparliamentary feature, which, I think, appears upon the face of it.

Hon. Mr. MILLER—I did not expect that the motion of the hon. leader of the opposition would be opposed on this occasion, because of the promise given by the leader of the House last year, that a committee would be granted to investigate this question of the Drummond County Railway. I did not think either that my hon. friend, under those circumstances, would repeat the argument which he addressed to the House last year—an argument as strong, possibly, as could be addressed to it by any one holding different views on the powers of this body in parliament from my hon. friend opposite (Sir Mackenzie Bowell) and myself; an argument well and ably put now, as it was last session, but I think my hon. friend has failed altogether to satisfy this House as to the position he assumes with regard to the powers of the Senate to investigate a subject of this character. I tried last year to vindicate the position I took with respect to the difference which existed in the attributes of this House, as a legislative body, and those of the House of Lords. Although the constitution of Canada is modelled in principle on the constitution of Great Britain, it does not follow from that fact that the powers of the Upper Chamber are the same in Canada as they are in England. We all know that the House of Lords is a body which has been evolved after centuries of existence, and is founded on usage and precedents and its customs, its usages, its powers and privileges are all the result of long development and founded upon these precedents. With this body, it was altogether different. Although I say in principle we are intended to represent the functions of the Upper Chamber in England, still we are created by a written charter, which clearly defines our position. Our rights rest upon a written charter, which enlarges our powers, and renders them greater than those of the House of Lords. I say, therefore, that precedents such as my hon. friend cited, which would be applicable in England, as certainly the precedent cited by Mr. Disraeli was applicable to the question then before the British House of Commons, these precedents cannot have any application to us, if they are not in harmony with the power we possess under our constitutional charter. If any member of this parliament could attack my position successfully, that member would be the Minister of Justice, because he has given a great deal of study to these questions, and is admitted to be one of our parliamentary authorities with regard to them; but when my hon. friend attacked my position, in claiming for this House the same powers, privileges and immunities as the House of Commons possesses under the quoted section of the British North America Act, he was not very strong in the point he selected for illustration. The only point he attempted to make against that position was that, if I were right, then we would have the power of voting supplies. The House will see how utterly weak that point is. We have not the power of initiating money votes; therefore we have not the power to vote supplies. We have not the power of initiating money votes, because that power is directly given to the House of Commons. Therefore it does not at all strengthen the argument which the hon. gentleman tries to make against the rights, powers and privileges of this House under the 18th section of the British North America Act. I am glad that my hon. friend has not attempted by any other illustration to weaken the force of the argument which I based on that section,

and which view, I am glad to see, is now held by the hon. gentleman from Halifax, for he went further than I am inclined to go when he said that under that section he believed we had the power to amend money bills. I do not believe that we have a right to amend money bills. We have a right to reject them as a whole but we cannot initiate or amend them. We can reject them or any other bills that come before this parliament, that is all I claim. The argument made against our powers under that clause by my hon. friend convinces me, by its weakness, more strongly than I was ever before convinced, of the powers of this House. I do not think that my hon. friend desires to lessen the powers of the Senate unfairly. In fact, I was pleased to hear him say on one occasion that he would like to see the powers of the Senate greater than they are, and perhaps it would be better if they were. I do not think that my hon. friend is justified, after the unanimous vote of the House last session and the promise of his predecessor, in opposing in any way the granting of this committee, or in attempting to lessen the scope of its investigation. The reason my hon. friend (Sir Mackenzie Bowell) asks for the committee is that he wishes to cover a larger ground of investigation than is attempted in the House of Commons, and which he believes it is in the public interest should be investigated. I am hardly disposed to agree to the suggested amendment; however, I leave my hon. friend to take any course he thinks best in that regard. I hope this is the last time we shall hear a discussion on the rights of this House to make an investigation of this kind, because it would be depriving ourselves of one of our most valued privileges, and one of our greatest means of usefulness. I believe the section of the British North America Act, quoted by my hon. friend, was designedly put there to expand the powers, privileges and immunities of the Senate, and it is worthy of note that that is the only section of the British North America Act that has been twice passed upon by the Imperial parliament. In 1873, when the difficulties arose with regard to the Pacific Railway, it was desired to appoint a committee to investigate that matter under oath, and it was found that the constitution did not give power to this House to do so, because the clause as it was originally placed in the British North America Act gave to the parliament of Canada only such powers, privileges and immunities as were possessed by the House of Commons at the time of the passage of the British North American Act in 1867; but in 1867, the time of the passage of the Union Act, the House of Commons did not possess the power of examining witnesses under oath but between 1867 and 1873 the British House of Commons had taken that power, and it was necessary to re-enact this important section of the constitution to meet altered circumstances on which we base so much the powers of this House. It was a good thing to be done, but it was done irregularly, and there was some dissatisfaction about it at the time. A motion was made in the House of Commons censuring the government for the irregular manner in which the change was made, but it was withdrawn, because the amendment to the constitution was considered a necessary one. The amendment was that the powers, privileges and immunities of the Senate should be the same as those of the British House of Commons as declared by the parliament of Canada, so long as they did not exceed the privileges of the House of Commons at the time the parliament attempted to clothe us with these privileges.

Hon. Mr. DEVER—Will the hon. gentleman tell us what privileges they had then?

Hon. Mr. MILLER—That clause was twice enacted by the Imperial parliament, and if any other amendment was needed it would have been made in it at the time. I do not want to prolong this discussion. I presume the committee will be granted and that the investigation will be on the lines indicated by the leader of the opposition. It is well that this investigation should be as wide as the powers of the Senate enable us to make it. I do not think that the terms of my hon. friend's motion are wider than they should be in order that the investigation should be as comprehensive as the public interest in the case demands.

Hon. Mr. MILLS—They are wider than the law warrants, that is all.

The motion was agreed to on a division.

PRINCE EDWARD ISLAND RAILWAY.

MOTION.

Hon. Mr. FERGUSON moved:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be presented to the Senate, all reports and surveys made by the officers of the Department of Railways and Canals, regarding the straightening of certain curves on the Prince Edward Island Railway at or near North Wiltshire; and also, a statement showing:—

1. The amount expended on straightening the said curves, and whom paid.
2. How was the expenditure made, by tender or by day's work.
3. The nature and extent of the changes made.
4. What further changes, if any, are contemplated.

He said: I have no remarks to make at present, but merely wish to have this motion passed and I hope my hon. friend, the leader of the House, will bring down in due time the information asked for.

Hon. Mr. MILLS—I cannot give my hon. friend any information at this moment, because I have not inquired of the Minister of Railways, but I have no objection to the adoption of the motion.

The motion was agreed to.

BILL INTRODUCED.

Bill (13) "An Act to amend the Mounted Police Pension Act of 1889." (Hon. Mr. Scott.)

SAFETY OF FISHERMEN BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (G) "An Act for better securing the safety of certain fishermen."

He said: Hon. gentlemen, I say with respect to this bill what the hon. gentleman has just said with respect to his—it is only a little bill; and I hope it will not take very long to discuss. Probably hon. gentlemen may not have read the bill, and it may be better that I should read part of it. The first clause is as follows:

1. No dory, flat, whaler or other boat whatsoever shall be launched or set out from any vessel engaged in deep-sea or bank fishing, for the purpose of fishing with hooks and lines, trawls or other similar appliances, or with intent that the same shall be used in so fishing, or for the purpose of examining trawls, set lines or other similar appliances for fishing, unless there is placed in such boat and retained therein during absence from such vessel an accurate and serviceable mariner's compass, and unless there is placed in such boat at least two quarts of drinking water and two pounds of solid food for each man of the crew of such boat.

2. The owner of every such vessel shall supply her at the commencement of her voyage with as many serviceable compasses as she carries boats, in addition to the vessel's compass, and also with the necessary utensils for holding water, and with a fog-horn or trumpet.

It is hardly necessary hon. gentlemen, to say anyting in favour of this bill, because it must commend itself to the common sense and sense of humanity of every hon. gentleman. Hardly a season elapses in which we do not read in the newspapers of cases of fishermen who have set out from fishing vessels, in dories, to examine trawls or to fish, and who, in case a fog or heavy breeze comes up, fail to get back to their schooner and very often suffer great privations before being rescued, or before reaching another vessel, or reaching the shore; and in some cases they have actually died in their boats. It is not necessary to go into the bill at any length. In the first place, this bill provides that in each boat there shall be a mariner's compass. It is perfectly clear that that is necessary, for if a boat leaves a vessel and a fog comes up the men in the boat are very likely to fail to be able to get back to the locality where the vessel is, and if they lose the vessel they do not know in which direction to row for land. If supplied with a compass, knowing where the vessel is, they can steer for her; and if they fail to find the vessel they can steer for the land. Then, that there should be something to eat and drink in case the boat loses the vessel seems a matter of course. This measure was before the Senate in the session of 1889, and again in the session of 1890, and in both cases it passed this House without division. I shall not refer particularly to the debate which took place further than to read what was said in 1889 by the hon. gentleman who led this House at the time, Hon. Mr. Abbott, afterwards Sir John Abbott. The quotation will be found on page 409 of the Senate debates for 1889:

Hon. Mr. ABBOTT—It does not appear to me that there has been really any substantial objection made to this Bill. (Power; one objected to it—Mr. Kaulbach.)

Hon. Mr. KAULBACH—There is no necessity for it.

Hon. Mr. ABBOTT—That, I suppose, is very much a matter of opinion, and this bill appeals, at all events, to one's sense of humanity, as I read and hear frequently of losses, of deaths and wrecks that occur from neglect of precautions of the kind provided int his bill

Hon. Mr. KAULBACH—There are no cases of that kind from my county.

I may say, with respect to the Hon. Mr. Kaulbach, that he said in his county that the owners of vessels already provided them with these things and naturally, if they do, the law does not affect them.

Hon. Mr. ABBOTT—I have myself frequently read of fishing boats being lost from their schooners during a fog. What my hon. friend from Charlottetown says about the vessel moving is undoubtedly true; but it must be remembered that a sailor in a boat, knowing the general direction in which he left his vessel, could form some idea from the direction of the wind where she would be four or five hours afterwards. I do not pretend to understand the question, but I think the proposition is a good one, and if the fishermen already do these things which this bill proposes that they shall do I do not see that the bill can do any harm.

Hon. Mr. ALMON—I certainly approve, as I think every other member of the House approves of the bill, but I want to know whether in the bill there is any way to ascertain that the men have the compass, water and food in the boat; is it customary, when the boat clears out, to ascertain it, or how is it to be done? If left merely at the option of the owner of the boat, there will be very little gained by this legislation. There should be some clause in the bill which would compel every vessel going out to follow the rules which are laid down in the hon. member's bill.

Hon. Mr. MILLER—I do not rise to oppose the bill. I am very much of the opinion of the late Senator Kaulbach, that the bill is not necessary. However, it can do no harm. Perhaps there was no man in the House more qualified to give an opinion on this matter than the late Senator Kaulbach. Like myself, he came from one of the chief fishing counties in Nova Scotia. Almost without an exception vessels intended for the deep sea fisheries carry compasses for use in the boats whenever they leave the craft, and they also carry a supply of provisions for the time they expect to be out. The trouble is, however, that very often these boats go away four or five miles from their vessel, and a fog springs up, and perhaps, with overconfidence, they continue at their work, and may have drifted from their bearings, and a compass is of little use to them by the time they make up their minds to reach their vessel. They may then float about the ocean for days and their little stock of provisions, a couple of pounds of bread and so forth, gets exhausted the first day, and they may have their compass on board but it does not do them any good, as they do not know the course to steer to find their ship. They have no means of taking bearings, they may pull about in a fog and go within a mile of the vessel and not find her, and this explains how these accidents occur. I know that the fishermen almost invariably carry a compass in their boats, and the men will certainly not go away for a day's work without taking provisions with them, but it is when they get astray and when compasses are of no use to them in finding out where their vessel may be that loss of life occurs. The vessel may have had to take up anchor, or the wind may have driven the vessel away from her anchorage, and in consequence of these contingencies the sad loss of life that we so often read of happens. As I said before, I do not intend to oppose my hon. friend's bill. It can do no harm; it will only comply with the customs that prevail. I do not think there has been any petition for it, and therefore it is a strong proof of the position I take, that it is not a very necessary bill.

Hon. Mr. McCALLUM—It is a good thing for a man to have a compass on board.

Hon. Mr. MILLER—They are never without it.

Hon. Mr. McCALLUM—If they have them already this can do them no harm. If they have a compass on board they can tell which direction is east or west, or north or south. They know when starting from their vessel in what direction they go, and which way the wind was, and that should give them an idea how to get back. I would like to see the law give them a little more water and a little more provisions. It may not go far enough in that way. I am sure that the Senate ought to be satisfied to have such a bill passed. I would like to see it. These men are engaged in a hazardous industry and they should be protected as far as possible. Owners of vessels may want to save a little money, but the life of a poor fisherman ought to be protected as far as possible. I am glad the hon. gentleman has brought in the bill.

The motion was agreed to, and the bill was read the second time.

CANADIAN MINING REGULATIONS BILL.

SECOND READING POSTPONED.

The Order of the Day being called:

Second Reading (Bill E) An Act to amend the Canadian Mining Regulations for the Yukon.

Hon. Mr. BOULTON moved that the Order of the Day be discharged and that it be made the first Order of the Day on Thursday next.

Hon. Mr. POWER—I have no desire to impede the progress of the hon. gentleman's bill, but the House will be engaged in discussing the Yukon Bill on that day, and I think it is going too far to make this the first Order of the Day.

Hon. Sir MACKENZIE BOWELL—Is this not a bill almost exclusively within the province of the government?

Hon. Mr. MILLS—Certainly.

Hon. Sir MACKENZIE BOWELL—It is a bill to amend the regulations which have been adopted by the Governor in Council, and my hon. friend proposes—I dare say he has very good reason for it—to amend those regulations, but I am inclined to think it is a matter which pertains almost exclusively to the action of the government and not to private individuals.

The order was allowed to stand.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, March 22nd, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

YUKON RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (6) "An Act to confirm an agreement between Her Majesty and Wm. Mackenzie and Donald D. Mann and to incorporate the Canadian Yukon Railway Company." He said: This bill, the second reading of which I now move in this House, is one of immense importance, not only to the country, but also to this body. It was passed in the House of Commons by an immense majority—by a House of Commons that has been as little under the control of the administration as any House of Commons that has been elected since the establishment of this union. The bill deals with an important section of the public domain of this country, and in that respect it is a bill dealing with the public revenues of the Crown. Under the constitution, such measure is under the special jurisdiction of the House of Commons, as much so as if it had been a bill making an appropriation of a portion of the public money. It is the opinion of some hon. gentlemen in both Houses of parliament, and of some who are not members of either House, that a money compensation ought to have been given instead of a subsidy in land. The government thought otherwise. We knew the temper of the House of Commons, and I think also we knew the temper of the country. And so far as we could ascertain either the House of Commons, who are representatives of the people, nor the people whom they represented favoured a money subsidy; and so the government have done in this matter that which in their opinion best comports with public opinion, with the wishes of the community, and with the view of a vast majority of those who sit in the House of Commons. They have undertaken to aid in the construction of this road into the Yukon country by a subsidy in land. There is a strong feeling throughout the country that we have been moving too rapidly in the way of granting money subsidies to public enterprises; that the people of this country and the resources of the people which are available for the purpose of government, have been already very severely taxed in the construction of great works and undertakings and we are of opinion—and this opinion has been confirmed by the action of the House of Commons—that it was in the public interest that the country which was to be opened up for occupation, to which ingress was to be afforded to those who might go thither, should, out of those natural resources which were being made available, contribute to the increased cost of government in consequence of what was their being done. The lands of the Crown in the Yukon country, being a part of the public revenues, like other portions of the revenue are under the special jurisdiction of the House of Commons, and

therefore this bill could not originate in this House. It was a measure that could only originate in the House of Commons. And with regard to the appropriation of the public revenues that was made by it for the purpose of furthering this enterprise, it could not be amended in this House. The Senate in this matter, the same as in any other appropriation of public revenues, can approve or disapprove of what it has before it. The matter is one of peculiar interest, therefore, to the House. Hon. gentlemen who were in the Senate in 1874 will remember a case in which the Senate undertook to amend a bill relating to the appropriation of lands in the North-west Territories. That measure was carefully considered in the other chamber by men distinguished for their knowledge of parliamentary law and parliamentary procedure, and it was then decided that an appropriation of public lands did not differ from an appropriation of public money, and that it was not in the power of the Senate to alter or amend the appropriation, to increase the amount of land that was proposed to be granted; and I think that from that time down to the present that view has been acted upon. There is, I apprehend, hon. gentlemen, no doubt upon this point—and I refer to it for the purpose of showing what are the special functions of the House of Commons in this matter and what are the powers which belong to the Senate. We have decided in this matter to aid this railway enterprise by a subsidy in land, that is a benefit conferred or a compensation given to these contractors who have entered into a contract with the government to construct this railway within a certain period of time. If we had given a money compensation, there would be no doubt as to the power of the House of Commons in the matter. It would have been a beneficial contribution from the public treasury, and what has been done is supposed to be at least equally advantageous to the contractors—it is a contribution from the public resources, it is a value bestowed. That value may at the present time not be one which is easily ascertained, but it is a value which makes it a part of the revenues of the Crown and brings it under exactly the same constitutional provisions which apply to the appropriation of public money. It is not necessary to detain hon. gentlemen with a consideration of the question whether it was better that the grant of aid should have been in money, or whether it should have been a subsidy of land. With us, from what I have said, it will be seen that this is only an academic question. It may be one of interest, but it possesses no greater interest to this honourable body than it does to any other body of citizens well informed, and who take an interest in the discussion of the subject. In the opinion of the government, the House of Commons, in approving of an appropriation of public lands rather than an appropriation of public money, decided wisely. The prevailing sentiment of the country corresponds with this view; and under any circumstances, even if we did not think it were the best, since it is the public view, it is one entitled to be treated with respect. I am not going to detain this House with the consideration or discussion of the question whether the government could have let this contract at an earlier period, whether the construction of this railway might not have been earlier begun. If it could have been, that is the fault of the government and not the fault of the contractors. It does not, in the smallest degree, detract from the value of the undertaking. If it was proper to begin this undertaking three months ago, it has not become an improper thing since. We ought not to confound the mistakes of the government, if there be mistakes (and I do not admit that there have been any in this matter), with the merits of the undertaking. The project is not bad because it was not begun sooner. This House has before it now much the same information which the government had when this work was projected. It has the report of Dr. Dawson, the report of Mr. Ogilvie and the report of Mr. Jennings. The first two of these reports give us but little information with regard to railway construction. They deal with the geological and mineral features of the Yukon country. They give us a great deal of valuable information upon that subject, but in respect to railway construction, they did not afford the government any material assistance. It was known ten years ago that there was gold in the Yukon, but whether it was in paying quantities or not was not a matter upon which any government was informed. The distance from the settled portions of Canada in which that sub-arctic country lies is such as to have made it, almost ever since confederation, a neglected country. It is one

upon which but little information was had, because it was not supposed to have any special value. We have immense districts capable of being utilized for settlement to which our attention was directed and upon which our resources have been expended. We have endeavoured by large expenditures to secure immigration, and to increase in this way the population of Canada and to increase its wealth and prosperity. Many of the districts upon which large sums have been expended are still unoccupied districts, and though neither those who have preceded them in office, nor this government at the beginning were disposed to hasten railway construction in the Yukon country; they had, in their estimation, a large number of projects on hand which had not yet produced those results which it was thought reasonable to expect. A year ago gold seekers hastened into the Kootenay country. This government had been but a few months in office. They had pressed on their attention the necessity of furnishing those people with greater facilities for ingress and egress, and to furnish to the manufacturing and mercantile classes of the country whatever market there might be secured to them by sales to the population that had gone thither. For the purpose of securing that market, and for the purpose of furnishing greater facilities to the miners and to the capitalists who have gone into that portion of British Columbia, the government undertook the construction by subsidy to the Canadian Pacific Railway Company the railway to the Crow's Nest Pass. That road is nearly completed. More than 300 miles of railway will have been constructed this year, but before the year had expired, and before that work was completed, the government were pressed to undertake the work of railway construction into the Yukon country. When, then, you consider the magnitude of the work that is pressing on the attention of the government at this moment, it is easy to see that the government have not been indifferent, nor are they open to the charge that they have not exercised sufficient attention and energy to further the public interest in these regards. It cannot be said that we have been dilatory and negligent in this respect in the discharge of our duties. We are not the authors of the circumstances which have impelled us onward. We have endeavoured to be awake to our times and to join in the march which has carried the people of this country forward at no inconsiderable pace during the past twelve months. It was not, however, I may say to hon. gentlemen, until immigration began to flow into the Yukon country in such numbers as to make it necessary to appoint administrative officers for the enforcement of law, for the protection of life and of property and for the administration of justice, that the government felt itself impelled to act. It is not necessary that the government, having under its jurisdiction an immense territory such as ours, the greater portion of which is still unoccupied and uninhabited, to follow every explorer, wherever he may go, with a railway charter or with an executive officer and judge. We acted, I think, in the Yukon country as soon as the circumstances justified that action in the matter of government and of administration, and in the matter of railway construction, in affording a highway to those who may wish to go into that country or wish to have egress from it, we have acted as soon as the circumstances of the country justified our action, as soon as it was apparent that the numbers who were going thither were such as as to require from us what we were now doing. We therefore found it necessary to make regulations to secure miners' claims as soon as the placer mining was begun in that country, to determine their extent, to give a certain amount of security to those who undertook to work them, to state the conditions upon which this work might be carried on and to make such additional provisions as might afford to the government some revenue to enable it to meet the additional expenditure that was thereby incurred. I may say to hon. gentlemen that from looking at the map few realize the vast extent of territory that is under our jurisdiction, and in which, at the present moment, we are obliged to make provision for the enforcement of the law. If we except the empire of Russia, I apprehend we have on this North American continent the most extensive region under any one government. Formerly we had the town of Winnipeg upon our frontier. We regarded that as a distant place. Later there was Calgary, a thousand miles further west; then Vancouver and Victoria, that are three thousand miles away; but when you are at Victoria you are still 1,500 miles from the town of Dawson. This will give to hon.

gentlemen some idea of the extent of this country, stretching more than 1,000 miles to the east and nearly 5,000 miles to the north-west into the Yukon district. Beside the immense distance that this district is from the capital, there are political and geographical impediments which increase the inaccessibility of that country. The physical obstacles that intervene are very serious, but those physical obstacles would be far less serious were it not that our neighbours hold several hundred miles of the sea coast, and have in their possession those gates of admission to the Yukon country through which entrance to it can be most easily had. It is unfortunate for this country that that strip of coast should be in the possession of our neighbours. It formerly belonged to the government of Russia. They claimed it by discovery and occupation from the sea shore, while the British government claimed the whole interior of the country in consequence of what had been done by a Canadian trading company—the North-west Company. That company which was organized at the city of Albany, in the province of New York, while it was still a British province, and, after the American revolution, was transplanted to Montreal, carried on its trading enterprises to the Arctic Sea, and along the Pacific Coast, down to the Gulf of California, and it was in consequence of its enterprise and energy, its indomitable perseverance and its great successes, that the government of England was enabled successfully to claim the territories which we now hold both in British Columbia and in the Yukon district. The political situation of the Yukon country is as important as its commercial situation, and in dealing with this bill and the contract into which the government have entered for the purpose of securing the construction of this road, the political consideration is in my opinion paramount. The question of commercial advantage must always be, as long as the shore is in the hands of another country, the paramount consideration for us. The holding of that territority puts, as I have said, all the convenient gateways into the Yukon country into the hands of our neighbours. Whether we would be permitted, if we did not construct an independent route, to send the products of this country through the United States borderland without the payment of duty would depend entirely upon their grace and favour. I do not think it would be possible that anything more calamitous to this country could happen than that we should abandon the project of constructing a highway upon our own soil and depend upon a highway through this strip of border territory, held by the United States, into the Yukon country. If we did so, we would every day in the year and every hour in the day be dependent on the grace and favour of our neighbours as to whether the products of Canada could pass from the older portions of the country into the Yukon country or not. It was, therefore, important when this question came before the government for solution that it should aim at accomplishing two things—access to the country, and the maintenance of its authority over the population that may be found in it. Before I enter upon the discussion of the highways that may be established through United States territory, let me call the attention of hon. gentlemen to what may be done within our own. There are three routes which may be opened within Canada to the Yukon country. We may begin at Yorktown and extend that railway that is constructed from Portage la Prairie to that point in a north-westerly direction to Prince Albert across the Saskatchewan, in a north-westerly direction into the Peace River country, and so on into the Yukon district. We could also extend a road from Edmonton northward. If we began at Yorktown our road would be over 2,000 miles in length; if at Edmonton, we would require to construct 1,600 miles of railway; and if we were to build a mile a day it would require over five years to complete a railway upon that line. Now, I admit for agricultural purposes, starting either at Yorktown or Edmonton, an immense country could be opened up suitable for agricultural settlement. I have no doubt whatever that some day that will be done. But the construction of a road upon that line at the present time was an impossibility. It would not in any degree meet the exigencies of the situation. We require admission into the Yukon country at once if we are to control and govern its population and to furnish the means of ingress and egress required, and it could not be done upon this line and without the lapse of several years, and several years could not go by if we were to hold the Yukon country. Then we could start from Ashcroft on the Canadian Pacific

Railway and follow the old telegraph trial and reach the Yukon district from that point, but that would be a railway of very considerable length and would occupy a considerable period of time in its construction. I am told that there is every reason to believe that there are great mineral resources upon this line, as there are great agricultural resources opon the first that I have mentioned ; but neither upon the onenor upon the other could a railway be constructed by any resources that the government of Canada could command in time to give us that security for our possessions which the circumstances of the moment call for. Then there was the third line in which you start either from Portland Canal or Observatory Inlet and extend from there northward to Telegraph Creek and on to Teslin Lake. Now this is the line which has been adopted, and we began our construction at the middle point. We began at Telegraph Creek on the Stikine River and by our contract with Messrs. Mackenzie & Mann they are to construct that road by the 1st September northward so as to be fit for traffic and travel by the 1st September next. We did not begin at Observatory Inlet, because the southern portion of this line is not absolutely necessary at the present moment, and that would have required at least two years in the construction of the road, whereas we will be able within a few months to establish communication in the way marked out. In this method of construction that has been adopted we are enabled to utilize the navigation of the Stikine River. We have the navigation of that river secured to us for commercial purposes by treaty with the United States, and we are by the provisions of that treaty enabled to utilize the river up to the border of our own territory, and to navigate it within our own territory till we reach the initial point mentioned. The government will, in all probability, have a wagon road constructed before the summer is ended from Telegraph Creek southward to Observatory Inlet, which will afford a basis for railway construction if it becomes necessary to complete this part of the line.

Hon. Mr. MACDONALD (B.C.)—How many miles is that ?

Hon. Mr. MILLS—About 200 miles—180 miles, I am told, to Portland Inlet, and to Observatory Inlet a few miles further. Now the United States hold those ways which start from the Lynn Inlet, which is several hundred miles further north. There is the Dalton Trail, there is a height over the pass from Dyea, and there is the height over the pass from Skagway.

Hon. Mr. BOULTON—Do they not claim the Portland Canal as well ?

Hon. Mr. MILLS—No ; they claim that the boundary begins at the head of Portland Canal, and they say that Portland Canal is common water to both. Observatory Inlet is wholly within Canadian territory, but Portland Inlet is on the border, according to the United States contention, and so from Portland Inlet we cannot be excluded. Now, from a commercial point of view, the highway that may be constructed on the Dalton Trail has, no doubt, advantages over the road that we are about to construct. There is sea navigation several hundred miles further north. The railway distance is consequently shorter. You are nearer Dawson City at Dyea than you are at Telegraph Creek. There is no doubt of that ; but when you construct a railway on the Dalton Trail, or through either of the passes which I have mentioned, you have a railway which the government of the United States controls. Whether you send in any products of Canadian industry through that way or not, will depend entirely on them. They could not, if you had difficulties in that country, permit you to send in either troops or police or arms and equipment of any kind. It is perfectly clear that no government at Washington, if you had fifty or sixty thousand people of United States birth, or who are citizens of the United States, in that country who would undertake to lead any insurrection, or do what the adventurers did in Texas, or what the British population did at Johannesburg, it would be utterly impossible for any United States government, however much it might sympathize with you, to allow you to send a single rifle or volunteer, or a pound of ammunition through that territory for the purpose of sustaining your authority.

Hon. Mr. MACDONALD (B.C.)—Would not that apply to the Stikine River route as well ?

Hon. Mr. MILLS—My hon. friend asks would not that apply to the Stikine route as

well? Certainly not, because a great portion of your supplies could be easily sent in as merchandise.

Hon. Mr. MACDONALD (B.C.)—I mean troops.

Hon. Mr. MILLS—I told my hon. friend that the government proposed making a highway immediately, or to ask parliament to furnish an appropriation for that purpose, from Portland Inlet, or from Observatory Inlet to the initial point of this railway.

Hon. Mr. MILLER—Could you send in soldiers from the Stikine?

Hon. Mr. MILLS—We could send them from Portland Canal.

Hon. Mr. MILLER — But from the Stikine?

Hon. Mr. MILLS—If we had difficulty, I suppose we could not. But one important thing that so far as the Stikine is concerned, we could send in food and clothing, we could send in those articles which contribute to the comfort of a population, and which would prevent unrest, discontent and insurrection. I say that in the construction of this road we are obliged to bear in mind its political features. You must consider the importance of having a railway constructed wholly upon Canadian territory.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. MILLS—You are doing, under the provisions of this contract, as much as it is possible to do in one year; you are doing it at that point which will contribute in the highest degree to the utility of the work and you are at the same time constructing a way that becomes an essential part of the continuous road down to the sea. I say all these are matters of immense consequence, and all these are things which ought not to be overlooked. Upon the Lynn Inlet, just at present in the possession of the United States, they have several towns that depend for their existence upon the trade which has arisen in consequence of that being the chief highway into the Yukon country. The population of those towns, the trade which is done in them would all be within the territory of Canada if your railway was wholly within the territory of Canada. I say, then, commercially although this route is longer than a route constructed through the United States territory that the increase of population and the increase of trade upon those points that become the base of departure would be transferred to Canada instead of being in the United States. If we make the political question paramount we must have the road in Canadian territory. We cannot afford to have a railway constructed in the United States. My hon. friends, I see, have, in some cases, referred to the fact that a United States line, if a railway were constructed, would be most convenient. I am not disputing that fact, but I am calling attention to the fact that it would be a United States line, and if you hold the country you would still have a Canadian line to construct and you would have the whole burden of the maintenance and defence of that road thrown upon the government. If you construct a line wholly in Canadian territory, and if you decline to afford facilities for the construction of a road through the United States borderland, you secure the commercial as well as the political use of the railway, and by securing that commercial use you make the road self sustaining, and you relieve the public treasury of the burden that otherwise fall upon it. The gold mining population within the next year in the Yukon country, if the ordinary anticipations of the public are realized, will certainly be not less than 100,000. Nine-tenths of the population are likely to be aliens. The most that we can hope for is that they will be indifferent to public and political affairs. They are citizens of another country and knowing that the most convenient ways into our country are in the hands of their own government, they are naturally anxious that the highways into the Yukon country should be constructed through this border strip of territory. If that were done, it is perfectly obvious that the territory would be for all commercial purposes annexed to the United States, and cease to be in that regard Canadian territory. That is a matter which cannot be overlooked, and whoever proposes to construct a railway from Lynn Inlet into the territory of the Yukon will bear in mind that, in doing so, they are proposing to place the trade of the Yukon country entirely under United States control. I would like to know if the goods that are shipped from Victoria and from Vancouver to-day, which are sent westward from Montreal and Toronto, had imposed

upon them at Dyea or Skagway fifty or sixty per cent, such as the United States tariff proposes, how much of those goods would go through? Is it not clear to every one that every miner who would go into the country, whether a Canadian or an American, would buy his supplies on the United States side of the border in order that he might escape the vexations of the custom-house, and I say we cannot overlook that, and that whatever concessions the government of the United States may make to us for the moment, if the road was once constructed and we were thereby put in their power, then those regulations would be made just what they pleased. We know that the bill, which I have here in my possession, that was passed in the United States Senate, imposed regulations and restraints contrary to our treaty rights were they to be made law, is a pretty clear indication of what the feelings of the western people are with respect to our possessions in that part of the country. They cannot understand, after putting impediments in our way, after enacting alien labour laws and imposing restrictions of various kinds, thinking we were entirely in their power—I say, they cannot understand how it is that we can have any territory or any rights near the Pacific coast which would give us special advantages. Now, I am most anxious that we should be on terms of good neighbourhood—I am quite willing to deal liberally with our neighbours across the way, as liberally as they will deal with us, but while I am disposed to live on terms of friendship, I am not, for the sake of being called a friend, disposed to place the resources and the future prospects and the future hopes of this country at the mercy of our neighbours, however generous they might be disposed to be. There are associated with every government as it grows in wealth and in population, duties which impose increased responsibility. These are of great consequence and it is important that those who are entrusted with the conduct of public affairs should have the courage to face them boldly and incur the burdens and responsibilities that are associated with them. Now, we have duties imposed upon us by the recent discoveries in the Yukon country and by the influx of population into that part of Canada. It is necessary that life should be there supported and protected, and that the law should be effectually administered, and order and good government should be maintained. It is as important as the commercial side of the question to the material prosperity of the country. Without law and order, without security for life and property, prosperity cannot exist, and therefore the political side of this question is just as important to be considered as the commercial side. We have also to consider how we are to uphold the Dominion of the sovereign in that country, and this I say can only be done by the construction of a railway wholly under the control of Canadian law and Canadian authority, a railway upon our own territory, the use of which we may regulate and which we shall not use by sufferance. I admit that the friendship and good will of the United States are worth a great deal, but I am not willing that a deadly blow should be struck at the future of this country in order to satisfy the wishes of those who are seeking to supplant us in the markets of the Yukon country. I am pleased to be able to call the attention of this honourable House to some observations that were addressed to the House of Commons by the leader of the opposition. There is much in a very able speech which the leader of the opposition made in the House of Commons to which I do not subscribe, but there are many observations contained in that speech to which I do cordially subscribe, and I beg to invite the attention of hon. gentlemen to some of these observations. Sir Charles Tupper said, in addressing the House of Commons on this subject a few days ago:

> I believe it would be impossible to overrate the importance to Canada of securing, at the earliest possible moment, and as far as practicable, an all Canadian route, so that that great trade shall accrue to the benefit of Canada, instead of benefiting a foreign country. In my judgment, from the first moment the great importance of that Canadian Yukon gold field attracted public attention, there has been a most determined effort on the part of the United States of America and of citizens of that country to grasp and turn to their own advantage all the enormous benefit that is to be derived from the furnishing of supplies to the people who go in there, and to provide for their transit into and out of the country. Therefore, when my attention was directed to this subject, I gave it the most careful consideration in my power, regarding it, not as a party question, but as one of vital importance to every Canadian; and having felt it my duty to examine the question, in the light of all the information I could get while on the Pacific coast, where I was receiving a great deal of attention, I came to the conclusion that the route by the Stikine River and Teslin Lake was, not only the best route, but the only available route for the construction of a railway during the present season.

Now that is the opinion of Sir Charles Tupper, who is interested in the trade of

that country and who visited the country to the west with a view to obtaining all the information on the subject possible.

Hon. Mr. BOULTON—He took it all back.

Hon. Mr. MILLS—No, my hon. friend is mistaken. He is conservative in his habits and so is not likely to change so readily.

Hon. Mr. PROWSE—Read the speech through.

Hon. Mr. MILLS—Let me take another quotation :

It has been stated in the press that the question at present between the opposition and the hon. gentlemen on the treasury benches is a question between the Stikine route, as to which the contract has been made, and another and different route which is promoted by parties with whom Lord Rothschild was connected. I have no hesitation in saying at once that I entertain no such opinion. I have no hesitation in saying that I should oppose much more strenuously the expenditure of a dollar of public aid or any assistance whatever from the government to the latter route than I would to this.

And I do not well see how he could put his views stronger or more decisively in favour of the route which the government has selected, and to which this contract relates, than he has done in the two paragraphs which I have read. Then again he says :

I infinitely prefer the route now under consideration to any route that crosses a foot of territory claimed by the United States, and all the other routes to which I have referred are open to that objection. From Pyramid Harbour down to Dyea and Skagway and Taku Inlet—not so much Taku Inlet, but all the others ; the Taku Inlet route is placed beyond consideration by the fact that glaciers render it absolutely dangerous for vessels to attempt to reach that inlet—but all the other routes from the Pacific coast are, in my judgment, infinitely more objectionable than the route now under consideration. There are other routes—all-Canadian routes. There is the projected route from Ashcroft by the old Telegraph trail away through to Telegraph Creek. There is the route through Edmonton, and also the route from Prince Albert, whose greater length would perhaps render it more objectionable. These are all Canadian routes, but not routes that can be made valuable to-day for the purpose of facilitating ingress into that country. It is on that ground that while I feel that the Edmonton, and the Prince Albert, and the Ashcroft routes will all furnish valuable trails, their long distance from the sea is against their practicability from a commercial and national point of view, as compared with the route chosen.

So Sir Charles Tupper in that speech discusses the various Canadian routes and United States routes, and he has made to the adoption of any one of these United States routes exactly the same objection that I have made here to-day. He has also made the same objection to the adoption of either of the other two Canadian routes—the length of time required for their construction and the impossibility of bringing a railway into operation in sufficient time to enable us to retain that country and to continue to govern it and control its trade. I hardly think these observations of Sir Charles Tupper will be questioned here.

Hon. Mr. ALMON—Did Sir Charles Tupper approve of the price we are paying?

Hon. Mr. MILLS—I will come to that in a while. I ask my hon. friend's indulgence until I reach that part of my speech. This is a measure from the responsibility of which no Canadian, who is called on to vote, can escape. It involves the question whether we are to remain master of our own possessions or not. It involves one of the most important questions, one of the most serious questions that has ever come before a legislative body to determine, because it is impossible to seriously argue that we can retain the control of the trade of that country, or that we can effectively govern it except by the suffrage of the population which continues there, if we do not also possess the means of ingress and egress to the country. Objections have been made to the use of the Stikine River as a temporary expedient and for temporary purposes. We can freely use that river for commercial purposes, and no doctrine of international law is better established than this, that where you have the right of navigation you have also, as an incident to that right, the right of transhipment, of loading and unloading and of mooring to the shore. The legislature of the United States have, no doubt, the right to make regulations such as would protect them against smuggling from Canadian vessels going into that territory, but they would have no right to make regulations that would impose special burdens upon Canadian trade. Our goods that are transhipped, that are loaded and unloaded, are not subject to the tariff of that country. Under the treaty of St. Petersburg, when the boundary was agreed upon between the governments of England and of Russia, the absolute right of navigation was secured, not merely in the three rivers mentioned in the Washington treaty, but in all the rivers which flow through that narrow strip of territory from ours to the

sea. That right of navigation, which was a territorial, a sovereign right, because it was associated with the settlement of the boundary and was a condition upon which the boundary was accepted by both countries, was overlooked at the time the Washington treaty was negotiated. The Americans spoke to the British representative on that occasion as if it was a concession by them for the first time, and they offered us, in consideration for concessions made to them, the right to navigate the Porcupine, Stikine and Yukon Rivers, through United States territory, to the sea for commercial purposes. That is an easement instead of a proprietary right. Whether our right under the treaty of St. Petersburg continued after that provision of the Washington treaty or not, was raised in the case of a party who had committed a murder in our territory, in the upper waters of the Stikine. He was arrested and sent to Victoria for trial. He was sent down the Stikine River to the territory of the United States. The United States government demanded his release. The Canadian government maintained that it had the right to take him down the river under the treaty of St. Petersburg, and our view was pressed by Mr. Blake upon the attention of the Colonial Office, who brought the matter under the attention of the law officers of the Crown, but they said that the government of the United Kingdom, having entered into a treaty with the United States, and having accepted the navigation of the Stikine, the Porcupine and the Yukon Rivers for commercial purposes only, their rights were limited by that condition of the treaty. That correspondence will be found, I think, in the papers of 1877 or 78, I forget which, but I remember very well the discussion. It was raised by Mr. Blake specially for the purpose of compelling the law officers of the Crown of England to pass upon the question. Upon this question the leader of the opposition in the same speech from which I have quoted before ——

Hon. Mr. FERGUSON—Is that the speech on the address?

Hon. Mr. MILLS—No, it is the speech on the Yukon Bill. He said:

> The United States bought that country but they could not get what Russia could not give. Unfortunately, by an oversight that treaty was renewed with the United States of America who knew that the people of Canada and every British subject possessed an indefeasible right to go in and out of the river Stikine without let or hindrance of any kind whatever. Those are the words of the treaty and in the new treaty they provide that we have the right of free navigation of the Stikine River subject to such regulations as might be found necessary.

The words of the treaty are "the free navigation of the river for commercial purposes." I agree with the view which was expressed by the leader of the opposition in the other chamber. The discussion of the treaty of St. Petersburg has only an academic value to-day. Our rights rest upon the treaty of Washington. We have the right to use the river for commercial purposes, and that right I say enables us, for commercial purposes, to connect our trade from Victoria or some other port upon our western coast, with the railway which we are about to construct to the Stikine River without being subject to the control of the United States tariff or any other control than that which the establishment of reasonable police regulation to prevent smuggling and to prevent the commission of crime may make necessary. Let me say to hon. gentlemen, the government and parliament of this country thought it proper to construct the Sault Ste. Marie Canal at a very large cost, not simply for commercial but rather for political purposes, because there was no impediment in the way of using the United States canal nor had any ever arisen. How much more important is it that we should have from distant portions of our country within our own territory the means of intercourse? In the case of the Sault Ste. Marie Canal, if the Americans refused to allow the troops to go through, the transhipment might give rise to some inconvenience, but could not occasion any very great delay. The distance is very short, the impediments to pass from the lower waters to those above are not very serious, but the government of Canada considered it right, in order to be in a position more effectively to exercise jurisdiction and control over the territories, to construct that canal and to construct it at a great cost. I say I do not call in question the propriety of that Act, but if that was proper under the circumstances, how much more appropriate, how much more necessary is it that this road should be built in order that if difficulties should arise in the Yukon country, our authority might be effectively asserted. Several towns have sprung up, in the last year or two, along the border of

the Lynn Inlet. United States custom-houses have been established there. The people who have gone thither claim that the mountain height that surrounds the bay, which we say is the utmost of the claim that it would be possible for them to make, is not a limitary line of boundary at all, that they are entitled, under the treaty of St. Petersburg, to measure ten marine leagues from the coast, and so to extend their jurisdiction to Lake Bennett, and several United States people went thither and established a municipality, erected the United States flag and asserted the United States authority. Now, we felt that that territory was clearly within our territory, that the utmost claim that they would be entitled to make would be the summit of the passes, and in order to protect our rights—because possession is in matters of this sort of immense consequence—we have stationed a considerable body of police in each of those passages, and the custom-house has been removed from the vicinity of Lake Bennett to the summit of each of these passes. Our policemen who are stationed there—I think 20 or 25 at each place—have supplies furnished them for eight months. But how are we to get supplies in when those supplies are exhausted? It is in the power of the United States government at any moment to say, "no further supplies shall be sent in for police purposes, no arms shall be carried through, no ammunition shall be carried through." They could hardly say that no man shall go through, because he could go through in civilian's clothes. That is the condition of things, and until we make a road on our own territory we will, after those supplies are exhausted, retain our authority by the forbearance and sufferance of our neighbours. Now, I say that it would be a most humiliating condition if it should arise, and it is one that no man, having a proper regard, at all events from my point of view, for the honour and self-respect of his country, would like to see enforced upon this country, and the only way that you can peacefully maintain your authority and uphold the jurisdiction which has been asserted is by the construction of this railway, by some person or other, at the earliest possible moment, and it is consideration such as the one which I have mentioned which induced the government to press for this agreement, because these political considerations are of a greater consequence than any theory we may have of the admiration of public affairs and any question of mere cost.

Hon. Mr. MILLER—How does this route meet these political considerations?

Hon. Mr. MILLS—I say to my hon. friend that it does in the way that I have mentioned.

Hon. Mr. BOULTON—Does not the American Transportation Company supply the mounted police today at Dawson city?

Hon. Mr. MILLS—They were the source of supply. We have the right of navigation of the Stikine, and we have the right to carry up supplies, too, after the police are in the country. I dare say no government will ask who ate the food or used the clothes that were taken in.

Hon. Mr. MILLER—You could not send in arms or ammunition.

Hon. Mr. MILLS—Except as merchandise. I suppose a merchant sending in arms or ammunition would not be prevented although if a rebellion should arise, then the government of the United States might be called upon by its own people to intervene.

Hon. Mr. MILLER—We would not want the ammunition otherwise.

Hon. Mr. MILLS—Now, I have already pointed out that if the highway in this country is constructed through United States territory, we will be in a position of absolute dependence and that for all commercial purposes the Yukon territory will be annexed to the United States. You might claim political jurisdiction, you might by sufferance assert your authority, but you could only do so by forbearance, because until the highway is constructed you have no means of reaching that territory. Now bear this in mind, that if you have perhaps not more than one-tenth Canadians, not more than one-fifth or one-fourth of the population British, however friendly the government of the United States might be, you could not expect that it would actively interfere on your behalf. If you had a foreign population there that once obtained ascendency, the only way up to the present time of bringing them up to subjection would be by blockading the coast and starving out the whole population, but

that would be war. That would be war against the people of the United States and it would be in the highest degree unwise, it seems to me, for the people of this country to neglect to establish a highway at the earliest possible period upon their own soil. Now I say that the leader of the opposition in the other House is in entire accord with the government on this question. He agrees with them that we have taken the only route that is open to us, the only route that is available and that meets the exigencies. He also agrees with us that it is of the very first importance that the road should be constructed immediately, and that our authority should be asserted. There is no difference between him and us upon these two questions. The point of difference is, however: he thinks the road ought to be built by the government instead of by contractors, and that the amount granted is larger than ought to have been given for that purpose. Now I am not going, at this moment, to discuss that question; I shall do so before I have done speaking. I have already called the attention of the House to the fact that if the United States government were to say that we shall not send troops up the Stikine River, that we are only entitled to use it for commercial purposes, nevertheless that if we can use that highway for commercial purposes, as we are using it and the way of chief importance during the period of quiet and peace that nevertheless we could easily march our volunteers and could easily send forward our military supplies from Observatory Inlet or from Portland Inlet to the southern extremity of this railway. I am sure that the people of this country will be prepared to make some sacrifice for the maintenance of our authority in that country. I am sure that they will not be indifferent to the assertion of our rights and to the adoption of all reasonable means which may be necessary for their maintenance. Many a state might have escaped great wars and great hardships, if it had made extreme concessions to its neighbours. It preferred to take the risk of war, rather than to subject itself to political degradation. Great trials and great burdens have followed from such contests, but the state that risked its existence for the maintenance of its rights and interests, has always risen to a higher level, in consequence of the sacrifices which it has made, and we, in the maintenance of our jurisdiction over that country, in full realization of the duties that devolve upon us in our readiness to take the responsibility of giving, to whoever may go thither, the means of ingress and egress and the means of obtaining the necessary supplies and clothing while thither—I say in doing this, we will act in accordance with the public wishes and our conduct will meet with the public approbation. There can be no doubt that there are other considerations than mere commercial, that every community must consider if it remains a self-respecting community, and those national characteristics which are developed by these sacrifices, by meeting the difficulties that present themselves are of far more consequence to the prosperity of a country, are far more powerful contributors to that prosperity than those commercial considerations that sometimes are chiefly taken into account. Why, let any one compare to-day China and Japan, or Scotland and Venezuela, and he will see, as history shows, how little the prosperity of a country depends upon the salubrity of its climate or upon the fertility of its soil. It depends upon the character and enterprise and indomitable perseverance and courage of its population; and these are characteristics which may be developed or which may be smothered. In meeting a difficulty such as presents itself on this occasion, in meeting the obstacles which are put in our way by persons living in San Francisco and Seattle and Juneau, who come here for the purpose of pressing forward other schemes and who go to Washington and get the Senate to go a certain distance in legislation to frighten us or the capitalists in England—I say these parties should not deter us from the discharge of our duties and the maintenance of our rights. That is what is being attempted—that is what ought not to be yielded to. The measure which the government are pressing upon the attention of this House, which was before the other chamber, which received the support of an overwhelming majority there, is a measure in the public interest, a measure for upholding Canada's authority and strengthening a spirit of union and of nationality in this country, and of making the people of Canada, so far as they ought to be, a self-contained people, capable of maintaining their own rights, capable of holding together, capable of developing their own resources remaining the masters of

their own destiny. Let me say this with regard to the subsidy that is given. We are told that we have given far too much land. I confess, hon. gentlemen, that I do not understand the force of that observation. If we were making an appropriation of agricultural land, we know that the more that is given the greater the advantage which the company receiving it has conferred upon it. You have before you, visibly, the character of the soil, whether it is fertile or whether it is arable, whether the climate is too dry or whether it is a moist climate, which is likely to give the cultivator of the soil sure and certain crops every year—you know precisely what you are getting. When dealing with mineral lands you are placed in a little different position. Take, for instance, this grant; there has not been discovered in the country a placer mine in any gulch or creek where the gold deposit is one hundred yards in width. If, instead of going three miles back on either side, we had allowed the parties to follow the sinuosites of the river, and had given them a strip of territory one hundred yards wide of the same length that is given to them now, they would have had just 108th part of the amount of territory they possess. So far as the placer mining is concerned, they would have had exactly what they have at this moment. Is it not, then, little short of nonsense to speak about the cost of this being an evidence of an extravagant bargain? Why, sir, you lay down a line giving the general direction of a river or valley; you allow the placer mining operations to be carried on there, and you measure back three miles on each side, but if you follow the sinuosities of the river the contractor is just as well of if he has 100 yards width as if he had those six miles in depth three miles on each side. Every miner knows that; every one who has considered the question with any care knows that. Then is it not nonsense, under these circumstances, to say that the grant in the respect is an extravagant one. Let me call attention to the question of the quartz mining, for that after all is a very important matter. I am told that some gentlemen addressing certain senators here to-day informed them that nobody knew anything about this 45 miles from Dawson, and if his view is correct the whole placer deposits might be taken out within the next six weeks, and the company would have no placer mining at all. But I put that to one side. I call your attention to the fact that the extent of the area is no indication of the amount of gold that has been granted. Let me again refer, as I was about to do, to the quartz mining. Every one knows that in quartz mining more than ninety per cent is taken up in the form of wages, and there is a moderate interest upon the capital, and in that country quartz explorations are more difficult than in any country in the world where gold has ever been discovered. Let hon. gentlemen bear this in mind, that except upon the tops of the hills and mountains the whole country is covered with moss, some places two feet in depth, in nearly every place, I am told, from one to two feet in depth. All that has to be removed before you can make an examination at all. You have difficulties, you have expense to be incurred in order to do your prospecting which exists nowhere else. Then I ask how can it be said that these men have received too much? Let me say this further: I have already pointed out the percentage that is required in order to pay the ordinary expenses of getting the gold out of the ground. Why I notice some times in the newspapers articles written as if the gold, without a copper's expense, if any exists in the lands which this company are to receive, can be taken out without any expense at all; that if there are ten or twenty millions there, they have ten or twenty millions in their possession and there is nothing to be expended in order to get it. Is that so? Does not every man know that is not so? Does not every hon. gentleman in this House who has investigated the subject of gold mining, know that the universal testimony is that the value of the labour spent in mines, in the richest and best mines in the world, is always equal to the value of the gold that has been received.

Hon. Mr. PROWSE—Why do you take ten per cent royalty from them?

Hon. Mr. MILLS—The hon. gentleman knows that that 10 per cent is conditional. The party gets $2,500 first. He is mining in the gulches where there are the placer deposits, which require no capital to work, no moss to be removed in order to find out whether there is gold beneath or not.

Hon. Mr. McCALLUM—The moss is the easiest part of it.

Hon. Mr. MILLS—No, the hon. gentleman is mistaken. It is a very formidable part.

An Hon. MEMBER—You should have been in room No. 8 this morning.

Hon. Mr. MILLS—I was not in No. 8. I do not live in San Francisco. I prefer my own country.

Hon. Mr. McCALLUM—I was not there either.

Hon. Mr. MILLS—I am glad to hear it.

Hon. Sir MACKENZIE BOWELL—It does not affect the facts. Deal with the facts.

Hon. Mr. MILLS—Certainly it does not affect them; and I am dealing with the facts. I say, so far as these contractors are concerned, that the expenditure in quartz mining will be very great. If they can make it pay they will be fortunate men. I shall be pleased if they do. I shall not grudge any profit they can make. We, in making what we regarded as a liberal contract with these contractors, did so because of the exigency of the situation. We did not want Messrs. Mackenzie & Mann to go upon the market and fail in the arrangement. It was of the utmost consequence that they should succeed, because it is important that our authority should be maintained in that country. We cannot maintain that authority without a railway upon our own territory. We cannot control the trade without that.

Hon. Mr. McCALLUM—Are we to understand that we cannot do it without Mackenzie & Mann and this contract?

Hon. Mr. MILLS—I did not say that. I say that we can maintain it when we get the road through. We want means of access to the country. It is of great consequence to us that we should have it, and this agreement affords us the opportunity of getting what we require. Now, I need not detain hon. gentlemen with a further discussion on this subject. I have pointed out the political features of the question which make it urgent. I have pointed out the commercial features of the question, for without a road upon our soil we cannot control the commerce into our own territory. I have pointed out this fact, that the area of mineral lands granted is no indication that the bargain was specially advantageous. I hope that the grant is one which will afford liberal compensation to the contractors. I hope that that liberal compensation will enable them to raise whatever money they require in order that the work may be made certainly successful. I bear this fact in mind, that the men whom they employ during the coming season will have to receive miner's wages, and that this road is likely to cost the contractors far more than any road that has been constructed on this continent, and that has cost any of the parties who have undertaken that construction. I do not care how well that road may be built, or with what care it may be constructed, the wages which Messrs. Mackenzie & Mann will be obliged to pay in order to secure men to work upon the road and to keep them from running away to the mines, is out of all comparison greater than any parties have been obliged to pay heretofore. I need not say anything further on the subject. The contract and the measure by which it is to be made law have been discussed minutely in the House of Commons. That contract has long been before the public. Its contents are well known, and I therefore, without any further observations, move the second reading of the bill.

Hon. Mr. KIRCHHOFFER—The hon. gentleman who introduced this measure has made a very long and able speech. From a constitutional point of view many of his arguments are irrefutable nor does any one want to refute them. Were it only a question of constitutional and international law I should say that the hon. gentleman has made an admirable argument and that this House had better follow the example of the popular chamber, and pass the bill without further discussion. I do not think therefore that I shall waste the time of this House by any disquisition on that point, but come down to what I consider to be the real hard facts of the case, which in the wealth of verbiage to which the hon. gentleman has treated us, are very likely to be lost sight of. The matter seems to me to be a very simple one, we have here before us a contract whereby a very large portion of the richest land of this Dominion is being handed over

to a firm of contractors. What we desire to investigate is : Was the giving of this contract a necessity ? Was it entered into in a proper and business-like way ? May we not be giving too high a price and granting too large a concession, for what we are getting in return ? If the discussion goes to show that the government have acted fairly and honestly in dealing with the great trust that has been placed in their hands ; that they have acted in a fair and judicious manner, such as a man would adopt in dealing with his own property ; that a square and honest bargain has been made with these contractors ; and that the country is not, as the saying is, " paying too dear for its whistle " ; then I think we should find there will be no trouble in passing the bill through this House.

Now, we all know that the government of a country, the ministers of the Crown, collectively and individually, are merely trustees for the people of the country, and are bound by the same rules, in business, in ethics, and in morality, as any individual who is acting in a private or judicial capacity. Let us apply the ordinary rules of life to this transaction, and see if the government have acted for us, as we would wish an agent or trustee to act for us, in dealing with our private business. It is known that away back in the spring of 1897, the government were aware of the enormously rich strikes that were being made in that Yukon country, and that the prospects were that there would be a tremendous rush to the gold fields. They knew so both from the reports of travellers who had made their way into the country, and from their own agents and servants and engineers. The difficulties attendant upon gaining access to that region were well known to the government, but no steps were taken to provide for the difficulties of travel. The ministers appeared most quiescent, almost somnolent in fact, when suddenly the country was electrified by the announcement that the government had concluded a bargain, and actually signed a contract for the construction of a railway into the heart of that country over an all-Canadian route, and which would not cost the country one cent. I well remember the first announcement which I saw made about this contract, it was given out in the most theatrical manner and amidst tremendous cheering at a Grit banquet in Montreal, by Mr. Tarte ; no details were given, but at the first blush it seemed a capital thing ; people were dazed because they did not understand it and the whole country, metaphorically threw its hat up in the air and shouted after the manner of the Ephesians for the space of several days "great Laurier of the Frenchmen." Simultaneously the party press, with a unanimity that smacked of a prior arrangement broke out into pæans of joy over the wonderful genius of the rising young statesman from the west who was the author and finisher of this grand deal. Much was made out of the magnitude of the undertaking and the stupendous difficulties to be overcome. Interviewed on the subject Mr. Sifton is thus reported in the local press of Victoria : What, he was asked, do you really think of the difficulty of building this railway ? He replied : It is a superhuman undertaking nothing like it has ever been attempted on the continent of America. And for a time we all believed that true. Indeed it was several weeks before not only the inherent badness of the bargain itself, but the secret and suspicious circumstances under which it was concocted and awarded, roused the public, the press and the people's representatives to a knowledge of what was going on. Many people have wondered how it was that Messrs. Mann & Mackenzie were singled out from amongst all the other contractors in the country to have this particular bonanza, this most favoured contractors treaty thrust upon them. Perhaps some of you may be under the impression that this is Mr. Sifton's first railway deal, that he is a novice at railway building, and that in this matter he met Messrs. Mann & Mackenzie for the first time. You are very much mistaken, Mr. Sifton was for a number of years a member of the celebrated Greenway government in Manitoba and anything that aggregation does not know about subsidizing and building railways with most-favoured contractors, is not worth knowing. The Dauphin Railway in Manitoba was constructed by Messrs. Mann & Mackenzie for Mr. Sifton under circumstances which were to what I might call the mutual satisfaction of Mr. Sifton and these contractors. And I do not hesitate to say that were the inner workings of that deal known to the public it would make a situation mighty uncomfortable for more than one government. But even the outside history of that deal is interesting reading.

The road is 100 miles long, if you ask Messrs. Mann & Mackenzie what they got for building it they will tell you, Oh! a land grant of 6,400 acres a mile and a cash bonus of $40,000 a year for 20 years from the federal government. How much will you ask from the provincial government? Not a cent they will reply. And it is strictly true, but when in your rude inquisitive way you probe this matter a little further you will find it to be a fact that the land grant and the Dominion subsidy, which amount to $800,000, is, according to the opinion of the best experts in the country, sufficient to build and fully equip that road. But this did not satisfy our liberal and large hearted Minister of the Interior who was then Attorney General of Manitoba. He thought that was not enough for these contractors; he therefore put through a deal whereby he practically made them a present of $8,000 a mile by guaranteeing the principal and interest on their bonds to the extent of $800,000. I say he practically made them a present of it, because he did not even take security on their land grant, all the security he took being a lien on the road, and that is a second mortgage as the Dominion subsidy ranks first.

So you see to build that prairie road that had $16,000 a mile and 6,400 acres of land, and you can easily see that, after the building of the road and the expenses attendant upon negotiating the bonds, Messrs. Mann & Mackenzie and their associates had a good few hundreds of thousands to the good without putting up one single penny of their own money. This is what is called financiering.

The Minister of Railways said in introducing this bill that these contractors were going to put their hands into their own pockets. Gentlemen, they will do nothing of the kind as long as that good old time honoured institution known as the British public has a pocket in its pants. They will use the country's resources, and can get all the money they want, and should a loss ever arise, you may be quite sure that it will not fall upon Messrs. Mann & Mackenzie, but on the holders of their bonds; you can rely on it that if there was the remotest chance of a loss in this transaction Messrs. Mann & Mackenzie would not be in the same parish with it. They are not built that way, and I don't blame them. But you can now see that the innocent Mr. Sifton and the confiding Mann & Mackenzie having been "into it" before to their mutual satisfaction, nothing was more natural than that he should again send for them and make this new deal, to their mutual satisfaction.

Now it came out in the discussions in the other House that Mr. Sifton conceived this scheme without the knowledge of the premier. We westerners are nothing if not enterprising, and Mr. Sifton determined to "make the score off his own bat," so to speak.

Hon. Mr. SCOTT—With what authority does the hon. gentleman make that statement?

Hon. Mr. KIRCHHOFFER—Because I heard it made in the other House and not denied.

Hon. Mr. SCOTT—It is entirely erroneous; there were a great many statements made.

Hon. Mr. KIRCHHOFFER—The gentleman was there who could have denied it if he had chosen to do so, but he did not deny it. How then did Mr. Sifton go about this business? Did he put into practice the professions so often made by him and his party, and put this work up for public tender? This has been a cardinal principle, one of the rules of faith of the Grit party, enunciated and thundered upon every platform for the past eighteen years. One would have thought that they would have eagerly grasped at the opportunity of proving that they could practice what they preached, to show how mentally superior they were to the wicked Tories. But no. Did Mr. Sifton act like a minister who was anxious to make the best bargain that could be obtained for this country of which he was the trustee? Did he consult with his colleagues, decide upon the route that was to be taken, get his engineers to make an estimate and report upon the cost, and then, in the most public manner possible, have the matter placed before the contractors and capitalists of the continent and of Europe. I regret, for his own sake, that he did not do so. Mr. Sifton is a young man, he is able and brilliant, and should have a political future before him. I will not make any charge against Mr. Sifton. Let the facts speak for themselves. We will assume that he was perfectly innocent of wrong-doing in this transaction; but I say that if he was

innocent, he has been a most unfortunate victim of the most extraordinary concatenation of circumstances that has ever worked the ruin of any innocent statesman. But whose fault is it? His own, and his only. Had he been jealous of that which above all else a public man should hold dear, his own honour, had he been anxious to preserve his own fair name untarnished, he would not have placed himself in the position of having his name bandied about from one end of the country to the other as the author of a measure either incompetent or nefarious. It is a sad thing to think that if this is not true a stigma should be attached to the name of a public man which can never be disassociated from it. Shakespeare says: "The evil that men do lives after them." The good is often interred with their bones; and it is indeed melancholy to think that a presumably innocent man cannot by a lifetime of reparation, of regret, of penance, remove from his name the taint, the stigma, which has been attached to it, not by the attacks of his enemies, not by his political opponents, but by his own hand and by his own actions.

Hon. Mr. SCOTT—The hon. gentleman is not justified in making the statement he does This is the act of the government and not of Mr. Sifton.

Hon. Mr. KIRCHHOFFER—I say that any minister of the Crown is the head of his department, and the department is responsible for all that he does, and the government is responsible for that action.

Hon. Mr. SCOTT—It was not in his department.

Hon. Mr. KIRCHHOFFER—Well, whatever department it was, Mr. Sifton is the author of the scheme.

Hon Mr. MACDONALD (B.C.)—He says so in his speech.

Hon. Mr. KIRCHHOFFER—He took the responsibility of it and stated so, but to please the hon. gentleman I will assume that Mr. Sifton is perfectly innocent in this matter. Now, there is no one who will accuse Mr. Sifton of not having his wits about him if called upon to use them in an ordinary business transaction. If a gentleman owned a large estate and instructed his agent that he wanted to build a fine house upon it, would this agent have kept the fact that he was going to build the house a profound secret from all the builders and contractors in the country, but have sent for one firm, locked the doors, pulled down the blinds and then said: I want to have a house built, it must be four stories high and cover a space 50 by 100 feet; I have no plans or specifications, and I don't know what it ought to cost, but I have lots of money, you can figure on it as you please, I won't let any one else have a chance at it. Now no one would blame a contractor for taking advantage of such a confiding, simple innocence. After all, contractors are but mortal, though I fancy Mackenzie & Mann have almost obtained immortality in Canadian history through their connection with this matter, even as has Mr. Sifton. But if while these parties were figuring another contractor should get word of it and call upon the agent and say, I understand you are going to build a house for Mr. Smith (not Hamilton Smith, you know Smith is a fictitious name), let us have a look at your plans and specifications and we will tender for it, and the agent should reply, casually you know, House? Mr. Smith did you say? well no. I haven't really thought of building a house for Mr. Smith, and promptly proceed to sign a contract with the other parties, when Mr. Smith found a bargain had been made for him which would cost him ten times as much as it should have done, could he be blamed if he made a fuss about it, and tried to repudiate the contract? Do you suppose that with such facts made public, and as in this case without any explanation being given about it, that agent would ever again be employed by Mr. Smith or any one else who heard of the transaction? I think not. He might become wealthy and influential though people who had never heard of it (that class of man often does), but to his last day, as he drove past in his luxurious carriage, people would say: Ah there goes Brown who made that extraordinary deal about Smith's house, don't you know. Now if we cared so to take leave of our senses as to imagine this agent to be perfectly square and honest and actuated by a desire to do his best for his principal, would we not say that he had taken a very extraordinary mode of showing it? I do not wish to dictate to this House or even to indicate the course I shall myself adopt in regard to the bill. I merely wish to place these facts before you and if you are satisfied with the manner in

which the deal has been made, why it is your duty to vote for it.

Now as to the route which has been adopted. Of course the original claim that it was an all-Canadian route threw a glamour over it that for a time obscured the real issue; but, as the facts became known, it was apparent that such was not the case, and that the country had been deceived in that as in the other statements in connection with the deal. At first it was only whispered and promptly denied, then it was suggested and as promptly contradicted, that we should have to pass through a foreign country to reach our terminus. At last, however, this damning fact was admitted; but Mr. Sifton went down to Washington, and there (I don't know whether he had Ned Farrer to assist him), he fixed things up all right and came back with the assurance that the Americans were perfectly amenable and that no difficulty would be thrown in the way of our government or our people. Has this promise been carried out? Alas, no, from the difficulties and the quarrels that have arisen at that port, it is now painfully evident that we can never reach our terminus without having a Wrangel. But is this the only route which could have been chosen? Wrangel we know is in American territory, but equally do we know that Dyea, Skagway, and Pyramid Harbour are, according to the Canadian interpretation of the treaty in Canadian territory. Why is it that we have chosen the only port under discussion to which it is admitted we have no claim and which bristles with difficulties of every nature to the exclusion of those which are not only according to our own interpretation of the treaty on Canadian territory, but which by a comparison of the routes present many advantages in their favour. Why, I say, for no other reason but that this government has all along shown that they are either taken in by the more astute American statesmen, even as the English statesmen have been in every deal connected with the acquisition of this country, or the defining of its boundaries, or else our people are for some reason afraid of mentioning anything which would even controvert the most preposterous claim, or offset the most selfish or extraordinary action on the part of the American government. There are grave international difficulties which according to our leader in this House cannot be more than alluded to, much not be whispered about, or discussed even with bated breath. Why? Is it that we are afraid of saying or doing one single thing to assert ourselves for fear of offending them? And is this policy successful? Why we have only got to look at the results; the more we recede the more agressive they become, we are driven ignominiously from our position to another. And just at this point though it is foreign to the subject, I might say that I should consider it of the highest importance that Canada should have an accredited representative at Washington. Not one of the Ned Farrer type nor even Sir Julian Pauncefote, whom our honoured leader called our agent and with whose agency he has expressed such entire satisfaction. I think that if our honoured leader were to travel abroad, if his colleagues were to send him down on a trip to Washington, he would see how very little attention or trouble Sir Julian Pauncefote gave to or took about Canada, except where matters were absolutely forced upon him, and that it would pay Canada well to have a first class man at Washington whose first duty should be to attend to Canadian interests.

Now, I am not here to represent or advocate any particular line of country for this railway; in fact weknow so little about that region, practically unexplored except by the nomadic mining population, that many routes may yet be discovered which will prove far easier than those whose merits are now being discussed. But for purposes of comparison I will take the proposed route from Pyramid Harbour over the Dalton trail. Pyramid Harbour at the head of the Lynn Canal is, as we know according to our interpretation of the treaty, on Canadian territory. It is a deep water port, where the largest ocean-going vessels in the world could tie up to a pier. A railway from Pyramid Harbour to Rink Rapids would be about 300 miles in length and could be kept open all the year round. The steepest grades I am informed could be limited to 2 per cent. The starting point at Pyramid Harbour is as near Dawson City in actual distance as the terminus at Teslin Lake of the line describebed in the contract. In other words after you have gone up the Stikine and over the proposed Teslin-Stikine Railway you are no nearer the objective point, Dawson, than you would be at Pyramid Harbour. If I were not afraid to appear to treat this matter with the slight-

est levity I might almost be tempted to say that this is really the Stikine point.

Rink Rapids are the head of navigation properly so called and there is five feet of water there all the year round; if the business of the country should warrant it, a railway could easily be constructed from Rink Rapids to Dawson City, the distance by the river being only 225 miles. Certainly on paper this would appear to possess advantages over the government route. In reference to this I would like to read a letter which I lately received from Mr. H. T. Mann, a very well known traveller, who has spent years at a time through that country, penetrating to within 50 miles of the arctic circle, and who has just returned by the all-Canadian route. However, I do not wish to influence this House, nor even indicate what course I am myself going to take, I merely desire to place the merits of the different routes fairly and dispassionately before you. If you think that the government route is the best and there are no other valid objections to the bill, why then, of course you should support it. I shall, with the permission of the House, read a letter which I have received describing the character of this route:

The state of affairs I found at Wrangel is indescribable. The river has broken up for about five miles, and for twenty-five miles further the ice is covered with slushy snow, knee-deep. Sleighing, either with dogs or horses, was impossible when I left (Monday, 27th), and a couple of thousand people were huddled on the rocky flat, where Wrangel stands, like sheep, unable to move, nor is it the general opinion any one will be able to get up, unless going very light with dogs, until navigation opens, about April 15th. So much for the "all-Canadian route." I have seen one or two old captains who have navigated the Stikine, and their unanimous opinion is that the fleet of boats now building for the river are far too many to safely navigate it. A builder here counted me twenty-four he knew of which were in course of construction or built, for the Stikine, and though a telephone service and other precautions are spoken of, the opinion is that the river can never be operated by so many boats safely. It is a rather small river at best, and about ninety miles from the mouth there is a narrow cañon three-quarters of a mile, which is extremely dangerous. Steamers run this three-quarters of a mile, on strong water, in 1¼ minute. Imagine a mistake in the telephone system and a collision there. An old captain of fifteen years' experience says there are several places on the river where a sunken or disabled steamer will block the traffic until blown up and the machinery removed, and the many sharp turns will assuredly lead to accidents, no matter how careful the navigators are. A few—2,000 or 3,000—prospectors will get in via Glenora, then the block of traffic will be so great, and the accidents so numerous, the river will be condemned and the other routes taken. It seems to me no one at Ottawa has raised this question seriously, but rather taken for granted the navigability of the river. Consider, too, that it does not become passable on the ice till some time after navigation closes—(I forget the exact date this year)—and is impassable now, probably till April 15th to 25th, and you can see what a futile, one-horse route it is to all intents and purposes. It is safe to assert that though an experienced man with dogs might now get to Glenora, very lightly loaded, all serious traffic has ceased till navigation opens. McKenzie & Mann's engineers (T. Henry White, chief engineer), are still at the island at the mouth of the river, and one of their party (returned) tells me they will probably not be able to get up till navigation opens. What a brilliantly useful clause the sleigh road to Teslin becomes, and how ably our statesmen informed themselves of the conditions! They have practically insisted on a sleigh road for 150 miles, from Glenora to Teslin, which (at the stipulated date of its completion) is absolutely cut off for serious traffic by 150 miles of impassable river ice, *i. e.*, from Wrangel to Glenora; and yet they could have had the experience of twenty-five years' constant summer and winter travel on the Stikine, from men now living in Glenora, to deduce facts from. This all-Canadian route is a farce.

No one is more alive to the fact that our "great reserve" needs opening, then I am, but let us open it to where the trade is, not through one thousand miles of (so far) useless country, which, mind you, has been not a little prospected in the sixties and seventies.

That is the opinion of a gentleman who has seen a great deal of travel in that northern country. However, I do not wish to influence this House; I merely desire to place these facts before them.

Hon. Mr. MACDONALD (B.C.)—In that communication he speaks of this trail being 150 miles long. It is really 300 miles long. The contract speaks of the mouth of the river, and that is a flaw in the contract.

Hon. Mr. KIRCHHOFFER—That is worse than I made it out. The hon. gentleman comes from that country and of course knows about it. The monopoly clause and the reduction of the royalty are both objectionable in that they give exceptional rights under this most favoured contractor's treaty. Of themselves they make this railway a valuable asset; they are, however, merely details and not of such importance as *per se*, to call for the rejection of this contract. But it is when we come to the land grant that we touch the crucial point in this matter, by this most favoured contractor's treaty they are granted an acreage which has been estimated to cover 3,750,000 acres which the contractors have exceptional rights in selecting. An attempt has been made to belittle the value of this concession, but we will see what the man best qualified to speak on this question, says about it. In Mr. Oglivie's report, page 92, he says:

Those three lines bound an area of about a hundred and twenty-five thousand square miles, over which gold is scattered more or less profusely. At many of

the points mentioned it will pay well for working under present conditions. . . . The district owns its world-wide reputation to the richness of a hundred and forty claims in the Klondike division. To use a mining term, many of those claims are world-beaters, and if the known indications are worth anything at all they are worth from sixty to seventy millions of dollars. Take the division as a whole, including the three creeks named—a district thirty-five miles in length by twenty-five miles or more in width. If the indications can be relied on there are a hundred million dollars in sight in that area. No one can guarantee this amount, but the prospect so far developed points to that sum pretty conclusively. This district is exceptionally rich. Nothing has ever been found like it heretofore in that country. In fact, in very few countries has anything been found like it. . . . Taken altogether we have a vast field with fair prospects ; as fair, it may be claimed, as any other equally extensive region in the world.

We all know that while the Yukon country contains a vast acreage only a small proportion of it, comparatively, can be said to be gold bearing, the precious metal being only found in the beds of the rivers and the branches contiguous. By the time therefore that Messrs. Mann & Mackenzie have secured the pick of these lands they may be fairly said to control the gold bearing area in the district. I am quite willing that Messrs. Mann & Mackenzie or those associated with them should make a large fortune, but I, in common with the other citizens of this country, would like that we should as citizens have a small interest in that country ourselves. Placer mining is the poor man's business. The capital required is a pick and shovel and plenty of muscle, let a portion at least of it be set apart for the poor man, and do not let these millionaires have the whole of it, even though we may contradict the scriptural saying that: "To him that hath shall be given." However do not let me dictate to this House, but if you consider that such a gift as this is a reasonable remuneration for building 150 miles of tramway, why it would be your duty, if it presented no other objectionable features, to pass the bill. Now, what is the position of the Senate to-day in regard to this question? The bill has passed the Lower House, and you are the sole arbiters of its fate. You are supposed to be here to give a calm and unbiassed opinion upon the issues before you. We are told that this is not a party question, and we do not intend to treat it as such. But how does the other side endeavour to show us that it is not to be made a party question. Why every Grit sheet from Halifax to Vancouver has been put up to bark at us, to threaten us with extinction if we do not pass this bill. I will read you a few choice specimens of the way in which these gentlemen, through their press, think that they can engineer this bill through the Senate. The first extract I will read is from the *Globe* of February 7th, last:

WILL THE SENATE OBSTRUCT?

The rumour that a Conservative majority in the Senate will be urged to throw out the Yukon Railway agreement has caused serious alarm among the leading outfitting firms in Toronto and other cities. The object of such a move would be to embarrass the government, and in that respect it would seem to be good tactics, from the standpoint of those who regard politics as a game of interest only to the players. If the antagonistic manœuvring of the government and opposition began and ended on Parliament Hill, such tactics would excite little interest. But when it is proposed to destroy for a year and permanently injure a trade that promises so much to the whole Dominion, and for the sake of scoring a win in the political game, the bounds of public endurance are passed. It is something the people of Canada simply will not tolerate, and the sooner that is realized by the Senate the better for that august body. Long trafficking in politics seems to have obscured the public interest and the real purpose of political institutions in the eyes of the Ottawa opposition. They have assumed that their duty to the country consists in obstructing and not in criticizing the ministry. Under ordinary circumstances this misconception of the sphere of an opposition and disregard of the public interest would be settled by the vote of the parliamentary majority. But the Senate, overwhelmingly Conservative, has authority to throw out any measure passed by the popular majority in the Commons. This senatorial majority has been developed by appointments during a long Conservative regime, and is an unavoidable legacy of that political misfortune. The people voted for a change of men, a change of method and a change of principle in public administration, but could not get rid of a majority with power to frustrate the popular will. It was hoped that the majority in the Senate, having regard to their anomalous position and the clearly express will of the people, would be content with registering decisions under the new ministry as under the old. No one ever dreamed that they would enter into the more childish phase of the party contest and obstruct the government in carrying out a great project, utterly regardless of the calamitous consequences to the business interests of the Dominion. The majority in the Senate is led by Sir Mackenzie Bowell. After a short reign as premier he was deposed by his own party. At the subsequent general election he and his party were voted out of office. Yet he still has authority under our constitution to prevent the building of a Canadian railway to the Yukon or the carrying out of any important project by the ministry responsible to the people. When this power was given the framers of the constitution never dreamed of it being exercised in petty tactics and in utter disregard of the public interest. It will be most unwise for the Senate to adopt a course certain to show that a public trust is misplaced. There are some things the people of Canada will not stand.

So you know what fate is before you when you vote for this thing. Now I will read an extract from the Montreal *Herald* of 4th March. It is an interesting though rather illogical argument:

THE SENATE'S OPPORTUNITY.

For thirty years following confederation the Senate demonstrated nothing so clearly as that with the same

political party in a majority in both Houses, the Senate might better be dispensed with. The little good it was able to accomplish was dearly bought at the price paid for maintaining it. But there yet remains a possibility that, with the infusion of new elements, the Senate may be made to serve some useful purpose.

That is the reform of the Senate we have heard so much about.

It has been amply proved that if the Senate simply acts in accord, upon all occasions, with the wishes of the dominant party in the House of Commons its utility is exceedingly meagre.

That is exactly what we say.

It remains to be seen whether it will draw upon itself the further condemnation of the country by proving still further than has already been proved that it is a privileged appendage of the Conservative party, now a minority in the popular chamber and in the country. It is safe to assume that if the Senate co-operate with the Conservative party in opposition in the same faithful way as when that party was in office, the day is not far distant when it will receive short shrift at the hands of the electors.

I think they would deserve it too if they made a party matter of this and acted as a Conservative party.

The Senate it will be remembered, did not interfere with the Canadian Pacific Railway contract, with its various supplemental bonuses, land grants and monopoly clauses. This they allowed to go through without protest. By their complacency at that critical juncture, they abandoned all claim to the position which they are now asked to assume. And, apart altogether from the imperative necessity of passing this bill in the interests of the Dominion, public opinion would not tolerate the assumption now of a position that was abandoned on that occasion. Unless the Senate is prepared to prove that corrupt practices have entered into the consummation of this contract, the Conservative majority should keep its hands off the Klondike Railway Bill.

Is the Senate going to throw out a bill on this ground? We do not believe it, but if it does, what better fighting ground could the abolitionists desire than such a wanton perversion of the Senate's powers to partisan objects?

It is pleasant, after reading such abuse as this, to turn to the meeting of the Letellier Club in which Mr. Lebœuf spoke on the Yukon deal:

Referring to the Yukon contract, he asked the meeting whether its rejection by the Senate would be the cause of its abolition. He did not think so. He had denounced the Conservatives for years for giving out contracts without tenders, and he would not now preach a new doctrine. It was necessary to build the road at once, yet there was time enough to call for tenders. He thought it would be no crime for the Senate to throw out the bill, and perhaps by so doing they would confer a favour on the government. It would permit them to carry on the road as a national undertaking, and the present contractors would be recompensed for their outlay. He advised all to remain true to the Liberal party.

I think that in spite of the mutterings and threats of the Grit press, this House will fully appreciate the value of such advice and the motives that prompt it. The members of this House are neither fools nor cowards, they do not need newspaper advice, nor do they heed its threats or dictation. They know what their duties are, the constitutional and reasonable limits of their power, and the impregnable position which this House holds as part of the parliament of the country. A partisan majority in the House of Commons is as incapable of controlling the Senate's privileges and powers as it is of passing the most insignificant bill into law without the Senate's consent. This House also knows that among the thinking people of this country this House and the work it does are appreciated and valued. They know that when it has used its undeniable powers and prerogatives to kill foolish, wicked or unwarrantable legislation, public spirit has invariably supported it, and that when it went farthest in opposition to a partisan majority in the House of Commons, whether Liberal or Conservative, the praise it received was the most emphatic. It has been the fashion amongst ignorant people to say that it is only since a Liberal government came into power that there is any instance of the Senate vetoing a government bill that had passed through the Commons. But I can point to two instances in the time of Sir John Macdonald. The cases of the Nanaimo Railway, and the Harvey-Salisbury Railway. These were both bad. The Senate gave the country a year to think about them, and the result was that they were never introduced again.

Hon. Mr. SCOTT—The Nanaimo measure was and passed.

Hon. Mr. KIRCHHOFFER—It never passed through the House, and never went into operation. The men with selfish interests, of course, cursed the Senate, but the people applauded, and the men with selfish interests cannot be considered as against the country at large. There is nothing of a partisan nature about this controversy. There are, I am told, good, staunch and true Conservatives who for reasons best known to themselves and which they no doubt consider valid, are voting with the government. The Senate is in no sense a party tribunal, they work to facilitate all good and useful legislation that is introduced; but when

schemes are passed through the other House which are plainly and palpably contrary to the public interests, proposals for the usurpation of parliamentary powers, the creation of dangerous guilds or for the wasting of public lands or public moneys, the country may rest perfectly assured that the Senate will do its duty; and the House may feel equally assured that the country will support it in such action now, as it has done in the past. Let our motto be: "Millions for defence, but not one cent for tribute." I would like to say that I had intended moving the six months' hoist to this bill; but, on account of being obliged to leave for my home in the North-west, as it is one of the rules of this House that a member must be in his seat when the motion is called on, I am unable to do so, and the Hon. Mr. Lovitt has kindly paired with me for the division.

Hon. Mr. SCOTT—I move that the debate be adjourned till to-morrow, as I understand that some hon. gentlemen who would like to speak on the bill have other engagements to-night.

Hon. Sir MACKENZIE BOWELL—The plea of urgency was used at the beginning of this question; when the government first brought it down and laid it before the Commons, they took the unusual course at the beginning of the session of parliament to move that it take precedence every day till disposed of, but now it appears that the urgency no longer exists; and if that be the case I suppose we may as well adjourn. But if that great urgency which was advanced as a reason for the setting aside of the rules of parliament still exists, we ought to go on. However, I am not going to oppose the motion. The plea first set forth may have had force; but the conduct of the government since, shows it not to have had any effect. In order to assist in the elections in the province of Ontario with the whole weight and influence of the Dominion government thrown in the scale of one party, that urgency vanished and we had a week or ten days' vacation, in order that they might devote their time to what evidently was considered by the ministry of much greater importance—that is the retention of power by the Liberal party in Ontario—than the passage of this bill, which was to save half the continent from starvation. I merely point this out to show that there must have been some other reason than the urgency of the case to have induced the government to make this contract. Now, a dinner party is much more important, it is quite evident, to the gentlemen sitting on the opposite side of the House—or an at home, or something of that kind—than the decision of the Senate upon so important a question as the passage of this bill.

Hon. Mr. MILLS—I think my hon. friend is a little bilious this evening, or else he would never have addressed the remarks he has to the House. There are a good many hon. gentlemen who want to speak, and some of them are not quite ready to do so to-night. I think that the bill is urgent, but I do not think we will make any progress by insisting on sitting to-night. I think we may very well sit to-morrow evening.

Hon. Sir MACKENZIE BOWELL—I am engaged to-morrow evening.

Hon. Mr. MILLS—As I stated, the reason for adjourning to-night is that several hon. gentlemen wanted to speak and they are not quite ready to do so. I think that is a sufficient reason to meet the objection of my hon. friend.

Hon. Sir MACKENZIE BOWELL—The explanation of the hon. leader of the House is not at all in accord, nor does it tally with that given by the hon. the Secretary of State. I am not at all surprised at that, because in another branch of the legislature we have had an illustration of the same kind; but if it be the reason for adjournment that certain gentlemen have an engagement to-night—for that was the reason given the Secretary of State—their engagement to-morrow night by other gentlemen, would equally good for a further engagement.

Hon. Mr. SCOTT—That was one reason; it is not necessary to give all the reasons.

Hon. Sir MACKENZIE BOWELL—It used to be the practice that when a minister spoke, he spoke for the government; but now if we hear one minister we must hear the rest before we know what the government really mean to do. If the hon. gentleman adjourns the House, and that is the reason for the adjournment, I might ask the House to adjourn

to-morrow night in order to permit me to attend a dinner.

BILLS INTRODUCED.

Bill (74) "An Act further to amend the Petroleum Inspection Act."—(Hon. Mr. Scott.)

Bill (73) "An Act further to amend the Gas Inspection Act."—(Hon. Mr. Scott.)

Bill (75) "An Act further to amend the Inland Revenue Act."—(Hon. Mr. Scott.)

Bill (24) "An Act to amend the charter of the Union Bank of Canada."—(Hon. Mr. McMillan.)

Bill (43) "An Act respecting the Board of Trade of the City of Toronto."—(Hon. Mr. Cox.)

Bill (22) "An Act respecting the Hudson's Bay and Pacific Railway Co."—(Hon. Mr. McMillan.)

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 23rd March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (H) "An Act to incorporate the Alberta and Yukon Railway Navigation and Mining Company."—(Hon. Mr. Lougheed).

CORRESPONDENCE FROM COMMISSIONER WALSH.

INQUIRY.

Hon. Mr. FERGUSON—Before the Orders of the Day are called, I should like to ask the leader of the House whether he is prepared to bring down any of the correspondence from Commissioner Walsh, which was asked for some five days ago—the correspondence received by the government from Commissioner Walsh since he left on his way to the Yukon, or since his arrival.

Hon. Mr. MILLS—I am not aware that there is any such correspondence, but I will inquire and let my hon. friend know.

Hon. Mr. FERGUSON—My hon. friend seems to forget that I made a motion with reference to it.

Hon. Mr. MILLS—That address was carried by this House, and if the correspondence is not brought forward in a reasonable time, I will make inquiry and see that it is brought down, if there be any such correspondence.

Hon. Mr. FERGUSON—We should have it for this discussion if we are to have it at all.

Hon. Mr. MILLS—We did not put on paper the instructions to Major Walsh.

CANADIAN YUKON RAILWAY COMPANY'S BILL.

DEBATE RESUMED.

The Order of the Day being called :

Resuming the adjourned debate on the Second Reading (Bill 6) "An Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company."

Hon. Mr. SCOTT said : Last evening there was some hesitation on the part of hon. gentlemen to move the adjournment of the debate. Nobody seemed desirous to do it, so I moved it myself. Of course I am quite prepared to go on, but I believe there are other gentlemen who would like to speak this afternoon, or immediately, and I would be very glad to give way for them.

Hon. Sir FRANK SMITH—I simply rise to place myself on record on this occasion. I am not at all able to make a speech. I am not very well, but I thought it my duty, as I have always done before on questions of this kind which I consider very important for the good of our country, to come here and place my views on record. I do not stand here as a partisan. I think that every senator ought to give his voice for the good of his country, without favour or affection for either party. In the government I have no friends ; with the contractors I have none, and in the future I may have very few of my past friends. Be that as it may, I am

here to give my opinion as a merchant for the welfare of the trade of our country, and to support the bill that is before this House, to provide for the transportation of men and provisions and goods of all kinds to this new country which we are so fortunate as to own, and in which very great wealth may be developed. That remains to be seen. I have known of gold fields which at first appeared very promising, but which disappointed those who worked them. I hope that the Klondike will prove a profitable field for those who are working claims there, and a source of revenue to the Dominion. Our duty is plain. We should give rapid transportation to that country as soon as possible. The enterprising youth of the country, who are unemployed in their homes to-day, are watching the fate of this bill and will be governed in their decision as to whether they will go to that country or not by the action that we take upon it. If this bill becomes law, many of them will go to that country and eventually settle down and remain citizens of the Dominion. I may be told that whether we pass this bill or not the road cannot be completed this year. I would reply that whether it can or not, if we defeat the bill the construction of the road will be still further delayed. If we postpone it until another session, nobody can say that there would be a road into that country for three years to come. I raise my voice in favour of building a railway into the Yukon country as soon as possible. I favour the immediate construction of the line, though I know nothing of the route that has been selected. Those who are acquainted will, no doubt, speak on that point. Let us have a road into the Yukon through our own territory if possible. There is hardly any one in this House who would not support a measure for the construction of a road through our own territority, via Edmonton or some other all-Canadian route, but it would take four or five years to complete such a line, and we want a highway which will be available sooner. My view of the question is this: we are living under responsible government. When the late government was defeated, the present government came into power and by a majority of 39 in the popular branch they have passed this bill and sent it to us. Some of us may regard it as an extravagant bargain, and claim that we should not give it our sanction. I have heard it said that the land grant is too large. If the land were worth a dollar an acre it would be equal to $25,000 per mile, and that would, no doubt, be excessive, but if it is worth only 25 cents an acre the contractors would not be getting a fortune. No one can say what the real value of that land is. In opening up any new country the government has to take some risks, and I say this government is justified in taking the risk it has faced in this instance. I do not say that this is the best arrangement that could be made, but it is the best, so far as we know, for the time being. We are ignorant of the character of that country and the best routes to it. I doubt if any one in this House is in a better position than I am to say which route should be preferred, and I know nothing at all about it. Every man you bring into this country begins to contribute to the revenue from the time he takes his first breakfast until he leaves the soil of Canada, and, therefore, whatever can be done to encourage immigration should be done. We have been paying a great deal to bring settlers into the country, and here the government are opening up a field for immigration, for immigrants of the first order, men with money and courage and enterprise, who are prepared to take the pick axe and shovel and dig for themselves in the Klondike. After they get tired of mining they will be inclined to settle in our north-west and become permanent residents of the country. This is not the first time I have had the honour to vote for what appeared to be a wild scheme, at the time, but which afterwards proved to be an enterprise of the highest importance to the country. I was called crazy when I first stood up for the construction of the Canadian Pacific Railway—will any one say that the stand which I took at that time was a mistaken one? The enterprise has furnished a highway from ocean to ocean for the whole world, and greatly strengthened the British Empire.

Hon. Mr. BOULTON—Will this 150 miles of railway do the same thing?

Hon. Sir FRANK SMITH—The 150 miles is the beginning. If the hon. gentleman could tell us, from his own personal knowledge and experience, that this is not the best available route at the present time, he might be in a position to say that the government and those

who support their measure are wrong, but he can tell us nothing about it, because he has never seen the route. The government are taking a risk which may turn out to be beneficial to the contractors; if so, it will be so much the better for the country. But it may not prove beneficial to the contractors. Often people take such risks and lose in the end. Every new country requires to be assisted by the government, as the Hudson Bay Company were assisted at the beginning of their enterprise. They took great risks and received great advantages, and if it had not been for the aid the Hudson Bay Company had at the beginning, where would that western territory be now, or where would be the wealth that we are taking from it? We took a great risk, we were told, when we commenced the construction of the Canadian Pacific Railway. Our opponents said we were giving away the wealth of the country giving thousands and thousands of acres of land and so much money. But hon. gentlemen it has not turned out very badly for the country, and I think that we may reasonably take a risk here. If this is a bad contract from a political point of view, I would just as readily throw the responsibility on the government of the day as on any other hon. gentleman. If it is a good one, the country gets the benefit of it. There will be no money made. For every dollar that will be taken out of these mines there will be at least ninety cents spent in getting it out.

Hon. Mr. PERLEY—Then it is an outrageous thing building the railway. It is a fraud on the country.

Hon. Sir FRANK SMITH—It has been the same in other places, and the fortunes have been few. My reason for supporting this measnre is that the revenue of our country will benefit by it. Immigration will come into our country. We are asking for immigrants, and whether it be from Europe, or any other quarter of the globe, we want them here. Some will say, "Oh, well, the Americans will come over and settle, and they will be in the proportion of three or four to one." If the Americans are more enterprising than our own people, we do not want to shut them out. We have been coaxing the Americans, that are now on their farms in Dakota and other western states, to come in and settle in the Northwest, and some of them are doing it. But we want the European emigrant to come here with his money. There are hundreds and thousands of young men to-day waiting for an opportunity to make their fortunes in this Yukon district, and we should not block them from coming over. We should not say that we will stop anything of the kind. We should encourage them. Others, opponents of the bill, say, "Oh, but those contractors will sell the bonds for an enormous amount in England and make a fortune at the expense of the British capitalist." We have been in the habit of letting the English gentlemen take care of themselves, and I think they can do so yet, and they will buy just as many of those bonds as they think proper. If they do lose a little it will not hurt them, because they have plenty more to fall back upon. It is different with the man who loses his last dollar. He frets. He is left on the world without anything, as a pauper, but none of that class of people are coming to this country, and none of them will buy the bonds of this company, and, therefore, I say it is no hardship for us to let men do just as they think proper with their own money. We have been in the habit of doing so with the Grand Trunk Railway and other enterprises. There was invested in the Grand Trunk three hundred millions of foreign capital and very little Canadian money, and would we not feel rejoiced if this country could pay from three to four per cent to the widows and orphans that put their money into that company? We did not coax them to invest. They took the risk, the same as we are saying to the contractors now, "take the risk, do the best you can, but give us a road into that country," and then as soon as they do that, we will call on the government of this country to give us another road from another quarter. I need not say much more, but I do say this, that as a Conservative——

Hon. Mr. ALMON—Hear, hear.

Hon. Sir FRANK SMITH—The hon. gentleman says "hear, hear." Yes, hear, hear. I am not a deserter; I take no sneers or insults, without resentment, from any quarter, or any man, or any party in this country, for I want nothing from any of them. Therefore I have a right to stand in this House, as every man ought to do, and give utterance to his feelings that are for the benefit

of the country he lives in, and I have no other object in view. Let every immigrant, every able-bodied man, the man with a thousand or fifteen hundred dollars in his pocket, come in. These are the men we want to remain here. I will say this, however, that a strong government sometimes are too strongly conservative. Some of my friends may irritate me, as my friend from the jumping off place down there did to-day; but I say, hon. gentlemen, it is not well for governments or parties to be too conservative.

Hon. Mr. ALMON—Hear, hear.

Hon. Sir FRANK SMITH—It will not do; they often do a great deal of harm by being too conservative. I would hate to see it go before the world that we are here for the purpose of blocking the enterprise of the present administration because we are opposed to them in politics. I have no object in the world in supporting this bill but to get rapid transit into that country, and to furnish them such supplies as we can furnish here. On what will be imported, the country will receive a large revenue, from 25 to 30 per cent as a rule. It was suggested by the hon. leader of the House that in a few years, if the road was built, there might be possibly 100,000 people in there. Supposing there were 50,000 in there, supposing there were 25,000 in there only, and that it cost every one of those men so much to live, if the government got so much out of each miner as, say 25 cents a day, why, hon. gentlemen, it would amount to an enormous sum of money, and they would be getting something for the lands and it would be settling up the country. But the most of the supplies will come from our own country, and they do come from our own country now, with the exception of flour and bacon. The flour comes, as I understand, from San Francisco to a great extent. The bacon comes, also, from the other side, and therefore, hon. gentlemen, those are two items I have understood that we cannot reasonably supply at present. The freight may be against the one, and the mode of curing the bacon against the other, but these are only trifling things. Every railroad in this country would benefit by the passing of this bill. Every idle labouring man that could go there and could be taken there by the contractors would benefit by it, and by that man being taken away from us here, where we have not employment for him, another can take his place. I say, hon. gentlemen, if we had not had a state of depression for the last seven or eight years, perhaps I would not have advocated this so strongly, but we wanted something to bring life into this country, something to give employment to the young men who cannot get employment here. We want every young man to have an opportunity to begin to push his fortunes and lead the way for others to follow. All my life in this country, since the year 1832, I have always gone in to forward the progress of our country, and I intend to do so when any measure in the interest of the country is proposed, whether by Grits or Tories. If, on the contrary, I do not like a measure, no matter what side it emanates from, I shall very likely take a different stand. The government of the day have a right to govern the country the same as we did. For 18 years we kept them in cold opposition, and why should we say now they have not the enterprise and ability to deal with this question? If they have not, in a very few years the country will know, and the verdict of the country will be pronounced against them. It will be time enough then to say to them, "gentlemen you are not a success, therefore we ask you to retire, by the advice and at the request of the electors of this country."

Hon. Mr. MILLER—I hope the warmth with which my hon. friend from Toronto, who has just resumed his seat, has spoken on the bill before the House may not make him liable to the censure of the hon. member from Halifax—that warmth or earnestness is not in good taste when criticising adversely the actions or measures of the government, but as my hon. friend is now on the right side, in the opinion of the hon. gentleman from Halifax, it is probable no objection will be taken to the warmth of his remarks, or his earnestness in uttering them. I am sorry I cannot agree with my hon. friend from Toronto on this occasion as I generally do, for he is seldom on the wrong side as at present, but we all feel satisfied that on whatever side my hon. friend may range himself, his action is the result of sincere conviction, and what he believes to be the faithful discharge of his public duty as a member of this Senate.

I do not intend, hon. gentlemen, to trespass at any great length on the time or patience of the House in this debate, but I am unwilling to give a silent vote on the important bill before the Senate, in which, it must be admitted, public interest just now is very marked and widespread throughout this Dominion. The subject of the bill, however, has been so fully discussed both in the public press and in the other branch of the legislature, that I believe every hon. gentleman I am now addressing, feeling the grave responsibility his position as a member of this body imposes on him, has made himself thoroughly acquainted with all the facts necessary to enable him to give a correct and intelligent vote on the motion of the hon. Minister of Justice for the second reading of the bill. I do not pretend to be able to shed any new light upon this extraordinary measure, but I desire, as concisely as I can, to place on record some of the reasons of my very decided hostility to it.

I could not help feeling as I listened to the long and somewhat laboured—but at the same time, as an oratorical effort, very able and interesting speech of the Minister of Justice; and I am sure this House did not listen to it without being impressed with the same feeling, that the task my hon. friend had undertaken to perform in defending the unwise provisions of the bill was both difficult and disagreeable to him; that the measure had not his sincere approval and endorsation of its improvident provisions, although responsible for it as a minister of the Crown, and therefore bound to justify it on the floor of this House. This to my mind accounts for the hon. gentleman's entertaining address, abounding as it did in historical information, patriotic sentiments and high sounding generalities, but avoiding almost altogether the many weighty and unanswerable objections on all sides urged against the bill. Much that my hon. friend said regarding the desirability of opening up communication with the Yukon gold district no one is disposed to dispute, but I think the hon. minister is very much mistaken if he supposes that a majority of the people of this country consider the contract with Mackenzie & Mann the right way to the accomplishment of that end. The manifestations of public opinion all from the Atlantic to the Pacific—indeed all over this Dominion—have been decidedly hostile to this measure, and the idependent press of the country is almost unanimously against it.

Notwithstanding the hon. leader of the House exerted all his admitted ability and ingenuity in debate in defence of the policy of the government, he evidently felt and showed it, that he was undertaking a hopeless task in attempting to convince the members of this House that the interests of any considerable portion of the people, or the general interest and welfare of the state, demanded the passage of this unjust, improvident, and in every respect most objectionable bill. I feel quite confident that had the duty devolved on the Minister of Justice, or on either of the hon. gentlemen occupying ministerial seats in this chamber, to negotiate the terms of a contract for this Yukon railway, or any other railway or public work, we would not have been asked to support the improvident measure now before us, and above all I am certain that to any bill that might emanate from either of them, there would not exist the slightest suspicion, in the mind of parliament or in the public mind, that the interests of the country had been sacrified to any selfish or other unworthy purpose. Both these hon. gentlemen, it is a pleasure to all of us to know, are above any such suspicion, although I fear, after the remarks that fell from the hon. member from Brandon in his place yesterday, it might be risky to say the same thing of all of his colleagues in the ministry, and especially the minister chiefly responsible for this bill.

On this point, however, I do not wish to be misunderstood; on the contrary, I desire to place myself on record as not imputing to any public man here or elsewhere connected with this measure, any charge of malfeasance or corruption without the clearest evidence of its correctness, which I do not pretend to possess. But at the same time, it cannot be denied that the secrecy in which the contract was negotiated, the startling prodigality of its concessions to the contractors, especially in relation to the enormous land grant, its unjust discrimination against actual miners in respect to the imposition of royalties, coupled with the unreasonable monopoly given to these government favourites, Messrs. Mackenzie & Mann, cannot be denied that an unfortunate impression has been made on the minds of the people of this country, that immense possibilities of corruption and malfeasance are covered by the

terms of the contract, and the provisions of the bill. I believe every candid person, I care not what may be his political creed, must make this admission. For my own part I cannot help saying that the authorative article in which the great organ of the government, the Toronto *Globe*, announced to the world late in the month of January the execution of the contract with Mackenzie & Mann, the tone of apology, of trepidation, of anxiety, of concealed guiltiness, with a free mixture of audacity, mendacity and boastfulness in which it indulged, was calculated to alarm and excite the suspicions of every reflecting man, and certainly did alarm me when I read it. I was satisfied then, and am satisfied to-day, that the man who wrote that extraordinary article knew then, and knows now, more of the "true inwardness" of this business than either of the ministers in this House knew, or ever will know about it.

Shortly after I had read the *Globe* article I had an unexpected visit from a reporter of the Ottawa *Citizen*, who in the next day's issue of that paper gave the following correct report of his interview of me:—

> Yesterday a *Citizen* reporter asked Senator Miller's opinion on the contract, who said: "Of course, I am not in a position to say, in the absence of fuller information, whether the scheme is or is not a wise, or advantageous one. The possibilities, however, involved in it are, to say the least, very alarming, and it is a bold thing for the government to enter into such a contract on the very eve of the meeting of parliament. Urgency may probably, and perhaps not unfairly, be pleaded in the premises, but there is a difference between urgency and indecent haste. It is true that the scheme is to be subject to the approval of parliament, but we all know that parliament will virtually not be a free agent in dealing with it, if it has to consider the subject after the government has entered into a contract. In fact, it might be fairly contended that it would be a violation of the privileges of parliament to sign such a contract within a little more than a week of the opening of the legislature."

The hon. Minister of Justice spoke of the large majority the government secured for the bill in the House of Commons, but he did not tell us that the majority of only thirty-nine in that body did not represent the usual voting strength of the ministry on ordinary party questions. He did not tell us that some of the most pronounced Liberals in the House of Commons, voted against the measure, and others did not vote at all. We know besides that many supporters of the bill had all along before recording their votes on the second reading, denounced the contract in unmeasured terms, and expressed the hope that it would be defeated in the Senate—a hope which I have no reason to doubt they still entertain. This proves how true were my predictions in the interview just cited, that parliament would not be a free agent—and especially the members of the House of Commons would not be free agents—in dealing with the subject, after the government had committed themselves and their followers to the bargain with Mackenzie & Mann. We all know how reluctant are loyal party men to desert their colours in an emergency of this kind, and how unlikely are another class of followers to oppose or offend a strong government when the favours and patronage of that government are dangled before their eyes. Consequently, when the snap of the party whip resounded over the heads of these men, of both classes, most of them fell into line, and voted submissively, for a scheme they condemned; but there were some notable exceptions among the rebels and recalcitrants. There are many men to-day who voted in the majority of which the Minister of Justice boasts, who secretly pray that the Senate will reject this bill, and I am not sure that even a majority of the cabinet may not be included in that category.

The paragraph I have quoted from the columns of the Ottawa *Citizen* of the 29th of January last, is a fair summary of the opinion I formed of the Mackenzie & Mann contract, after all the ingenuity of the *Globe* had been exerted to place the transaction in the most favourable light before the people. After reading the *Globe's* clever special pleading, I searched the columns of the opposition press, but searched in vain, for further information. The majority of the newspapers were silent in relation to the deal that had taken place in secret between the government and the contractors, and the few that did refer at all to the subject seemed to look upon the contract with indifference or approval. To the Ottawa *Citizen* is due the credit of having struck the first note of alarm that aroused the country to the impending danger, and its vigilance in discovering and its courage in denouncing the monstrous bargain, under embarrassing circumstances, should not be forgotten by the public. But since my interview with the *Citizen* reporter, I have given some attention to this important question. I have had—we all have had—ample means and opportuni-

ties of informing ourselves regarding it, and I have come to the conclusion that the contract with Mackenzie & Mann, is one of the most reckless, one of the most indefensible, one of the most wasteful and full of the greatest possibilities of plunder and wrongdoing that was ever submitted to the parliament of Canada or any other legislative body on this continent. The contract, I repeat, was negotiated in secrecy, surrounded with suspicions and with indecent haste, under what is now known to be a false and absurd pretence of urgency, with unjust and unreasonable concessions to the contractors in regard to monopoly privileges and exemptions from royalties, and with almost fabulous territorial rights and privileges over at least 4,000,000 acres of the public domain, said on good authority to contain the richest gold deposits in the world, and as it has come to this House with all these iniquitous conditions materially unaltered, it should be unhesitatingly rejected by this chamber.

I condemn the contract embodied in the bill before the Senate, as well as the bill itself, for the following, among other, reasons :

1. Because it was negotiated in secret with an evident desire to avoid publicity or competition, and with the determination to give this Yukon railway contract to Mackenzie & Mann, and nobody else, under an Order in Council, contrary to the public interests, and to the principles of parliamentary government we are supposed to possess in this Dominion.

2. Because it confers a monopoly on the contractors in regard to the construction of railways in that section of Canada unjust to other persons desirous of competing with these contractors, and detrimental to the public welfare, which should not be granted by this parliament.

3. Because it is not an all-Canadian route, capable of creating and protecting Canadian trade and commerce with the Yukon gold fields, free from control or interference by a foreign power, of whose hostility we have already undisguised indications.

4. Because, in the imposition of mining royalties, it makes an iniquitous discrimination against ordinary labour and enterprise in favour of the contractors

5. Because the blind and improvident grant of gold-yielding lands to the contractors, or to the company created by the bill, is indefensible from every point of view, and must prove disastrous to the peace, prosperty and progress of the Yukon gold district, as well as a great loss and sacrifice of the national wealth.

6. Because the route from Port Wrangel to Dawson is not the best available for immediate use for which purpose the route should be from some point at the head waters of Lynn Canal, as the construction of an all-Canadian route from Portland Inlet is unadvisable at the present time on account of the great liability it would impose on the Dominion, without any certainty of equivalent advantages in return.

7. Because the policy of the government should be to secure a route to the Yukon gold fields that would most surely foster and develop Canadian trade, commerce and agriculture, and create by commercial intercourse, a community of interests between the eastern and western provinces of the Dominion, and that these ends would be most certainly attained by promoting connection between Edmonton and the Yukon gold district, without unduly adding to the burden of the people.

There is abundant evidence, hon. gentlemen, to support every one of these propositions or allegations, indeed I may say there is such a redundancy of facts and proofs to sustain them, that it would certainly try the patience of hon. members if I were to attempt to deal with much less than one-half of those facts and proofs in a single speech. Nor is it necessary that I should do so, as I know that the numerous and unanswerable objections to the bill will all be ably put before the House by hon. senators who will follow me in what I anticipate will be a protracted debate. With regard to the first proposition or allegation, it cannot be denied that this contract was negotiated with unaccountable secrecy, and with a set purpose all through to effect a deal with Mackenzie & Mann. Every step taken in the negotiations showed that the government did not want any outside competition to interfere with their favourites. They did not desire publicity, because they knew it would result in the keenest competition for the construction of this railway by parties who were ready to undertake the work, and were cheated out of their chances of doing so by the subterfuges of the Minister of the Interior. Publicity and competition did not

suit the schemes of the minister, although they would have protected the rights and interests of the public, and at the same time be more in harmony with the spirit of parliamentary government than a secret Order in Council in a business of the greatest magnitude, which should only be transacted in light of day and after the freest discussion and criticism in parliament. We all recollect how fiercely the members of the present administration denounced government by Order in Council when they were in opposition, and contended for public competition in connection with all public works and expenditures. Pages of the *Hansard* are filled with their bitterest denunciations when this primary principle of parliamentary government was violated by their political opponents. I will only quote a single extract from one of the speeches of the present Minister of Trade and Commerce. Sir Richard said :

> Both sides of the House ought to be at one upon this question, both sides of the House ought to feel, that whether they have confidence in the ministry of the day or not, it is their duty as members of parliament, it is their duty above all as members of the House of Commons, to insist that the government do not put their hands into the treasury or use large sums of money without the previous sanction of parliament. Unless that principle is laid down, unless that principle is enforced, it is obvious that it is utterly hopeless to have any proper control over the acts of government.

Sir Richard there well and truly asserted that the observance of these principles lies at the very foundation of responsible government in this country, and I am sorry to see an hon. gentleman who was so loud in denouncing the abuse of those principles when his party was in opposition, and who promised the country such a different course of procedure when they obtained power, falling into the same mistake and committing the same culpable error which they charged against their opponents. We have within the short period that they have been in power had two contracts, the Drummond County Railway deal, and the Grand Trunk Railway deal, in connection with the extension of the Intercolonial Railway to Montreal, involving some seven millions of capital. We have those contracts negotiated secretly, without any authority from parliament, and now it seems there has been another secret negotiation and bargain, also unauthorized by parliament, in fact in the face of a direct vote of this branch of the legislature against the first contract that had been entered into by the Minister of Railways in connection with that public work. Then we have this contract, the consequences and importance of which perhaps none of us fully realize, not only entered into in secrecy, but with an evident desire to prevent publicity and competition, and to prevent anybody else interfering to spoil the little game that was going on between Mr. Sifton and Mackenzie & Mann. It was no haphazard thing at all, but all the circumstances point in the direction that it was a premeditated plan that this contract with all its valuable franchises—and they are perhaps of untold value, none of us, I repeat, can estimate their value—that this contract with all these wasteful franchises shall go to these people.

I know it has been alleged that Sir Richard on the occasion I have quoted only had reference to revenue expenditures, but it is an absurdity to say that this principle is not as applicable to a grant of the public domain or any other source of national wealth, as some of the organs of the government contend—a contention, however, that the Minister of Justice very properly repudiates. There is always danger, there must always be suspicion when negotiations are conducted in secret where enormous pecuniary interests are at stake. Can there be a doubt that there was an object and studied purpose about this secrecy to prevent outside competition interfering with the old-time friends of the Minister of the Interior, Mackenzie & Mann? There is the clearest evidence, that outside competition was anticipated unless the contract was hurriedly signed before the meeting of parliament. Here is a clipping from the Ottawa *Free Press* of the 29th of January, the day after the Toronto *Globe* announced the completion of the Mackenzie & Mann contract. The government organ has the following with reference to the Stikine-Teslin Lake Railway, headed in large letters :

> MONEY DROPPED.
>
> The government bargain with Messrs. Mann & Mackenzie for the construction of a railway line from Teslin Lake to the Stikine River has dealt a hard blow to the capitalists who were promoting other railway schemes and fondly getting them ready for parliament. Some thirty applications which would have come up for consideration this session are dealt a death blow before the House opens, as the contract distinctly states that no competitive lines are to be given a chance through Canadian territory for five years. A gentleman who represented a large proposi-

tion for which he has been working for months, says that no less than a quarter of a million dollars in cold cash has been dropped by the parties who have surveyed routes into Dawson and made partial arrangements for building the same.

The *Free Press* is the organ of the government at the capital, and as we all know is frequently inspired by the government—and it makes this important declaration in its editorial columns, from which we learn that there would have been almost unlimited competition for railway charters, for the purpose of opening up communication with the Yukon district, as soon as parliament was convened, if this deal had not been consummated. The probability is that more than one company would be willing to construct the proposed railway, for the monopoly privileges alone, without an acre of land or a dollar of cash subsidy if this improvident contract had not been entered into before the meeting of parliament. We all know that one syndicate in particular was eager to get the ear of the minister—and that it meant business. I mean the company represented by Mr. Hamilton Smith, but how was that gentleman treated? It is now matter of history that in order to cover up or draw away attention from their crooked dealings with Mackenzie & Mann, ministers have not hesitated elsewhere to defame the reputation of an honourable man, and a substantial British capitalist; and never were meaner tricks resorted to—such as the telegram to Lord Strathcona—than were resorted to by them to accomplish their unworthy purposes. I have in my hand a moderate article on this subject from the able editorial pen of the Montreal *Star* of March 3, which I think should go on record in our *Hansard*, and I shall therefore read it:

It is to be regretted that Sir Wilfrid Laurier has decided not to bring down his cablegram to Lord Strathcona with reference to Mr. Hamilton Smith, because his refusal is incompatible with that nice sense of honour that the people of Canada, irrespective of party, would like to recognize in Sir Wilfrid.

Had the premier chosen to ignore Mr. Hamilton Smith and his offer to build a railway to the Yukon, that would have been simply a matter of policy. But he has chosen to publicy challenge the good faith of Mr. Hamilton Smith, and on the floor of parliament, with great formality and dramatic effect, he produced some correspondence, and subsequently gave out to the press a cablegram with the evident purpose of convicting Mr. Hamilton Smith of bad faith.

He, however, made one significant omission; he omitted to produce his own cablegram to Lord Strathcona inquiring about Mr. Hamilton Smith. When he was asked by Sir Charles Tupper to produce this, he promised to do so. But, on mature reflection, he declines to fulfil his promise, and declares private his own part in a correspondence the rest of which he has chosen to make public.

On the strength of this correspondence, Sir Louis Davies yesterday, in the House of Commons, called Mr. Hamilton Smith a prevaricator, which is the parliamentary equivalent for the lie direct. Such an issue as this being raised, it is most unfortunate for the premier that there should be in the correspondence a cablegram of his own which he is ashamed or afraid to produce. Sir Wilfrid's severest critic has never said about him anything half so bad as the unavoidable inference to be drawn from this refusal. The whole conduct of the government in connection with this matter, especially the angry feeling manifested, is calculated to give the Hamilton Smith offer an importance in the public mind that otherwise it would not have had.

It is only just to the gentleman whose offer to accept a contract from the government at a lower price than Messrs. Mann & Mackenzie's has so aroused the anger of the ministry, to point out that there is no evidence before the public to indicate that Mr. Hamilton Smith ever claimed to represent Messrs. Rothschild. The only reference he makes to that firm in his letter to the premier is in the following terms:

"In this connection allow me to state that no offer to build the line was made from the house of N. M. Rothschild & Sons, as has been stated in the House of Commons."

That Mr. Hamilton Smith has some kind of connection with the Rothschilds seems likely from the guarded terms of Lord Strathcona's cablegram to the premier:

"Lord Rothschild authorizes me to say Hamilton Smith is not their agent and is in no sense authorized to make any proposition on their behalf to the Canadian government."

Surely this is not the language in which Lord Strathcona or Lord Rothschild would have denounced such an imposter as Sir Wilfrid Laurier and Sir Louis Davies would have us believe Mr. Hamilton Smith to be? The significance of the answer is entirely dependent upon the nature of the question, which the premier is afraid or ashamed to produce.

Another proof of the insincerity of the government with regard to this matter is the fact that it was only after long delay and after pressure that Mr. Sifton yesterday acknowledged in the House that he had had a conversation with Sir William Van Horne before December 20th, in the course of which Sir William mentioned "that there was a gentleman named Hamilton Smith, who was prepared to call upon him (Mr. Sifton) for the purpose of discussing the question of a railway to the Yukon."

The only thing that seems to be very clear about this business is that the government for its own reasons (no doubt ample ones) did not want to discuss Yukon railway with anybody else but Messrs. Mann & Mackenzie. The petulance of the ministers and the offensive remark of Sir Louis Davies were not justified by anything that Mr. Hamilton Smith has said or done publicly. Perhaps "the storm" in Ontario had an irritating effect. But if the ministers value their reputations as gentlemen and men of honour, they will insist upon the production of Sir Wilfrid's cablegram to Lord Strathcona or upon an ample public apology to Mr. Hamilton Smith.

At first it was attempted to justify the secret and hasty negotiation of the Mackenzie & Mann contract on the ground of urgency, and an alarming picture was drawn of the terrible disaster and misery that would inevitably be the fate of the thousands that

would rush into the Yukon district in search of gold during the coming season, if this Teslin tramway was not immediately constructed. Disaster and ruin to the trade of Canada with that region were also predicted on similar grounds, until urgency seemed to be the only plank on which the government had to stand. But that plank has had to be abandoned, for in the light of the information we now possess there never was and never could have been any urgency in the business. I will not cite authorities that have been fully cited elsewhere to show that since the first report of Mr. Ogilvie in 1887, but especially since the early part of 1896, year by year, we have received all the information that we needed to prepare the government to deal with that country without any urgency or indecent haste. The Minister of Railways is authority for the declaration that before the close of last session, the ministry had full knowledge of the value of the Yukon gold district and anticipated an enormous rush into it during the present year. Here are the minister's own words which as completely nullify the plea of urgency as it is possible for language to do it :

> In obtaining information with regard to the probable influx of people into that country, we were led to believe that the number of people who would be likely to seek the Yukon region during the present year would be exceedingly large. I believe that agents of transportation companies, who have the means of acquiring accurate information and forming a pretty fair judgment, advised—at least some of them did—that as many as 250,000 people would be finding their way into the Yukon country during the present year. Others connected with transportation companies also did not form so high an estimate of the probable numbers, but a large proportion of them, at all events, put the figure at 100,000, and none, so far as my information goes, put it as low as 50,000.

How absurd and misleading does the plea of urgency appear, in relation to the signing of the contract in January last, when we have the admission out of the mouth of the Minister of Railways that all the information that was needed was in the possession of the government while parliament were in session last year. Nay, more, in the course of a preliminary discussion in another place on the 2nd day of the present month of March, it came out that the government as early as the 16th of last March, a year ago, had Mr. Ogilvie final report on the great Klondike discoveries although they did their best to keep the news from the public. Then, as the Ottawa *Citizen* truly says, for full seven months they were culpably inactive in securing this much-needed (as they contended) railway communication for which they now plead such great emergency. Thus the plea of urgency, the strongest plea the ministry had to depend on, is completely demolished and exploded. With all this information in their possession why did they not take parliament into their confidence last session, and ask for authority to deal with the difficulties that faced them. Their reprehensible silence, showing as it does such a contempt of parliament, I have no hesitation in saying, is the greatest outrage on parliamentary institutions such as we are supposed to possess that has ever disgraced the annals of this country, and would alone justify this House in rejecting this bill.

The monopoly clauses of the contract are among its worst features, but if they were unavoidable, they ought alone to have been an ample inducement to capitalists to build this Stikine-Teslin tramway. Let me read these clauses to the House :

> 4. For five years from the 1st September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the international boundary between Canada and Alaska into the Yukon district, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway.
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> 5. The contractors and the contractors' company shall be entitled to receive in preference to any other person or company during ten years from the said 1st of September, 1898, such aid or assistance in land or money as the government may be authorized and may see fit to grant in aid of a line of railway from the Stikine River to an ocean port in British Columbia, provided that the contractors or contractors' company are willing to undertake the construction of the same at once and completion thereof within a reasonable time upon receiving notice thereof from the government.

I am not going to detain hon. gentlemen by an calculation showing the immense value of this unwise monopoly. The cost of the road is estimated by the government engineer at $25,000 per mile, as it is intended to be a low grade road. If a tithe of the number is realized that some persons have contended will go into the Yukon district this year, the company's monopoly alone will, it is calculated, yield a profit on the capital invested greater than is derived from any railroad on the continent. If this improvident bargain had not been made there is little doubt that among the numerous applications which the *Free Press* tells us would have been made to parliament this session but for the execution

of the Mackenzie & Mann contract—this tramway might have been constructed without any special privileges by some other company. Is there any doubt that if the government were to-day in a position, or had been in a position at the time parliament met for the present session to call for tenders, that we would not have had our table loaded with petitions for charters to build this railway, perhaps without an acre of land or a dollar of subsidy, or a single monopoly advantage. This is the opinion of men whose judgment in this respect is worth a great deal more than mine, because that judgment is founded on long practical experience in these matters. It is the opinion, that if this contract had been left open till the meeting of parliament more than half a dozen companies would be found knocking at our doors asking for permission to build this railway without an acre of land or dollar of subsidy or a single monoply privilege. And yet in the face of all this we give these people a monopoly which of itself, if the anticipations of the government are realized at all and immigrants into that country as is expected they will come, the lowest figure upon which the estimate is made for the influx this year would be fifty thousand people; some put it at two hundred thousand. I read a calculation made on the basis of twelve thousand people going in there this season, and on that calculation the profits of the road would be about nearly half a million dollars. If with an influx of only twelve thousand people, such enormous profits, greater than any railway on the continent would show, could be realized, what would they be on fifty thousand, the lowest calculation which reasonable men who understand the subject place the immigration at? There can be no doubt under all these circumstances, that without any subsidy — without even a monopoly this road could have been built, and therefore I say it was most unjustifiable to enter into such an improvident contract.

I am opposed to the road again because it is not an all-Canadian route. I need not dwell long on that point. When the scheme was first presented to the public one of the great merits it was represented to possess was that it would be an all-Canadian route, but now I do not think anybody ventures to say for a moment that the line from Wrangel to Telegraph Creek and Teslin Lake is going to open up an all-Canadian route to the Klondike. It can not be an all-Canadian route because it has first to come up the Stikine. In view of recent developments, I do not think that the parrot cry of an all-Canadian route will be any longer indulged in by the friends of the bill. The government have had a rude awakening at Washington by the action of the Senate in regard to our treaty rights of navigation on the Stikine River, which certainly puts a new face on this all-Canadian route, which the ministry should have anticipated in dealing with a people whose good faith, Canadians have no reason to hold in very high esteem. I believe the recent legislation at Washington is a clear violation of our treaty rights, but it may take years of diplomancy to settle the questions involved, and in the meantime where will be our all-Canadian route, if our shipping is not allowed to navigate the Stikine River in United States territory, unless under conditions as injust as they are insulting, and which no administration in this country dare entertain for one instant. What a pitiful exhibition of bungling and incompetency is here presented by the ablest government that Canada has ever had in not foreseeing and providing against the present complications, before entering into this reckless contract. I say the Stikine-Teslin route is not an all-Canadian route, and therefore it can have no preference with our people on such ground; but since the fact has become palpable by the action of the Senate of the United States, that we may possibly have trouble at Wrangel, a new idea has taken possession of the government, that is, to extend this road to Portland Inlet or some other Canadian port. We hear now, after giving these enormous concessions to the company for the building of this little tramway from Telegraph Creek to Teslin Lake, that we are to be burdened with a money subsidy to extend the road from Telegraph Creek down to some port of our own upon the coast of British Columbia. We are told the distance is 200 miles. I have been given to understand on good authority that it is nearer 300 than 200, through a rough and difficult piece of country, and I ask where is this money to come from to build the extension after all this treasure has been thrown away to the tram road. Can the Dominion of Canada afford to spend millions to extend that road to Portland Inlet at

the present time? And, by implication, the government admit the road is no good unless that extension takes place. I do not believe parliament would be induced to grant the large sum of money necessary to extend that road from Telegraph Creek to a British Columbia port, and then only giving us a very incomplete and imperfect connection with the Klondike gold fields, because this road after all is simply a road of 150 miles connecting the head waters of the Stikine River with the waters of Lake Teslin, and is only available, as we know, for about five months in the year. There are seven months in the year when this road will be useless. The best authorities tell us that even if we extend it down as far as Portland Inlet, it would be useless in the winter season. The gentleman who addressed a number of senators in one of the committee rooms of this House yesterday, said he had just crossed from Dawson to Dyea, at the head of Lynn Inlet, on his way to Ottawa and that if the Stikine railway had been completed he would do the same thing, that it would be shorter to cross there than to come down by the contemplated route by way of Telegraph Creek, and that, even if the railway were completed, he would not use it; he would come out the way that he did. I have a little book before me which gives some information on this question. Even if this road is completed it is only going to be a summer road. We have the best authority for saying it will be used only when the navigation is open. There are five summer months during which it will be used, and during that time, the natural means of ingress to that country by the Yukon River will be cheaper and more expeditious than this railway. It will be more expeditious and cheaper alike for traffic and travel to go into Dawson City by the Yukon River than to take this railway and water route by the Stikine. Therefore during the time when this road would be available it is not likely to be used because the natural means of communication with the Klondike would have the preference. I think it must be evident to hon. gentlemen that this road, even after paying the enormous price we are going to pay for it would be an exceedingly bad bargain for this country. Let me read from the book which has been put into my hands with regard to these means of communication:

> It is 150 miles from the mouth on the Stikine River to the point at which it is proposed the railway shall begin, 65 miles from the head of Lake Teslin to the head of the Hootalinqua River and 135 miles thence to the junction of the Hootalinqua and the Lewes—that is to say 350 miles of waterway not navigable more than five months of the year and some years not so long—350 miles of waterway of which the railway is not designed to cut off one its length (150 miles) being the distance from the Stikine and the head of Lake Teslin. From Skagway to the junction of the Hootalinqua and the Lewes is only 226 miles; so that travellers might be expected to prefer the route they are now using, even with the railway a fact instead of a proposal, during at least seven months of every year.
>
> The Lewes and the Yukon are closed by ice about the same months as the Hootalinqua, and in that for seven months, at least, of every year a person journeying from the mouth of the Stikine River to Dawson would, notwithstanding the aid of a railway such as is proposed, have to make his way by dog team or otherwise for 680 miles on the ice, the confluence of the Hootalinqua and the Lewes being 330 miles from Dawson, it is clear there could be no better freight traffic by way of the Stikine, for it has been abundantly shown by men of the Yukon, and indeed by several distinguished explorers of Arctic regions, that he does well who can make a journey of that sort encumbered by nothing not essential to his maintenance en route.

So that even if the road were completed during the winter season it would be better to take the route from Dawson out to the head of Lynn Inlet than to come down to Telegraph Creek and in that way get out to the Pacific coast, and this road if it is useful for anything at all, it will simply be a competing line with the natural means of communication during the season of navigation. Yet this is the road has been proclaimed as a complete Canadian route, and it was contended that it was urgent and necessary that the government should take the steps they did without seeking for tenders or giving publicity to their proceedings to secure its construction at once. Notwithstanding the fact that my hon. friend the Secretary of State says that he had no intimation of Mr. Ogilvie's first report in March, 1897—and I do not for a moment doubt the statement of my hon. friend in that respect—here was the Minister of Railways, the one who introduced this bill telling the country that he had full information before parliament was prorogued last session, and that was in July, that that information was in the hands of the government.

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. MILLER—Here is an extract taken from the *Hansard* of the House of Commons—surely there cannot be any dispute about it.

Hon. Sir MACKENZIE BOWELL—I called the hon. gentleman's attention to columns 1013 and 1014 of this year's *Hansard:*

Mr. McALISTER asked,

On what date or dates did the government, or any officer thereof, first receive William Oglivie's reports, sent from the Yukon District, dated 18th August, 1896; 6th September, 1896; 6th November, 1896; 9th December, 1896; 11th January, 1897, and 23rd January, 1897, respectively.

The MINISTER OF THE INTERIOR (Mr. Sifton). The report of the 6th September, 1896, was received on the 19th October, 1896. The report of the 18th August, 1896, on the 22nd October, 1896. The report of the 6th November, 1896, on the 16th February, 1897. The report of the 9th December, 1896, on the 27th February, 1897. The report of the 11th January, 1897, on the 16th March, 1897. The report of the 23rd January, 1897, on the 16th of March, 1897.

Carrying out exactly what the hon. gentleman has said.

Hon. Mr. MILLER—I was quite aware of all these reports, but as I said in the outset it was not my intention to amplify my points at any great length for the reason I was unwilling to tire the House unreasonably. I have only one or two points to make before I close. The one ground on which this contract could be justified at all was the ground of urgency, and I ask hon. gentlemen if that ground is not entirely swept from under the feet of my hon. friends by the various reports which the government had in its possession, and the members of the government are all presumed to be and should be cognizant with those reports. It is their duty to be so and they cannot plead ignorance of them. With the declaration made by the Minister of Railways before the close of last session, was it not their duty to have taken steps at that time to meet the emergency—to have taken parliament into their confidence then, to have obtained authority necessary to provide for every emergency that might arise in connection with that country? I say it was their clear duty and they failed most lamentably in not discharging that duty at the time.

I need not say anything with regard to the unfair imposition of royalty duties upon the actual miner in such marked contrast to the unfair advantages given to this company. I think that clause in the bill before the House is most unjust. It is not sactioned in any other country where mining industries exist. On the contrary in the mining districts of Alaska just opposite the Klondike, the royalty or whatever they call their tax, imposed by the government there, without, I believe, any rental, is only one per cent. Here rental is imposed on the actual miner and the royalty of 10 per cent besides. It is unnecessary to go into any illustration to show how oppressive this regulation must be to every miner in that country, and what an enormous advantage it gives to the contractors who hold this vast land grant of 3,750,000 acres of the best gold producing lands in the Northwest. In what position will the actual miner be in comparison with them? He will certainly occupy a position of great disadvantage. The fact is, as was very properly stated by Mr. Livernash yesterday, that in course of time the contractors, if this bill should become law, will possess all the gold fields of the Klondike, and every one going in there must submit to any tyranny they wish to exercise to extort all they can out of their enormous monopoly. I am told that if this bill should pass, these gold lands could to-morrow be put on the markets of the world and stocked at $20,000,000. I am told by men whose opinion on such questions are worthy of the highest credence that these contractors would be able to float a company with these enormous privileges and this immense area of gold-bearing land, in the London market for over $20,000,000; some go so far as to say a much larger sum. These men, in addition to all their monopolies and exemptions get this large tract of land, and get it in a way that they will be able to make their selections so as to secure the most valuable gold fields in that country. This is a point upon which I cannot go into details. Some of the hon. gentlemen who heard the lucid explanation of Mr. Livernash yesterday will give them; but it was shown how, by an adroit management of the power vested in them by the 12th clause of the bill, they could locate their claims in such a manner as to have the upper hand, not only of the government, but of every miner that went into that country to follow a precarious industry. If there was no other objection to this extraordinary bill, but the improvident grant of the public domain to such an extent as 3,750,000 acres, and perhaps a much larger extent—because that is based on the assumption that the road will be only 150 miles long, but good authorities say it may

be 200 miles long—the bill would be utterly indefensible. What effect will this enormous grant have on the peace, prosperity and progress of that country? When my hon. friend talks of maintaining peace and order in those gold fields as he did yesterday—when he talks of the duty of the government to see that property rights are protected there, I say there could be no greater obstacle to the peace, order and good government of that region than the improvident concessions given in this bill, all bearing on their face the indications of a huge job.

After having given this question a good deal of consideration my own opinion is that for the line from the head of Lynn Inlet inwards would be the most serviceable line to the Klondike for present use and we are less likely to have custom difficulties at the head of Lynn Inlet than at Fort Wrangel. In fact I see by the papers recently that the understanding which was said to have been completed between the Minister of Interior and a member of the Washington Cabinet in regard to allowing the goods of Canada to pass over the United States territory on paying duty to be returned, that that arrangement is being carried out satisfactorily under recent orders from Washington. I think that this arrangement could be depended upon for the present year to get ingress into that country. The question of urgency if it existed at all is now past—there is no danger of starvation this year—there is no great danger of any disaster of that kind overtaking any of these people in that country this winter ; and during the coming season when the Yukon River is open to shipping enough provisions can be sent to Dawson City to feed all who may go to the Klondike in the next five years. At any from this time forward a full supply of provisions and other necessaries can easily be placed in Dawson City a year in advance while the season of navigation lasts. There can be no plea of urgency now that the period of danger is nearly over without any disaster. The plea of urgency existed with respect to the present winter but it exists no longer, and the strongest argument the government had to reply on in connection with this extraordinary bill is swept from under their feet.

For my own part I am in favour of the Edmonton route to the Yukon gold fields—an opinion I have formed from a study of this subject and from reading the able speeches of gentlemen in the other House, and especially after reading the conclusive presentation of the case by Mr. Oliver, a member of that House, I am convinced that for a permanent national line, a line that will foster trade with old Canada and the North-west Territories where trade exists to be fostered, a line that will open up a vast agricultural district, a line that can be built at a very low expense to secure ready, quick and easy communication with the far west at all seasons of the year—where a cheap railway can be constructed for seven or eight thousand dollars a mile, and in the aggregate for a not much larger sum than we are asked to give the Drummond Railway and the Grand Trunk Railway for a superfluous line to connect the Intercolonial Railway with Montreal. For seven or eight million dollars we could get communication with the Yukon district through a fertile country, developing its agricultural resources and opening up fields of settlement, offering room for homesteads to those immigrants which my hon. friend from Toronto is so desirous of seeing come into the country—but I may say to my hon. friend that the immigrants who are attracted by our gold fields are not the best immigrants to settle the vacant lands of Canada. They are indeed of a very different class. But I contend by securing temporary communication by the shortest and least expensive route from the Pacific coast to Dawson City—from the head of Lynn Canal, for the present, then looking at once to the construction of a cheap railway from Edmonton—that the government would have shown it was equal to the emergency it had to deal with. Perhaps it was too much to expect the men who now occupy the treasury benches—we must recollect that these gentlemen are the political heirs of the men who occupied those benches between 1873 to 1878 when the great responsibility of securing connection between the old provinces of Canada and our great North-west and British Columbia was the all absorbing question then agitating this country. My hon. friend the Secretary of State is reported to have said on a public hustings in this city that it would take forty years to build the Canadian Pacific Railway, and I myself heard him state in this House that the whole resources of the British Empire could not build that railway in the time the Canadian Pacific Railway Company undertook

to build it, whereas the company took three or four years less than their contract gave them. We all know what the policy of the party was in regard to connecting these old provinces with the great North-west on which the future hopes of this great Dominion are so largely founded. Their policy at that time was to connect this country by the water stretches. Now, I ask gentlemen who know what was afterwards achieved by the Liberal-Conservative party—the party that has done every thing for this Dominion of which we can boast—the party to which I am proud to belong, because it has made this Dominion what it is to-day, which created it, and bound the various parts together and placed it in the honourable position which now makes it the admiration of all our fellow subjects the world over. That party has been guilty of some mistakes, but it is nevertheless the party which has made this country what it is to-day—notwithstanding we were fought inch by inch on the floors of parliament, and on the public platform, and our policy was denounced as ruinous to the country—in spite of all that opposition, our national aims were accomplished. Compare the condition of things to-day with that which would have existed if the policy of the Liberal party had prevailed, if we were dependent on the water stretches of the Lake of the Woods to get communication with our magnificent North-west Territories. It is natural, therefore, that the political views of gentlemen whose policy was so pessimistic in 1873 and 1878, should not be able to take a large national grasp of the present question, and grapple at once with the only true solution of this question—that is a railway from some point in our North-west Territories, connecting the gold mines of the Pacific coast with a splendid agricultural country, with our manufacturing industries, and with our centres of trade and commerce everywhere ; and not a railway that will, in spite of all you can do, hand over the greater part of that trade to foreigners ; for I contend no matter what we do to prevent it, with an outlet on the Pacific coast only, the greater part of the Yukon trade will go to our rivals to the south of us. Hon. gentlemen, I have occupied your time longer than I intended, and I must bring my remarks to a conclusion.

Several hon. MEMBERS—Go on.

Hon. Mr. MILLER—I have tried to compress my observations as far as possible. The material is ample to go on, but I do not feel that I am justified in imposing on your patience any further. I am not in the habit of late years of addressing the House frequently, and perhaps I feel more at liberty to take advantage of your indulgence on this occasion on that account.

There is only another subject to which I wish to allude before I resume my seat, but it is one that interests all of us. The subject to which I refer is the right and power of this House to reject a bill of this character, embodying the policy of the government on an important question, and sent to us by the House of Commons with the endorsation of that branch of the legislature. Strange to say, there are persons who contend that we possess no such right or power, but that if we do, we are not at liberty to exercise it. It is true, there have been some notable changes of late in the attitude of certain newspaper writers towards this House, who have adopted, I suppose for the occasion, a more courteous tone in their references to us, which doubtless will be quickly dropped when we incur their displeasure. I think, however, I may safely affirm that neither threats nor coaxing can influence the members of this Senate when called upon to discharge a grave and important public duty. There can be no doubt, hon. gentlemen, both of our right and power to reject this or any similar measure that may be presented to us, and that if we consider it to be unwise, unjust, or above all open to the suspicion or possibility of corruption or wrong-doing, it is our bounden duty to do so. For my own part, whether rightly or wrongly, I look upon the bill before the House as open to all three of the objections I have named, and therefore it is my plain duty to vote against it. The rejection by this body of any bill under such circumstances, far from being contrary to the spirit and meaning of the constitition, I believe to be the clearest duty the constitution imposes on every member of this chamber. The Senate was never created as a co-ordinate branch of parliament simply for the purpose of registering the decrees of another branch, whether good or bad—right, wrong or unpolitic. This was never intended to be the scope and meaning of the powers with which the emphatic language of the soverign legislative authority of the empire clothed

this body in the charter of our constitution. This Senate was intended to be an acting, and, if necessary, an over ruling force, subject to well understood restrictions, in the law making functions of the parliament of Canada, with rights, powers and privileges as clearly defined, as indisputable, as unassailable as those of the House of Commons. Otherwise our coming together in this chamber to deliberate on questions of legislation is a delusion, a mockery and a farce. Otherwise the British constitution itself—the wisest system of human government that has ever emanated from the mind of man—and which, in principle, is the model of the constitution of Canada, as declared in preamble of the British North America Act, 1867, must also be, if this caricature of our constitution can be maintained—nothing better than a mockery, a delusion and a farce. The theory—the true theory of the British constitution, and as a corollary the true theory of the constitution of Canada, is that the three co ordinate branches of parliament are independent and untrammelled in their respective spheres, which law, usage and precedent have amply defined. Whenever differences arise between the two houses of parliament, in England—and how often and how bitter have been the collisions, of the Lords and Commons even in the present century—the fabric of the constitution has seldom been in real danger. Perhaps at no period within the last fifty years have the stability and authority of the House of Lords been more assured than they are at the present time. But in Canada, in the opinion of ignorant or violent partisans similar difficulties can only be overcome by the abolition of the Senate—by shattering the constitutional fabric—by destroying the compact of confederation—and revolutionizing our whole system of government—for that is what the abolition of this House would mean. And why is it different in England? Because there, it is well understood, that constitutional usage provides a means of escape in every such emergency—that the constitution possesses, in fact, re-adjusting modes and principles of safety—characteristic of the genius and practical wisdom of the British people as a governing race—modes and principles of safety as applicable to parliamentary institutions in Canada as they are in the mother land. Whenever any serious dead-lock occurs in England between the two branches of the legislature, there is an appeal to the people whose arbitrament in the present day settles every dispute—for in the end it is the will of the people that must prevail. So when serious differences arise between the Commons and Senate of Canada, British usages and principles must be invoked—those differences must be referred to the people at the polls, when the Commons always must, and the Senate always will, conform to the popular verdict. Instead of this body over-riding or disregarding the will of the people in any difference between the two houses of parliament, the constitution, through the action of the Senate, affords a means by which the wishes of the people may be most unmistakably expressed. Thus is paid by this House the highest possible tribute of respect to the electorate as the source of all power, by referring every cause of difference between the two chambers directly and finally to its decision—in other words, by the action of what may be called the safety-valve of the constitution. And it is under such circumstances, we are in some quarters deemed deserving of annihilation as the enemies of government by the people, when in truth and fact we are its real champions and friends. Until the Senate abuses the great trust reposed in it—which it has never yet done—until we show a determination to put at defiance the will of the people clearly expressed on any public question, it is alike the duty and the interest of the electors of the Dominion to stand by this body in the exercise of its undoubted rights, for they all tend in the end to the more complete assertion and vindication of the rights and wishes of the people; and never would the rights and powers we possess have been given to the Senate in our constitutional charter by the most enlighted and liberty-loving parliament in the world, with any other aim or object, than the protection of the rights and liberties of the people. After the people have pronounced their decision, the decree must be final on both sides, and I am quite certain whenever any differences between the two houses are referred to the electorate, the Senate will not hesitate to obey any decision that may have received the impress and authority of the popular will—while, at the same time, this House will not fear to treat with indifference the imbecile threats of a partisan or venal press, as well as the vulgar vapourings of a tricky and corrupt minister, either inside or outside of the House of Commons. When

the Senate does its duty fearlessly and honestly, as I am satisfied it will on this important occasion, it may safely put its enemies and assailants at defiance, and rely on popular approval to support its rights, and vindicate its fearless and unflinching exercise of them.

Hon. Mr. MACDONALD (B.C.) moved:

That the bill be not now read a second time, but that it be read a second time this day six months.

He said: There are more reasons than one for my not giving a silent vote on the question before the House, and I approach it with a deep sense of my responsibility for the opinion I express and the vote I give. The principal part of the Canadian trade with the Yukon is done by the province from which I come, and my wish is to promote that trade and keep our mineral lands for the people of Canada—and the course I am taking to-day will, I am convinced, prove to be the wisest and best for my province, and for the whole of the Dominion.

I will allude briefly to the manner in which the Liberal press of the country has treated this House. Some time—months—before it could possibly be known what the opinions of hon. gentlemen would be,—we were threatened and bullied, and the sword of the executioner held over our heads. Then the Minister of the Interior takes upon himself to threaten this House, and says if we do not follow his opinion—we will be held to a better account. I think the ministers in this House will agree that it was most unwise and impolitic of the Liberal press, and the Minister of the Interior to write, and speak in that strain, and I venture to say that all the bullying—and those threats will not influence the members of the House one way or the other—or make them shrink from their duty. This House is as firmly a part of the constitutional legislative system of the Dominion as the House of Commons is, and the Minister of the Interior cannot touch it.

It is not my intention to blame the government as a whole for this measure—probably the Minister of the Interior, who was charged with negotiating this contract, did the best he could according to the amount of common sense he was able to bring to bear—but in this matter he has displayed a lack of that commodity. It is certainly not my intention to attach any blame to the ministers of the Crown on the floor of this House for the contract—they are part of a system and have to go round with it or smash the machine—but if the private thoughts of these gentlemen were known they would most likely be found in condemnation of this bill and this contract. I sincerely believe that neither of these two ministers would sacrifice the country as the Minister of the Interior has done in this contract. I am willing and free to give praise in this matter where praise is due, and I bestow my praise on the contractors and their solicitor for the clever and astute contract they have made with the Minister of the Interior to whom this matter was intrusted. The contractors walked completely around him, turned him inside out, scooped his brains out and have taken from him every concession it was possible to take, and left nothing for the country but the husks.

The first part of the speech of the hon. Minister of Justice was devoted to the constitutional aspect of this question, and showing that this was a matter entirely for the House of Commons to deal with—and the hon. gentleman would like to have gone as far as to rule—that this House could not constitutionally deal with it—but he did not quite take that jump, but held up on the brink of the precipice. That part of the speech of the hon. Minister of Justice which dwelt so strongly on the necessity for, and the intention to have, an all-Canadian route to the Yukon, with a deep water harbour in our own country. I was much pleased to hear, and that part of the scheme has my entire approval.

Did it occur to the minister that his emphatic assurance that a road would be built from Observatory Inlet, and an appropriation asked for, is the strongest condemnation that could be given to the Stikine-Teslin route? If this is such a splendid route for which we give 4,000,000 acres of mineral land, how comes it that we require another route? If this Stikine road could be worked this summer there would be some force in the argument for having it, but as that is impossible its usefulness cannot be considered. How is this extension to Observatory Inlet to be paid for? There are no more millions of acres of Yukon land to give for it, so it must be a money payment of at least $4,000,000. What will the country say then, when 4,000,000 acres are given away for a useless road and $4,000,000 to substi-

tute a good road for it, whereas one road on the best route from a deep water harbour would be sufficient? The hon. gentleman has spoken of the danger of a rebellion in the Yukon if this road is not built. That is an idle nightmare. We have had great experience with American and foreign miners in British Columbia, and they have always been found most law-abiding, ready and willing to uphold our laws and appreciating, in a high degree, the fairness and impartiality in their administration.

But I will tell the hon. minister what will cause friction—if not rebellion—that is the collection of a 10 per cent royalty, and the granting of this land by which the contractors could surround, or blanket every mine in Klondike, and cut the miners off from wood and from water for their flumes.

I intend dealing with the question on business principles, following the motto "business is business" I take first what the contractors are to give the country, and secondly, I will show what the country is giving the contractors.

1. The contractors propose to make first a sleigh road from the mouth of the Stikine to Teslin Lake—fully 200 miles. Does the government know that under the contract 30 or 40 miles of this sleigh road is in United States territory. What authority have we to make a road there? The sleigh road was to be finished in six weeks from the signing of the contract. That time expired on the 10th of this month; the first part of the contract is broken, and the country has secured $250,000 by forfeiture. This breaking of the contract enables the government to withdraw this bill now without being liable for damages. Which is the best thing the government could do? Survey, and go on with another line from Port Simpson or Alice Arm.

2. We get a narrow gauge railway of 150 miles, the ingress to which is through foreign waters, subject to vexatious and hampering regulations. Besides that, for five months each year the river, which is part of this railway route, is not navigable, or passable by sleighs or wagons. We have reliable information that there are thousands of miners and hundreds of tons of provisions now at the mouth of the Stikine that cannot proceed on account of the condition of the river.

3. The contractors are to provide transport facilities between the terminus on Teslin Lake and Dawson City; but no provision is made for transport from Wrangel to the railway at Telegraph Creek.

4. The contractors pay the government one per cent on gold mined by them, whereas the poor miner has to pay 10 per cent royalty. This is all I believe the country gets. Let us now take a look at what we are giving the contractors.

1. Between 3,750,000 and 4,000,000 acres of the pick of the mineral and timber lands in the extensive Yukon district.

2. We allow bonds to be issued to the extent of $25,000 per mile, for a narrow gauge road, whereas the ordinary 4 x 8 railway has never, as far as I know, been allowed to issue bonds for a higher amount.

3. We allow preferential stock to be issued. We know too well what that means. The small stockholder would be squeezed out.

4. We allow land grant bonds to be issued, and mortgages on the land.

5. The contractors are allowed to build railways and branches in all parts of the Yukon district. The company may construct and operate telephone and telegraph lines.

6. May do all and everything under the sun—that is to say conduct every kind of business in British Columbia and Northwest Territories, and they can expropriate land.

7. We now come to that part of the contract which gives a monopoly, which reads:

> For five years from 1st September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the international boundary between Canada and Alaska into the Yukon district, and for five years no aid in land or money shall be granted to any person or company other than the contractors.

The Minister of the Interior declared in his speech in the House of Commons that this contract gave no monopoly. What does the Minister of Justice call this clause? It is not an interpretation clause, nor is its scope qualified or lessened by any succeeding clause, but, on the contrary is strengthened by clause 5, following immediately after, which reads:

> The contractors, and the contractors' company shall be entitled to receive in preference to any other person or company during ten years such aid or assistance in land or money as the government may be authorized, and may see fit to grant in aid of a line of railway from the Stikine River to any ocean port in British Columbia.

I call this clause a monopoly clause which ties the hands of the government for ten

years to one set of contractors, or to one company—without reference to the lowest bidder—so that under this contract the present contractors would get the work at their own figure.

9. The company fix their own freight and passenger rates for ten years—and we can judge they will be high enough—perhaps a shade below the rates by the longer Yukon River route.

10. The land grant to be free from taxation for ten years—excepting in towns or villages.

11. The mode of selecting the land, which is the most important part of the contract, has been drawn to give the contractors an advantage not contemplated by their friend, the Minister of the Interior, but if contemplated, I will not characterize the transaction, but will leave that to others.

We read, "base lines may be of two kinds." You will mark the word "may," and not "shall," which makes all the difference.

1. In selecting these lands, the company may take as a base line, a line which will correspond with the general course of any lake, river, stream, or water course, to be determined by survey or approximate survey, to the satisfaction of the authorized agent of the Minister of the Interior.

Under this clause of the contract the contractors could take the pick and cream of the whole country, and destroy all prospecting and sap the foundation of all industry and mining in the Yukon. These lines may be run in any direction, and the contractors need not take up any land on the second mode of selection or run lines north, south, east and west. Let us look at the income the government can derive and will derive if they hold this enormous grant for country.

Supposing a mining claim is one acre in extent, the government would receive $10 for a license, and $15 for recording, that is $25 per annum, not for one year only, but for many years.

The contractors may also take as a base line a line commencing at any point located by them and running from such point due north, east, south or west. The land along a base line to be divided into blocks, each block to extend three miles along the base line, and to extend three miles backwards on each side of the base line. On each base line there shall be at least eight of such blocks, but there may be more at the option of the contractor. These blocks to be numbered from one up—the odd numbered blocks to be the property of the contractors; the even numbered shall remain the property of the government.

It may fairly be asked why should the contractors be expected to take up a part of the land grant on base lines less advantageous than another series of base lines. The clauses in the contract relating to the selection of land are permissive and not mandatory, and of course the contractors will make their selection on the lines most favourable to themselves. In all probability the whole selection will be made under the first description of base lines, which gives power to follow lakes, rivers and water courses.

This railway is called an all-Canadian route, but it is not so. The entrance to it is through 30 or 40 miles of United States waters, the navigation of which is supposed to be free to us, although in reality it is not so, but is restricted by vexatious United States regulations. The river from the mouth to Glenora is liable for four months in the year to be impassable for navigation or travel by sleigh or wagon, as it is at the present time—the ice too heavy for steamers and not strong enough for sleighs or wagons. If access to the railway were quite possible all the year, then it would only be a narrow gauge, and would not carry much traffic and could make no connection with a road of the standard gauge. Should this railway be built by September, it would not relieve the glut of passengers and goods this year. No one has given a stronger condemnation to the proposed railway than the premier of Canada, Sir Wilfrid Laurier, for he has promised and declared that another railway must be built to an open harbour in British Columbia. It would be the end of October before the railway could send any supplies into Dawson City, by which time those northern waters will be closing up with ice. The Yukon River will be open in June. There are ten or twelve ocean steames ready to carry supplies to the mouth of that river. There will be thirty or forty light draught steamers this summer on the Yukon to carry miners and supplies from its mouth to Dawson City. Thousands of tons will be sent in this way fully three months earlier than the proposed railway could send a pound in. If this Stikine railway were built to-morrow, the government could not send a policeman or militia man in by it without the consent of the United States authorities. An armed force can as easily be sent in by the Dalton trial, or the Yukon as by the Stikine. Experience teaches that United States miners are most law-abiding when under the British flag and that they highly appreciate British

law and order, and have been found ready and willing to uphold it. The fear of revolt against law in the Yukon is a baseless dream. Our country and institutions are as free and open to the foreigner as to the Britisher. Such being the case, wherein would lie the cause for revolt? It is not unlikely, however, but all nationalities, our own citizens as well as others, will kick at the 10 per cent royalty, and the government should at once reduce it to 5 per cent. The land grant is excessive and out of all proportion to the value received. I would not give my approval to 1,000,000 being granted in the gold-bearing district of the Yukon for the proposed narrow gauge. A deep-water harbour, and a real all-Canadian route should be selected, and a road built without delay, and even for such a road I would give 4,000,000 acres. It is asserted that this railway would keep the trade in Canada, where it by right belongs. It would do nothing of the kind; is would be just as open and free to United States commerce as to Canadian, and nothing can prevent United States citizens reaping a share of the trade. Returning miners with their gold would find at Wrangel United States steamers, as well as Canadian, and could take passage as they liked to a United States or a Canadian port. Here is where our steamship owners require to exercise enterprise and smartness—to meet returning miners at the different ports—to keep as much as possible the miners and gold in our own country. I am glad to think that a surveying, or rather a reconnoitering party has been sent to the west to look into the question of routes, and I trust no time or money will be wasted on the Stikine route, but that the party will confine its exploration to the finding of a suitable route to a deep water harbour in our own country.

It being six o'clock the Speaker left the chair.

After Recess.

Hon. Mr. SCOTT—When this bill was read a third time in the House of Commons, it was announced throughout the length and breadth of this country in the Conservative press that the Upper Chamber was to throw out the bill. I need not say that I was very sceptical of the soundness of that conclusion. I need not say that I had more confidence in the integrity and fair play of this chamber than to give credence to statements of the kind. I have had some 25 years' experience in the Senate, and I believed that I could appeal with confidence to this chamber if it were shown that the bill before this House had the substantial merits that I claim for it. It was not, however, until I heard the applause that greeted the hon. senator from Brandon and the hon. senator from Richmond—more particularly the hon. senator from Richmond, who is not now in his place—that I then fully appreciated that the verdict of this House had been given in advance before a fair statement of this case had been submitted for their consideration.

Several Hon. MEMBERS—No, No.

Hon. Mr. SCOTT—Hon. gentlemen say No, no: the applause was too marked. It was too evident. Hon. gentlemen may deny and repudiate it. I dare say they may. I am quite accustomed to that, but the applause and approval that greeted the language of those hon. gentlemen convinced me that the decision in this chamber was foregone, and there is no use mincing the matter.

Hon. Mr. McCALLUM—We may applaud you before you get through.

Hon. Mr. SCOTT—I hope the hon. gentleman will do so. If the hon gentleman is open to conviction, I have no doubt he will. I say that the fair fame and the character of gentlemen who have formed a part of this cabinet have been maligned, not criticized, and charges have been made against them. One hon. gentleman denounced this as a nefarious transaction, another hon. gentleman called it a job. That language was approved of apparently by this chamber. I have been myself forty years in public life. I was elected first in 1858. I have heard charges of that kind made time and again, and have always been slow to believe them. I have lived long enough to know that the gentlemen who made those charges were glad, in years after, to withdraw their accusations. Those charges ought not to be recklessly thrown across the floor of parliament when attacking the private character of individuals. I say that this contract is as fair and honest a transaction, and one conceived as much in the interests of the people of this country, as any measure that

has ever been submitted to parliament. Hon. gentlemen say that the government ought to have acted earlier in this matter, that they ought to have known that it was necessary to prepare for the ingress into that country of a large population, and Mr. Ogilvie's reports have been cited as giving the government warning. Now, I hold in my hand Mr. Ogilvie's report, and I see nothing in it that would warrant the government in spending more than was absolutely necessary for opening the Yukon district by a railway or any other line of communication. It is quite true that Mr. Ogilvie speaks of discoveries made in creeks there, that he speaks of miners having found gold in different places, but there was nothing whatever to warrant any government going into an expenditure simply because there were rumours of gold in that country. Mr. Ogilvie's report, it was said, was made in March of last year. I hold in my hand this report. It was issued, apparently, by the department on the 8th June. It was not thought necessary even to call for it in parliament; it had not at that time created sufficient attraction to be considered worthy of being brought down as a paper; and it was not printed, if my memory is correct, till long after parliament rose last year. Now the opening note, at the introduction here, is the best possible evidence that there was no indication whatever that it was necessary for the government to take any active measures in order to meet what has been an unusual migration into that country. This is dated Ottawa, 8th June, 1897, not more than eight months ago, and not published for, I think, about two months after that:

The following notes on the Yukon district, consisting principally of information furnished by William Ogilvie, Dominion Land Surveyor, and are published in reply to numerous calls from the public for his report. The object is not to induce any one to go to that remote country at the present time; until better means of communication are established, a man undertakes serious risks in going there, unless he has sufficient resources to tide over the long winter. After September, egress from the country is practically impossible until the following June, and a person who has not been successful in locating a paying claim, has to depend for his subsistence upon finding employment. Wages are, at times, abnormally high, but the labour market is very narrow and easily overstocked. It is estimated that, up to the middle of May, 1,500 to 1,600 people had crossed the Taiya Pass this year. Several hundred more will go by steamer up the Yukon. Whether employment will be available for all and for the considerable population already in the district, is somewhat doubtful. It will, therefore, be wise for those who contemplate going to the Yukon district, to give serious consideration to the matter before coming to a decision.

That is the note that accompanies this report, which was, I think, given to the public about the month of July or August, that is the earliest I recollect. It was evidently prepared in the department on the 8th of June last. Now I say, at the time parliament rose there was nothing whatever to warrant the impression that any such discoveries as have since been reported were likely to be made. This gold fever is one that rises very rapidly. The moment a gold mine is discovered it excites the curiosity of a great number of people; and as a rule the reports are exaggerated. That has been the history of discoveries of gold mines; therefore, I say there was nothing whatever to warrant the government in taking any active measures. They were waiting for Mr. Ogilvie's return. Mr. Ogilvie did not return until the month of December. It was very well known that Mr. Ogilvie's letters were four or five months late, and except when navigation by the Yukon was open, access was practically an impossibility.

Hon. Mr. McCALLUM—I understood the hon. gentleman to say that Mr. Ogilvie's report was in the department a long time and was not published—why not?

Hon. Mr. SCOTT—Mr. Ogilvie's report is made up of small scraps of letters that came in from time to time.

Hon. Mr. McCALLUM—And you wanted it in full before you published it.

Hon. Mr. SCOTT—Every three or four months Mr. Ogilvie would write a letter but it was not a regular report. It was just made up of his letters to the department from time to time, written at different dates—just a sort of dairy was kept.

Hon. Mr. MACDONALD (B.C.)—Was not a report received in March last year?

Hon. Mr. SCOTT—I will just read what it was:

FORT CUDAHY, Jan. 22, 1897.

A quartz lode showing free gold in paying quantities has been located on one of the creeks, but I cannot yet send particulars. I am confident, from the nature of the gold found in the creeks, that many more of them—and rich too—will be found.

There is nothing extraordinary about that. These reports have been coming in since

1886. Of course they were improving every year. Then on the 23rd of January, that is the next day—and this is the last, the one that is quoted as having arrived on the 16th March—he writes :

I have just heard from a reliable source that the quartz mentioned above is rich, as tested, over one hundred dollars to the ton. The lode appears to run from 3 to 8 feet in thickness and is about 19 miles from the Yukon River. I will likely be called upon to survey it, and will be able to report fully.

Placer prospects continue more and more encouraging and extraordinary. It is beyond doubt that three pans on different claims on Eldorado turned out $204, $212 and $216 ; but it must be borne in mind that there were only three such pans, though there are many running from $10 to $50.

He did not report more frequently, because communication was cut off, and we did not see Mr. Ogilvie here until the month of December, when he came down. If hon. gentlemen will refresh their memories and go back to the days of the Cassiar and Cariboo mining excitement, I think there was $42,000,000 taken out——

Hon. Mr. MACDONALD (B.C.)—That was from the Cariboo district.

Hon. Mr. SCOTT—We did not build a railway certainly. We used the Stikine River to get up to the Cassiar mines. Some twenty years ago, when I was Commissioner of Crown Lands in Ontario, there was a mining craze ; Silver Island was turning out large quantities of silver, and the whole of the north shore of Lake Superior was supposed to be a silver mining country. The Ontario government sold large quantities of land, but the boom collapsed and nothing came of it. I remember on one occasion a gentleman from New York, who professed to have discovered silver or copper there, wanted to get 25,000 acres of land. My colleagues were appalled at the idea, but It hought it was better to sell it for $25,000, and I sold it. What became of it ? The land was eventually sold for taxes and reverted to the Crown, like all those mining lands on the north shore of Lake Superior. Any one who is familiar with the history of that country will find that lands have been sold in recent years at from one to three cents per acre, yet all that country was supposed to be valuable mineral land at the time of the boom. That is the history of every mining camp in the world. The uncertainty of its stability is the great trouble in the way of its progress and development, and therefore it would have been madness for the government to have acted on the reports they had last year. Besides no one knew anything about the country. No one had travelled through it except the employees of the Hudson Bay Company, and they had gone in by way of Edmonton. Perhaps an occasional wanderer had gone in by Telegraph Creek. Hon. gentlemen will see that it would have been very imprudent and unstatesmanlike for the government to have acted on rumours of that kind. It was only late in the fall of the year that it became apparent that the country was likely to be a permanent mining region. Then hon. gentlemen condemned at the start the Stikine route. They say it is not a Canadian route ; I deny that most emphatically. It has been a Canadian route at all times. It was a Canadian route to the Cassiar and Cariboo mines, and boats went up and down that way frequently, United States boats passing through Canadian territory, and Canadian boats through United States territory, without a word of objection. The same difficulty existed between the river boats and the ocean boats, and no one questioned the right of either country to tranship ; and the United States government appealed to the Canadian government to establish custom-houses high up on the river where their boats could report, because, before the custom-houses were established on the upper reaches of the Stikine, United States boats were compelled to report at Victoria, and that was represented to the Canadian government as a very serious hardship, and one that we ought in fairness, as good neighbours, to remove, and we did remove, by establishing a custom-house on the United States border. Hon. gentlemen talk as if the Stikine was an unknown river and never utilized ; but there is the fact that, if they choose to go back and study the history of that time, they will be able to appreciate that it has all the advantages of a Canadian route, and is the only Canadian route to that country that will afford at least some degree of facility and rapidity in reaching the Yukon district. Hon. gentlemen say that the Yukon River route is preferable. The route by the Yukon River is over four thousand miles from Victoria, or Vancouver, and the river itself is a tortuous and shallow stream that can only be navigated by very shallow boats, and then there are drifting quicksands in the river that make the navigation absolu-

tely uncertain. Only two companies have, in past years, run boats up that river, the Alaska Trading Company and the American Trading Company. Those two companies have a monopoly of that trade. They use very shallow boats, and hon. gentlemen will remember last year, in sending up supplies in September to the Canadian portion of the Yukon, the boats were stopped on the way and United States miners took possession of them, and that was the cause of the food famine at Dawson, because the miners had taken possession of the supplies on the boats and appropriated them to their own use. Hon. gentlemen read the newspapers, I suppose, and I was rather surprised to-day, and somewhat gratified, to read a despatch from Victoria yesterday, in which it was stated that the routes by Dyea and Skagway had to be abandoned and the people were flocking to Wrangel. It is headed "All Canadian Routes are best; 5,000 people at Wrangel."

Hon. Mr. LOUGHEED—How are they going? By the sleigh roads?

Hon. Mr. SCOTT—By the sleigh roads. Hon. gentlemen smile. Mackenzie & Mann have had a large force at work there. The Stikine is like the St. Lawrence and the Ottawa; there are some times thaws in winter when water is on the ice. That was the case a week or two ago, but notwithstanding all those embarrassments the Stikine is bound to be a preferable route to Dyea and Skagway.

Hon. Mr. FERGUSON—What report is that?

Hon. Mr. SCOTT—It was in the papers last evening. I cut this out.

Hon. Mr. FERGUSON—Who makes that report?

Hon. Mr. SCOTT—It is headed "Vancouver, British Columbia," and is as follows:—

Despite all the statements made by the Seattle journals.

I hope the Seattle journals had no allies in Ottawa—although they had one yesterday.

Despite all statements to the contrary that are being made by Seattle journals, the all-Canadian route by way of Vancouver and Stikine River to the Klondike is the best after all. The Canadian Pacific Railway sent up north its Yukon agent, Mr. H. B. Carter, to specially look into the matter of the routes and the customs question. Mr. Carter went in via Skagway, made the White Pass in a day on horseback; returned to Skagway the following day, and went on to Dyea and Sheep Camp; then he came back to Vancouver via Wrangel.

Hon. Mr. MACDONALD (B.C.)—That is quite true, but those in the rush to Wrangel cannot get up the Stikine.

Hon. Mr. MILLS—They drove 54 miles yesterday.

Hon. Mr. SCOTT—What attracted my eye was "5,000 people at Wrangel."

Hon. Mr. MACDONALD (B.C.)—Yes, they were there.

Hon. Mr. SCOTT—It appears now Dyea and Skagway are impassable—they cannot get across. This article proceeds:

Mr. Carter states that Inspector Strickland was well established on the Summit. The Canadian flag is flying on the Summit, and there was twenty-two members of the mounted police there to help the Klondikers and keep order. As to the trails, he stated that Skagway Pass is breaking up, and men are leaving there to go to Wrangel and up the Stikine. As far as Dyea is concerned, the Klondikers are stuck at Sheep Camp.

Major Walsh is still at Lake Bennett. Over five thousand people are at Wrangel. Mr. Carter states that the much advertised wagon road at Skagway is a myth, while the electric tramway is not in operation at Dyea yet, nor likely to be for some time.

Washington, 21st March.—Information has been received by the War Department that the rowdy element of Alaska have seized Bennett's road, leading to and over the White Pass, and have placed the country in a state of terror. Instructions were telegraphed yesterday to General Merriam, commanding the Department of Columbia at Vancouver Barracks, to order the infantry garrisoned at Skagway to take proper steps for the protection of persons and property in the disturbed region, regardless of the expense attending such a movement of troops.

Conception, Chili, 22nd March.—The Canadian Pacific Railway steamer "Athenasian" passed here Saturday for Vancouver, to ply in Wrangel route to Klondike goldfields.

Hon. gentlemen will remember that those routes which are now so glibly talked about, Dyea and Skagway, were unheard of six months ago. I think it was only in the month of August that Dyea and Skagway were first heard of. Gentlemen talk about them as if they were well known routes and the only feasible way of getting into that country. Supposing the government had come down and proposed that we should build a railway connecting with one through the United States territory, what would senators have said? I say through the United States territory because the Americans have got possession of it. Twenty odd years ago we endeavoured to have the line of demarka-

tion between the two sections of the country marked out. They made promises to take some action but have done nothing from that time to this to settle the boundary: they never would come to an agreement. We cannot take that great country by the throat. We cannot take possession of lands that they are already in possession of the United States. It would lead, of course, to a hostile attitude which would be very unfortunate. Hon. gentlemen who read the newspapers know that from time to time we are threatened by Congress that a measure will be adopted to do away with the bonding system. The great railways, the Northern Pacific and the Great Northern, that feel the competition of our lines have strong influence at Washington and are constantly bringing it to bear, which makes it exceedingly unpleasant in dealing with the United States, so that we could not afford to come down here with a measure for reaching the Yukon through United States territory. We should have been condemened most certainly, and would have deserved to be. We would have preferred the Edmonton route if time was not pressing. The 1,600 miles from Edmonton made it impossible to consider.

Hon. Mr. BOULTON—One thousand three hundred and forty-two miles as put down by Mr. Ogilvie.

Hon. Mr. SCOTT—One thousand six hundred is the distance, I think.

Hon. Mr. LOUGHEED—It is only 1,000 miles to the Pelly River.

Hon. Mr. SCOTT—Some time in September last we sent through a detachment of police, with two surveyors and a body of men, in order to test the Edmonton route.

Hon. Mr. LOUGHEED—They were not surveyors; they were graduates of the Kingston Military College, receiving a dollar a day and going there as policemen.

Hon. Mr. SCOTT—I beg my hon. friend's pardon. I know who the young men are, and their capacity. They were educated at the Military College at Kingston as engineers and were sent out because they were able to take observations. The young men wanted to go to the Yukon, and they were not paid surveyors' wages. The troops left Edmonton on the 15th September.

Hon Mr. LOUGHEED—Will my hon. friend risk his reputation upon these young men being surveyors? I tell him positively they are not; they are simply graduates of the Kingston Military College. They have gone in the capacity of policemen, receiving the same pay as policemen, a dollar a day.

Hon. Mr. MILLS—Every graduate of the college is trained in surveying.

Hon. Mr. SCOTT—I am sorry my hon. friend has formed such a low estimate of the qualifications of the graduates of that college.

Hon. Mr. LOUGHEED—My hon. friend will place me in a false position by saying that I am expressing any estimate of the qualifications of the graduates of Kingston Military College. They are prepared there for military purposes. They do not graduate as engineers; they do not graduate as surveyors.

Hon. Mr. MILLS—Yes, they do.

Hon. Mr. LOUGHEED—No one knows that better than the hon. leader of the House.

Hon. Mr. MILLS—Every military man educated in the college of Woolwich, or Sandhurst, is made thoroughly familiar with the principles of engineering and surveying, to be qualified for his duties.

Hon. Mr. LOUGHEED—I suppose my hon. friend is referring to Kingston Military College?

Hon. Mr. MILLS—Yes.

Hon. Mr. SCOTT—Before the expedition left, I myself recommended one of the young men. I had inquired whether the two young men who went with that expedition were capable of taking observations, and was assured that they were capable, having passed through the college at Kingston. However, that is splitting hairs. The main point is that that expedition left on the 5th of September and we do not know where it is. A few days ago I saw a statement by a miner, who had come out that way, made to a Montreal paper, in which he said that he would not wish his worst enemy to be caught in that country. They had to kill their horses. They had been subjected to all sorts of difficulties. I do not wish to decry the Edmonton route——

Hon. Mr. LOUGHEED—You are doing it as fast as you can.

Hon. Mr. SCOTT—You have forced me to make this statement. I do not take any stock in all the statements that are made, but, at all events, it is not the easy-going route that some hon. gentlemen would paint it. There is the fact that a detachment left here in September last, and they were not heard of, except that in December they had gone some four or five hundred miles, but nothing has been heard since then. Will any hon. gentleman name a feasible route other than the Stikine that is within British territory?

An hon. MEMBER—Port Simpson.

Hon. Mr. SCOTT—That is a part of the route that we have selected. At Observatory Inlet—which I thought was about 200 miles but an hon. gentleman speaking this afternoon said it was 300 miles further south——

Hon. Mr. MILLS—It is not so much.

Hon. Mr. SCOTT—That I think was an extreme opinion. Would not it have been folly and madness if this government had commenced to build a road at Observatory Inlet, which would have taken them at least two years to reach the Stikine River, when they can go up the Stikine River, where navigation is open in the month of May? In two or three days it is a comparatively easy matter to get over the trail through to Teslin Lake. The United States authorities have not questioned our right to navigate the Stikine. Some hon. gentlemen are constantly interjecting statements that we are dependent upon the United States at Fort Wrangel for transhipment. I deny it. I am quite aware that the United States Senate passed a bill that contained a clause, known as number 13, in which they dictated certain terms upon which we were to be allowed to use Fort Wrangel. But the good sense of the House of Representatives has not permitted the bill to pass, and if it did pass, it would be contrary to the treaty which exists between the two countries. We know very well that both of those bodies very often act on influences that, for the moment, affect them, but in their better judgment, they do not carry out those preposals.

Hon. Mr. MACDONALD (B.C.)—What has become of that bill?

Hon. Mr. SCOTT—I do not know what has become of it.

Hon. Mr. BOULTON—Has the United States government ever refused parties entering by the Lynn Canal to cross its territory?

Hon. Mr. SCOTT—What they did was this. They allowed us to go through by employing one of their officials at six dollars per day and three dollars a day for his expenses. That amounted in many instances to more than the duty—in some cases to sixty or seventy dollars. They did not accommodate by allowing an agent to take large parties, but insisted on each person going being accompanied by a man at a cost of nine dollars a day. In the first place, they insisted upon our entering at Juneau, and it was at our instance that they made Dyea a port of entry. Before that time Dyea had not been heard of, but still the arrangement was subject, of course, to the embarrassment of our having to pay a United States official this very large sum in order to see that a Canadian crossing the United States fringe of land went through into Canadian territory. Of course it was often cheaper to pay at once the United States duty than to submit to this large charge.

Hon. Mr. FERGUSON—Was not the duty repaid at the boundry?

Hon. Mr. SCOTT—No, not at that time.

Hon. Mr. FERGUSON—It is now?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BOULTON—Suppose a railway was built from the head of the Lynn Canal, would not that disappear? Would not the United States give us facilities for entering the country?

Hon. Mr. SCOTT—They might or they might not—that is the difficulty. If we could have got the bonding system on any basis that would be reliable I would at once have hailed it as a satisfactory settlement of the difficulty. The easiest and simplest way to get into that country is to go as far north as possible and cross the U. S. Territory. The Pacific Ocean is

open all the year round, and the best way to reach the Yukon country is to go to the highest possible point by sea and get access to the country, and that is the route which would be best in the interest of both countries. If the United States government would come to some permanent arrangement with us, that would be the common sense way to do; but if hon. gentlemen will look back on the history of this section of country they will realize the difficulties we have had from time to time in dealing with the United States. It is not so long ago since we had difficulties in the North-west, and wanted the United States government to allow us to pass our troops through their canal at Sault St. Marie, they refused—they would not permit us. Should we be placed in that humilitating position again, where the bonding system is not subject to a treaty that was going to last for a very considerable period, and where it is likely to be broken up at any time by the caprice of Congress? It would be altogether too insecure, and this House would be the first to condemn us if we spent the money of this country in building a railway through United States territory without having some positive permanent arrangement. Besides, has not the Jubilee year developed that happy sentiment that Canada should be independent of the United States, that we ought to be at least self-reliant enough, when we want railways, to build them through our own territory? We had the opp rtunity there. This link between Stikine and Teslin Lake was a mere link in the line of route. If it had answered for a few years, it would have been unnecessary perhaps to build the line further south. If that country proves what we hope it will prove, it will, of course, be the policy of the government to extend the railway down to an ocean port and British Columbia. This was the condition of things when the Minister of the Interior went out to the coast to meet Mr. Ogilvie on his way down, taking with him Mr. Jennings—he either went before or followed Mr. Sifton—to make a report on the Stikine and Teslin Lake route. Mr. Jennings went there when it was impossible to take any topographical view of the country; it was covered with snow and ice, and he made a very cursory examination of it. He obtained information as to the character of the river, and satisfied himself that navigation with shallow boats was feasible. Mr. Jennings made his report only in the month of January. In the meantime, several influential parties made propositions to the government for the construction of this railway. The first one was made by Mr. Kersey. He offered to build a wagon road and railway. The wagon road was to get $1,000 a mile and the railway $6,000 a mile subsidy on condition that British Columbia assisted. There were some further details—a block of 1,500 acres was to be given him, but the principal point was that a land and money subsidy was expected from British Columbia. Mr. Kersey did not withdraw his proposition until some time in January, when, finding that the government asked him to up put a quarter of a million dollars security, he asked for time to consult with his principals in London. On consulting with them they declined to accept, the whole transaction was too hurried and they would not entertain it. Mr. Kersey was given an extension of time to enable him to hear from his principals and this was his letter withdrawing his offer before the contract was entered into with Mackenzie & Mann:

OTTAWA, 23rd January, 1898.

SIR,—With reference to the offer which I made to you on behalf of my syndicate in early December, and to the conversation which I had the pleasure of having with you on Friday last, in relation to the construction of a wagon road and railway from Glenora to Teslin Lake, I have to advise you, after consultation with London, that we deem it inadvisable to make a further offer to the government, which would, of necessity, involve the guaranteed completion of the line by the 1st of September next, and which offer would have to be based on a land grant, unaccompanied by any cash subsidy.

I have to thank you for so kindly postponing action to enable me to communicate with my friends in England, and have the honour to remain,

Your obedient servant,

(Sgd.) H. MAITLAND KERSEY.

The Honourable
Clifford Sifton,
Minister of the Interior.

The next proposition came from Mr. Allison, who professed to be acting also for a syndicate. However, he declined to build a railway at all from the Stikine, but said his company would build from Skagway or Dyea to a point on Lake Bennett. His proposal was that they were to have a right to charge toll for the use of the wagon road:

That your petitioners should have the right to charge such toll for the use of said wagon road and upon a schedule of tolls as they may hereafter decide.

That your petitioners ask for no assistance or subsidy for the building of said wagon road, but as fast

as the said company constructs its railway from the boundary of the North-west Territories along the border of Teslin Lake and up the Hootalinqua River, it shall be entitled to obtain patents of alternate sections of twenty-four miles square of the unconceded lands belonging to the government for each ten miles of road constructed along the valley of the Pelly River, with all the mining and mineral rights and timber thereupon, until the full and final completion of the road to Selkirk; in other words, as the construction of the road from the boundary between British Columbia and the North-west Territories up to Fort Selkirk progresses, the allotment of alternate sections shall be earned along the valley of the Pelly River, the construction of each ten miles of completed railroad entitling the company to alternate sections of twenty-four miles square.

Mr. Allison's proposition was this: he wanted a subsidy of a block of land 24 miles square; that would mean a subsidy per mile of 36,864 acres, that was 11,000 acres per mile more than the Mackenzie & Mann contract calls for, but it was a route that the government would not approve of if everything else had been satisfactory. Then we have heard, and it has been stated here openly, that Hamilton Smith made a proposition. I deny that emphatically. Hamilton Smith made no proposition whatever, directly or indirectly, until after the contract had been let to Mackenzie & Mann.

Hon. Mr. McCALLUM—He did not have a chance.

Hon. Mr. SCOTT—He did have a chance. He was here some time in the month of December, I do not recollect the date. He stated that he had, through a friend, communicated with Mr. Sifton. He was afterwards asked who that friend was, and he gave the name of his friend as Sir William Van Horne. Sir William Van Horne was asked whether the statement made by Mr. Hamilton Smith was true, and he emphatically denied it. Mr. Sifton also denied it. Surely if this matter was of sufficient consequence, a matter involving the expenditure of millions, it should be put in writing and submitted to some member of the government. He says, "I made an offer through a friend," but that does not authorize that friend to make a statement. Sir William Van Horne was most positive in his denial when asked whether the statement was true. I need not read the correspondence. I suppose hon. gentlemen have all seen it. It has been all printed and published. I believe the facts were that Sir William met Mr. Smith and travelled with him in his car; they had some conversation, but Mr. Smith did not authorize him, according to Sir William Van Horne's statement, to make any proposal in reference to this matter. I submit that in so important a matter, involving millions, if there was any seriousness about it he would put his offer in writing, or take the trouble to go and see the minister. Sir William's letter reads:

DEAR SIR WILFRID,—In reply to your inquiry of this day I beg to say that I have never communicated to Mr. Smith nor anybody else any proposition from Mr. Hamilton Smith pointing towards the building of a railway to the Yukon district, nor had I any authority from him to make any such proposition.

W. C. VAN HORNE.

Hon. Mr. MACDONALD (B.C.)—The minister admits Sir William told him something about Mr. Hamilton Smith.

Hon. Mr. SCOTT—No. Mr. Hamilton Smith is a gentleman well known. He might have said "will probably call upon you" or something of that kind, but no reference was made to the contract. Mr. Smith did not call and Mr. Sifton did not see him. There is the pith of the whole thing.

Hon. Mr. McCALLUM—Why did not the government publish to the world that they wanted to build the road?

Hon. Mr. SCOTT—Who were the contractors that knew anything about this country? There were not as many men as you could count on your fingers who could make a proposal to build the road? The only men were those who had been up there, Kersey and Allison. They were the only men who were capable of making an offer, the only men who knew something about the country. Put yourselves in the place of the government at that time. They knew nothing about this country. No survey or exploration had ever been made. They had only the vaguest information contained in reports.

Hon. Mr. McCALLUM—I do not wish to interrupt the hon. gentleman, but I do not want him to put half the case and leave the other half. Did not Mr. Hamilton Smith write to the Prime Minister of this country on the 16th February, 1898, about this matter?

Hon. Mr. SCOTT—That was after the contract was executed. I suppose lots of

people would write now; I have no doubt they would.

Hon. Mr. McCALLUM—I think they will have a chance. I hope so.

Hon. Mr. SCOTT—On the 16th February Mr. Smith writes concerning the Stikine route and advises the route from Pyramid Harbour. I dare say, in a commercial sense, if we owned that route it would be the best, because it enables one to reach the Pacific Ocean further north, but under the conditions I have just described, and affected as we would be by the bonding system, it would be impossible to consider it. At all events, it was after the government had entered into the Mackenzie & Mann contract. The Government entered into that contract because they believed the firm were good contractors, and they believed it was in the interests of the people of this country to have the road built. We regard it as worth a great deal that access should be given to that country at any rate inside of the year. There were rumours of a famine a short time ago, and there was a certainty that it would be absolutely impossible to get food up the Yukon River for the people in that region. The boats only make two trips a year, and only carry small cargoes—and the Yukon is a river with drifting sandbars, and very few pilots know the route. With all those facts staring us in the face, we felt it was our duty, if we wanted to encourage people to go into that country, to open up a route by which at least for two months of the year 1898, ready access could be had to that country What will be the consequence if the Senate throws out this bill? There will be 50,000 people, who intended to go into that country, that cannot go there; I do not care what route they take they cannot get there. It is a matter of physical impossibility. In view of the absence of food, it is found necessary to stipulate that no one should be permitted to go in there unless he carried a certain quantity of provisions, namely, a ton, but how is he to carry it? He cannot bring a man to help with it all the way, because that man would have to take his ton too, and there is no way of getting it in—no possibility of it.

Hon. Mr. McCALLUM—Are you going to do it by this tramway?

Hon. Mr. SCOTT—Thousands of people are rushing from Japan, Australia and from various parts of Europe into that country. Will twenty per cent of those people get through to Dawson City? No, they will not. Dyea and Skagway, are both broken down. The rush is now by the Stikine—that condemned route. That is their only recourse now, because the contractors have had a very large force of men on there. It stated that there are thousands of men along the line, men living in tents on the Stikine River, hoping the contractors will open this road through to the Teslin Lake. Now if all those people are going to be stopped, what will be the effect? It will affect very largely the industry and commerce and prosperity of Canada for 1898.

Hon. Mr. BOLDUC—Will there be a road built there?

Hon. Mr. SCOTT—Certainly Mackenzie & Mann have a large force, 1,500 men in there now.

Hon. Mr. BOLDUC—Who is going to pay for the wagon road?

Hon. Mr. SCOTT—The contractors are going to pay for a sleigh, and they pay a pretty large price for it with labour up to $6 a day. You do not suppose it is going to be upon the basis of the calculation by Mr. Jennings of the cost in Ontario or Quebec.

An hon. MEMBER—Who is going to pay the contractors?

Hon. Mr. SCOTT—They are going to take their chances.

Hon. Mr. McCALLUM—Is the government gambling away the interests of the people of this country?

Hon. Mr. SCOTT—We are not gambling away the interests of the people of this country. The rocks and gold are not valuable to the people of the country unless they are separated. The rocks have no value and 99 per cent of that country is absolutely valueless. I venture to say there is not one-half of one per cent of that whole area that is valuable, and the contractors are taking a very great risk. They know it.

Hon. Mr. LOUGHEED—Have the government any official information that this sleigh road has been commenced?

Hon. Mr. MILLS—Yes.

Hon. Mr. LOUGHEED—May I ask how recently they received it?

Hon. Mr. MILLS—I saw a telegram to-day.

Hon. Mr. SCOTT—The contractors have gone on in good faith, under the belief that the people of Canada, through their representatives, would recognize and appreciate the importance of having a quick communication to that country. It is not a matter of a million or two millions or three millions. The set back we will get, if this project is not carried out, will be much more serious than two or three million dollars. Do hon. gentlemen doubt that fact? Do they not recognize that if the boom bursts now, because of the inability of the people of Canada to cope with what might be called a difficulty, it will recoil upon the people of Canada, and will not every business man in Canada, from one end to the other, regret the action taken by this House? Hon. gentlemen are very solicitous for the miners in that country. Who are the miners? Ninety per cent and more of the miners in that country are foreigners. These are the men we are asked to be so solicitous about. Who are getting the benefit of the gold in that country? If gold is obtained and put in the pockets of the miners, the larger portion of it goes out of this country. Hon. gentlemen know that very well. Will one per cent of the five millions of people in Canada get any direct value out of the Yukon? I say, unhesitatingly, no; not one per cent of the people of Canada will get any benefit whatever directly out of the Yukon district, simply because the people who go there from Canada are a very small fraction of all that are going in. In the next place, they are but an infinitesimal fraction of the whole of the people of Canada. But is not Canada to-day getting the benefit of the Yukon discovery? Is there a town or city in Canada that is not realizing some benefit from it to-day? Is there a woollen mill in Canada, from one end to the other, that is not working day and night to meet the demand? Are not the Canadian factories working overtime? Are not the importations swelling far beyond what they have ever been before?

Hon. Mr. McCALLUM—Surely you do not want credit for that?

Hon. Mr. SCOTT—Why are these large importations being made? It is under the belief that there is to be a large immigration into Canada, that the people will want goods suitable for their purposes.

Hon. Mr. McCALLUM—The gold is there.

Hon. Mr. SCOTT—It has been there thousands of years, but the gold has been of no value to the people of this country in years gone by. The hon. gentleman may say what he likes, the gold is valueless, until it is taken out of the ground. And whether it is taken out by Mackenzie & Mann, or by the gentlemen who so ably addressed the committee of the Senate, makes very little difference so far as the general interest is concerned. In one case the foreign miner will take all the gold he can out of the country; he does not propose to remain there, he means to get out of it as soon as he can, as soon as he has accumulated his pile. I will just call attention to a few facts here which will sustain what I am saying, that every industry—industries that are not aware of it—is to-day receiving the benefit of this boom, owing to the Yukon discoveries. In various localities new industries are being developed. Here is an industry that will be a most valuable one in future—putting up dried vegetables and fruits, an industry in which we are able to compete with the world, an industry which will live long after the Yukon boom has been forgotten, long after all the gold has been taken out. That industry has been created simply because there was a demand for it. Dried foods are necessary, as are other special foods, for people in the Yukon. All those industries referred to have not only been generated, but old industries have been stimulated by the boom. Now, I take it, the importations for the month of February are important. February is generally a very poor month—certainly it is not one of our best months; yet our imports last February were over $10,000,000. In the corresponding month of 1897, which we thought was fairly good, the importation was only $7,710,000. Hon. gentlemen will see the extraordinary rise in that one month. Is not that an indication that there are people importing to meet the occasion? Take up all the other returns, and they point to the degree of prosperty the country is going through owing to this discovery, and

the indications are just as plain and clear as the trade report which I have just read. Do hon. gentlemen not know that the transportation companies are all burdened with carrying passengers and freight; that their ordinary trains are divided into two, three, sometimes four sections? They are not able to carry all their passengers in a single train—all rushing to that country, all buying largely of supplies. I saw the other day that the Indians in the country behind Quebec had been kept busy night and day making moccasins and snowshoes. I also saw that at Peterborough an order had been given for three or four hundred canoes. Now I ask you to think how trade has been stimulated by the probable boom, and some hon. gentlemen want simply to snuff that out.

Hon. Mr. MACDONALD (B.C.)—All that wonderful impetus in trade is quite true, but it has taken place without the Stikine route at all, and if that Stikine route had never been heard of that would have gone on just the same.

Hon. Mr. SCOTT—The trade has not got there. There are more than 10,000 people at Dyea, Skagway and Wrangel.

Hon. Mr. MILLS—There are 12,000.

Hon. Mr. SCOTT—How are they to get on? This road will render starvation next winter impossible; sleigh roads will be kept open during the winter. Do you mean to say that communication between Teslin Lake and Telegraph Creek will stop simply because snow and ice would impede the way? Not at all. When people once get in there the passes are over; several companies will be prepared to put on teams of one kind or other. Now, in doing as we did, we acted as any government would do. It was idle to talk about waiting for parliament. Parliament has the right to condemn this bill if it sees fit, if it believes that it is not one conceived in the interests of the country. If you think it is not going to be in the interests of the country, your better judgment will lead you to throw it out, and that is what you ought to do. I do not at all approve of the remarks outside that have been passed on this Senate. It was very improper for the Grit papers to criticise, as they have been doing and it is injurious to the interests of the Grit party. This House is made up of a body of men who have good sound judgment, and when acting apart from influences political, I have no doubt that their judgment will guide them in the direction their conscience prompts them; but I did feel it was a little unfortunate that it should go abroad, as announced, that the bill was to be thrown out. I did think it not very good taste that the correspondent of a San Francisco paper should be brought within the Senate in order that he might denounce the Stikine route and that he might boom a route through United States territory that helps San Francisco and is an advantage to United States transportation. We know very well that there is very great rivalry between San Francisco and Victoria, between Portland and Vancouver and other Pacific points. This gentleman was sent last year to the Yukon to represent a newspaper. He reports for, I understand, two papers, the New York *Journal*, and the *Examiner* of San Francisco. There happened to be a miner here yesterday, who, I see, has addressed a letter to the Senate which hon. gentlemen have probably seen. The writer of that letter, Mr. Slavin, is pretty well known. He was a miner in Australia and New Zealand and other parts of the world, and he was appointed a delegate at this same meeting when Mr. Livernash was appointed. He felt it was impossible for him to be at Ottawa at the proper time and declined to act. He tells us that the object of the meeting was to have a change in the regulations, that the government had as he thought, unwisely reduced the length of the miners' claims to 100 feet, which had formerly been 500 feet, and in the opinion of the miners the regulations should be so changed that the claim of 500 feet should be continued. They also represented that the royalty was enormous. Some hon. gentleman has said there was a royalty of one per cent in Alaska. I was under the impression there was not; there was none in California. The highest royalty I have heard of on this continent was two per cent; I think that is the royalty in Nova Scotia and has been the royalty elsewhere. What prompted us to put on the royalty was the fact that there were, in certain districts—Bonanza Creek for instance and on special tributaries—placers where men were said to have picked up $50,000 or $100,000 in a season; and it did seem to us that if a man

who, without artificial appliances—simply a pick and spade and sluice-box—could gather in from $50,000 to $100,000 in a few months, if the people of the country got ten per cent of that, it was only reasonable and fair, and the miner was getting very large results for his labour. The circumstances were unusual. Of course, in all these cases the realization of royalties is very uncertain. We may not be able to collect the royalties to the full extent, but we hope to collect considerable. Mr. Slavin says no mention of the proposed railway was made at the meeting where the delegates were appointed. In his letter he says :

> The question of transportation was not discussed and no authority was given any one to make representations to the government in reference to transportation.
>
> I may say, however, without any qualification, that the miners are deeply interested in easier access to the Yukon district by rail, and that they will hail with delight any method by which communication can be opened during the present year, and I do not believe that any serious objection would be urged by the miners to the land subsidy proposed to be given to Mackenzie, Mann & Co.
>
> That the establishment of early communication with the Yukon district is a most important matter in the opinion of the miners in the district, and in my judgment the necessity for the railway would, in the opinion of the miners, fully justify the proposed subsidy to the coutractors. A railway is immediately wanted at any price.
>
> I know Mr. Livernash. He came to Dawson as the representative of the San Francisco *Examiner* and of the New York *Journal*, and it was urged as a reason against his selection as a representative delegate that being an American citizen and representing American interests he would be disposed to take an American view on any subject where there was a conflict of interest.

Hon. Mr. MACDONALD (B.C.)—Who is Slavin ?

Hon. Mr. SCOTT—He is a miner.

Hon. Mr. LOUGHEED—And a United States citizen.

Hon. Mr. SCOTT—The name would indicate that he was from across the ocean. Slavin I think is an Irish name.

Hon. Mr. MACDONALD (B.C.)—When Mr. Livernash addressed the meeting Mr. Slavin was in the room and had not the courage to open his mouth, and then in this sneaking way he addresses a letter to the Senate.

Hon. Mr. POWER—That is a highly unjustifiable and improper statement for the hon. gentleman to make. Mr. Slavin came in with a member of the House and sat at the table, and there was no sneaking about it. I do not wonder that Mr. Slavin, a modest man, did not venture to speak there, because members of the House could hardly get a hearing when they differed from the correspondent of the New York *Journal*.

Hon. Mr. MACDONALD (B.C.)—Slavin said nothing there, but he sneaks in here behind the backs of the other people with this paper that has been read.

Hon. Mr. MILLS—I think it was highly improper for that man to go there and oppose the measure.

Hon. Mr. SCOTT—He says :

> I know Mr. Livernash. He came to Dawson as the representative of the San Francisco *Examiner* and the New York *Journal*, and it was urged as a reason against his selection as a representative delegate that, being an American citizen and representing American interests, he would be disposed to take an American view on any object where there was a conflict of interest.

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman to say that he came here as the representative of the San Francisco *Examiner*.

Hon. Mr. SCOTT—I said he went to Dawson City as a representative of the San Francisco *Examiner*.

Hon. Mr. MASSON—I was at the meeting which Mr. Livernash addressed, and the gentlemen were asked, I think it was by the hon. member from Halifax, for their credentials. They gave credentials that satisfied us that they represented the people in the Klondike, while Mr. Slavin did not appear to be the representative of anybody but himself.

Hon. Mr. SCOTT—Mr. Slavin mentioned that he was named as a representative but declined to act.

Hon. Mr. MASSON—The others were Canadians.

Hon. Mr. SCOTT—They were asked to come to Ottawa to make representations on the question of royalty and the size of the claims. Beyond that they had no power. Now, I will say a few words in reference to the question of the subsidy. Ground has been taken that the subsidy is too large ; in fact it is said that it is a blanket on the whole country, that if this contract goes into effect, mining interests are practically

destroyed in this country. I deny that absolutely and emphatically. The percentage that those contractors will take is not more than five per cent of the whole country, and how the remaining 95 per cent can be absolutely annihilated and the miners' interest destroyed, is, of course, a problem that I leave to the hon. gentleman who made the statement to answer. There was, of course, and there always is in those cases, a good deal of difficulty where a land subsidy is given in a country like that. In an agricultural country, it does not apply, but in a country like the Klondike region, there would be a difficulty, naturally, in arranging with the contractors as to how the lands were to be taken. The final arrangement was that blocks of land 24 miles in length by 6 miles wide should be located, where the contractors indicated, provided the land was open to location. They had to take in that series, 46,080 acres. There are only eighty-two blocks of that kind in a series to give them the quantity; they have no alternative. If they found, for instance, a good quartz mine, the line would have to run 24 miles in one direction or another, and in order to get that one good acre, if there was only one good acre, they would have to take 46,000 acres of what might be valueless land.

Hon. Mr. McCALLUM—We hope they are all good acres.

Hon. Mr. SCOTT—That is too much to expect. Any of us who saw the views at Mr. Ogilvie's lecture will recognize the vast proportion of barren rock. At all events, that is the position of it. Mr. Livernash says that this arrangement gives them a blanket to cover all the mining interests in that country. Now, as a fact, where claims are taken up in what are called gulches or dry river beds, the gold is found within a limit in width of about 300 feet. They would have to take six miles on each side of the centre line in order to get that 300 feet. The general impression is that the value is in the centre of the gulch. If it is a good location, then there is a reserve to the people of this country of at least one-half of the land within that series—that is, the Crown reserves 46,000 acres, and the contractors get 46,000 acres out of the series. That 46,000 reserved to the Crown is open to ordinary miners. They have the advantage of the prospecting done by the contractors, and that would be a very great advantage. It has been announced that they are going to take all the wood on this series. They can do nothing of the kind. They have no right to enter upon the even sections. They get the odd sections on 82 of these series, and the 82 would give them the land grant. To give one an idea of the vast extent of that country, and how futile it is to talk about this land grant absorbing any considerable area, taking it longitudinally, the distance covered in length by this series, including the government reserve and the contractors claim, would be 2,000 miles. Will hon. gentlemen believe that if they take one river alone, the Stewart River, which is said to be one of the very best rivers in that country, they could get the whole claim in that river and its tributaries. Reading from the Klondike official guide of Mr. Ogilvie, I find at page 88 the following description of the Stewart River:

> Stewart River itself is a stream from 100 to 200 yards in width, and it is said about 400 miles in length. Its affluents will aggregate as much more, say 800 miles or in round numbers say 1,000 miles. The smaller streams and gulches will aggregate possibly as much more, say 2,000. Now the Stewart River enjoys the reputation among the old hands in the district of being the best paying dirt in the country. When it was first mined on, many miners took from $30 to $100 a day out of the bars along the river, by ordinary rockers, and since that time prospectors never failed to find what is called a grub stake that is, sufficient to purchase provisions, clothing and other necessaries for one year, on its bars. They are cleaned off from year to year and the wash of the river seems to renew the deposit of gold. Now this gold must come from somewhere, and prospecting never yet revealed from where.

I merely quote that to show hon. gentlemen how little importance can be attached to statements made by gentlemen like Mr. Livernash, who says that giving the subsidy to the contractors will practically annihilate the interests of the free miners. As far as the interests of Canada are concerned, it matters very little who works the mines in that country. For all but a few of our people the advantages will be purely indirect, in the stimulus given to trade. One would like, of course, if more Canadians would go into that country, if there are large benefits to be derived from it, but the chances are that by Mackenzie & Mann going in there, Canada will get a larger proportion out of the areas reserved than if it fell into the hands of ordinary miners, because ninety per cent of those in there now, and likely to go into that country in the future, will be

aliens. If the same proportion continues, and we adopt no alien labour law, as we are not likely to do, the people of Canada will have to look to the indirect benefits.

Hon. Sir. MACKENZIE BOWELL—How will that affect the percentage, whether they are foreigners or British subjects?

Hon. Mr. SCOTT—The percentage is a very uncertain thing. The subject gave us a very great deal of consideration, and we came to the conclusion that the best way for this country to realize anything was by reserving alternate blocks. If it were shown that gold was found on either side of a river, it was pretty good indication that gold would be in the reserved blocks, and those blocks would be put to auction and it is believed that the country would largely benefit by the sale. That principle has been followed most closely in the arrangement with the contractors. I have seen it stated that there was a clever device that the government would not see through, by which if the lines were run at angles on the stream it would enable the contractors to take up the whole bed of the stream. You do not suppose that the Minister of Interior and the government are children to be taken in in that way. The whole principle of this bill is that we are to have alternate blocks. We consider we will be largely benefited by the alternate blocks falling into the hands of the contractors, who, for their own interests, will prospect them and put money into them for their development. A large proportion of them will require considerable capital to work them. I hope in the future it will be found that the quartz mining in that remote country will attract a large amount of capital.

We have not yet decided that we will charge a royalty. It may not be good policy to do so, for royalties have not been charged in quartz mining elsewhere. In California, if I correctly recollect the history of that country, there were no royalties charged, and the benefit California got out of the gold boom was the large amount of money that was spent in the country in taking out the gold. Of course, California had advantages that the Yukon has not. It was a good country to settle in. It was capable of sustaining life, the land was rich and a good fruit country. We know the Yukon district is only good for minerals. No man who goes there proposes to remain any longer than he can accumulate his pile. But it may be that some of these quartz mines will prove just as valuable as the Comstock lode from which Fair and McKay and their colleagues got so many million dollars. Now the State got no particular benefit from them except the expenditure of these men while they were there, and the same results will flow from the development of the mines in British Columbia. I do not propose to go further than to express the hope that hon. gentlemen will give this matter a business consideration—as was so very graphically and fairly set forth by my hon. friend the member from Toronto this afternoon, it is a matter of business with the people of Canada. If you think that it is not in the interests of the people of this country that facilities should be given to get into the Yukon district this year, why of course you will throw out this bill, but I can assure you the effect will be that there will be from 40,000 to 50,000 people that will not be able to get in, and if they did get in, there would be no way of supporting them next winter, because it is simply impossible—and I challenge any hon. gentleman to contradict it—to get food into that country for a very considerable body of men. We know the transportation companies did all they could last year to get food in to the Yukon. We know it has been the problem during this winter to get food in there for the few people that were there, the mounted police and others. Major Walsh had to relieve people from starvation, and the consequence was that, although he had a large quantity of food, he was obliged to buy more, not to meet his own wants, but the wants of people who had rashly gone in, thinking they would find food in the country. It seems impossible to comprehend that there should be want of food in that country, but there is the fact, and it rests entirely with this House to say what is to be done. My hon. friend beside me observes what is to become of the forty or fifty million dollars worth of goods that are lying in stock to sell? If they are not sold it will bring on a collapse, bring on a crisis in Canada which would be extremely unfortunate. Hon. gentlemen cannot point out any alternative that the government could adopt if the bill is thrown out. They are absolutely powerless.

Hon. Mr. MACDONALD (B. C.)—I can point out about the food supply.

Hon. Mr. SCOTT—Unless they get down on their marrowbones to the United States and beg some concession from them, they can do nothing; but that has been tried before, and would not work and we must have some respect for the honour and dignity of this country. We have more than once endeavoured to obtain concessions from the United States. I was turning up correspondence the other day where 20 years ago we were endeavouring to induce the United States government to get this boundary settled. All they would consent to do was to make a provisional boundary on the Stikine River. In the Sessional Papers of 1878 you will find the whole correspondence and you will find, what is very gratifying indeed, that the United States asked the Government of Canada to name a custom-house on the Stikine River, on the east side of the boundary, at which their vessels could report, and that nobody called in question the right of either country to the free navigation of the river. It was only when we attempted to bring a prisoner down, and he escaped into U. S. Territory adjoining the river, that they said we only had the use of the river for commercial purposes and not for the purpose of recovering a criminal. They were building a fire and cooking a meal when the prisoner made his escape, and the United States people held that the treaty restricted us and we could not recover the prisoner. With those observations I leave the bill in the hands of the House hoping they will give it the best consideration.

Hon. Mr. DE BOUCHERVILLE—Supposing the wagon road is built from Glenora to Teslin Lake——

Hon. Mr. SCOTT—They are building it now.

Hon. Mr. DE BOUCHERVILLE—It is to be built very soon?

Hon. Mr. SCOTT—Yes, on the assumption that this bill is going through.

Hon. Mr. DE BOUCHERVILLE—Supposing we have the wagon road, what difference would there be in the time of the conveyance of goods from Glenora to Teslin Lake, between the wagon road and the railway?

Hon. Mr. SCOTT—There is a sleigh road built now, for the purpose of aiding the contractors in the construction of the railway and assisting persons to come in, not what you call a road in our acceptance of the term, not a road on which you would drive at the rate of six or eight miles an hour. It is cut through an impervious country that consists of rock and ice and moss, and has other difficulties in the way.

Hon. Mr. DE BOUCHERVILLE—The difference between a wagon road and a railway would not be more than five or six days. With a good wagon road there should not be more difference than that.

Hon. Mr. SCOTT—Do you suppose a wagon road would carry five or six thousand tons? Utterly impossible, it will break it down.

Hon. Mr. MILLS—It is not a wagon road; it is a road for the winter season.

Hon. Mr. PROWSE—As this appears to be a very important question, I do not feel justified in allowing the vote to be taken without making a few observations and giving some reasons for the vote I propose to cast on this question. I realize, hon. gentlemen, the gravity of this House undertaking to defeat a government measure, and it being a government measure makes it, in my mind, important. If it were not a government measure, I should not consider it of very great importance at all. I feel that, if I had any doubt at all of the advisability of passing this bill, I should give the government the benefit of that doubt, and should vote for the bill. But I have given it all the study that I can, and, after thinking the matter over carefully, have come to the conclusion that there is not one redeeming feature in the whole measure.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. PROWSE—And I will be able to justify the course I am taking to the country. We find this bill is for the purpose of confirming a contract that has been made with Messrs. Mackenzie & Mann. This contract was made on the 25th January,

1898, for the building of 150 miles of a tramway.

Hon. Mr. POWER—The contract says a railway.

Hon. Mr. PROWSE—You may call it what you like, but I think it is oftener called a tramway.

Hon. Mr. SCOTT—No, a tramway is a street railway.

Hon. Mr. PROWSE—This is to be a railway three feet wide between the rails. Down in the little province from which I come—a province about one-third the size of the land grant given to this company—we have a railway of a wider gauge than this, I would not call a railway three feet wide anything but a tramway, but I would call it a trapway, because I think it will be a trap for a great many people when it is built, if it is ever built. I think if they were going to build a railway at all into that district, and if the country is as rich as it is represented to be by the government, they should have contracted for an ordinary four feet eight and a half inches of a railway. If we have the traffic in that direction after this tramway is built, which has been represented by the members of the government, I take it that that little railway would not be able to overtake one-fourth of the traffic that is to pass over it. If there are 250,000 people going in there with their supplies, and all the machinery necessary to carry on mining operations, a three-foot gauge railway cannot possibly begin to carry the supplies and traffic over that road. This contract was entered into on the 25th January last. Now, I would like to know—and it is a mystery to me—why this contract was not entered into at an earlier date. I know we have been told that they had not sufficient information, but I take exception to that statement, and I think I can prove that they had a good deal of information and a very high opinion of that country as early as May last. They had this matter under consideration in the government, and they issued an advertisement to the world in the shape of mining regulations, and such regulations I do not think will be found in any other country in the world.

Hon. Mr. SCOTT—There were regulations affecting that country years ago. They are not new.

Hon. Mr. PROWSE—I am speaking of the regulations made on the 21st of May, 1897.

Hon. Mr. FERGUSON—These particular features of them are new.

Hon. Mr. SCOTT—They are the regulations in force for years, which they have been changed from time to time.

Hon. Mr. PROWSE—I am speaking of the regulations made by this government, by the hon. gentleman himself, on the 21st May last, giving to the country the impression that was on the minds of the government of the value of that country. And what were these regulations? Among other things, an entry fee was charged of $15 for a free miner, and an annual fee of $100 for each of the following years. The free miner goes into that country. He goes over that country, up and down perhaps for weeks, months or years, at his own expense, and it is said it costs a man $2,500 a year to live in that country.

Hon. Mr. SCOTT—He would not be paying the rental if he had not a claim.

Hon. Mr. PROWSE—I am aware of that. If the hon. gentleman will allow me to make my own speech, I will give him a little attention before I sit down, perhaps. I say they exacted from the free miners in the first place $15 for an entry fee. Before he makes the entry, he goes through that country, spending a great deal of time and a great deal of money, in finding a claim. He finds one. Then he has to pay $15 for his entry for the first year, and after that he pays $100 a year, if he continues to work that claim. Not only that, but he has to pay 10 per cent of a royalty on all the gold he gets, over a certain amount, to the government. Now when any number of men, would sit down and make such regulations as these in reference to the mining industry of any country, they must have come to the conclusion first, before they passed such regulations as these, that it was an immensely rich country, to justify such regulations as that being passed. That is their advertisement to the world. What action do they take then after that to give access to that country? Not a

single thing is done until 25th January last. They did not move hand or foot, except while junketting through the country at the country's expense, neglecting the affairs of the government, when they should have been looking after the matter, and giving people of the outlying parts access to that country and giving people that were in there a chance of getting in their supplies. They did nothing till the 25th January, nine days previous to the meeting of this parliament. What was the reason that that contract was entered into just at that time, just before the House met? It is a very important matter to be decided in such a hasty way. We were told that parliament was to have met very early in January this year. It was known there was a great deal of work to be done, and it was stated in the press supporting the hon. gentleman, that parliament would meet in January, not later than the 19th. Parliament was postponed to a later day, and in the meantime this contract was entered into, which was a most objectionable matter. Hon. gentleman will remember that they found fault with their predecessors for acting just in this way on just such an important question as this. They should have avoided it if possible. If they could have put off entering into the contract until the 25th January till parliament met and submitted the question to parliament, it would have been much better.

Then this contract was given to Messrs. Mackenzie & Mann in a secret and private way. There was no necessity for that, so far as I can see. They said time was precious and urgency was their justification for making this contract in this quite—I was going to say clandestine—way. Surely if there was not time to advertise for tenders, there was time at least for them to put a notice in the papers, and let it be known that tenders would be received or offers considered. A good deal has been said about the position of Hamilton Smith, and perhaps the less the government say about that the better for the honour of themselves and of Canada. But they had an intimation given to them, and they do not and cannot deny it, that Mr. Hamilton Smith was prepared to enter into negotiations for the building of that road.

Hon. Mr. POWER—They do deny it.

Hon. Mr. PROWSE—They were given to understand that he was prepared to do that by Sir William Van Horne.

Hon. Mr. SCOTT—No, certainly not.

Hon. Mr. FERGUSON—Certainly Mr. Sifton admits it.

Hon. Mr. SCOTT—No, he does nothing of the kind.

Hon. Mr. FERGUSON—Yes, he does.

Hon. Mr. SCOTT—What a myth.

Hon. Mr. PROWSE—I will read what Mr. Sifton said :

> I said that an hon. gentleman, who, I now say, was Sir William Van Horne, being in my office one morning, said to me that there was a gentleman named Hamilton Smith who was prepared to call upon me for the purpose of discussing the question of a railway to the Yukon.

Hon. Mr. SCOTT—Did he call?

Hon. Mr. FERGUSON—That is not what the hon. gentleman said.

Hon. Mr. PROWSE—I did not say that he called. But the government had the intimation that there was a man of the name of Hamilton Smith who was prepared to enter into negotiations with the government for the building of that railway. What did they do? Did they intimate to Mr. Hamilton Smith that they were prepared to have an interview with him, that they would ask him to call and negotiate a matter of this kind? Nothing of the kind. They entered into a secret bargain with Messrs. Mackenzie & Mann, and Hamilton Smith knew nothing about it, and I think the intimation was given to Mr. Hamilton Smith that the government was not prepared just now to enter into negotiations with any one. The reason why we are asked to pass this bill is urgency. We are told first it is for the purpose of maintaining law and order; in the second place, to prevent starvation; in the third place, to secure the trade of that country for the Canadian people. As to the urgency, there is no reason in the world for it. From what I have already stated and what I have already read of the regulations that were passed on the 21st May, urgency is out of the question, because if that was really any excuse whatever, they should have entered into negotiations for the building of that railway months before. Why leave it to the middle of winter to build a railway in that

frozen country? It would be contrary to common sense.

Hon. Mr. MILLS—We had not the information.

Hon. Mr. PROWSE—Here was the advertisement on the 21st May that it was the richest country in the world.

Hon. Mr. SCOTT—No.

Hon. Mr. PROWSE—Because you will not find such regulations as this in any mining country. Miners are compelled to pay $15 of entry fee and $100 a year afterwards, and in addition to that to pay 10 per cent of their earning to the government for the privilege of taking the gold out of the frozen sand. So the question of urgency should have been considered months and months before the contract was made. And they were not satisfied with having 10 per cent of the royalty, but if the miners got more than $500 a week—and I suppose they took it for granted that all the miners would get more than that—they were to get 20 per cent of a royalty, and this is the evidence of the opinion the gentleman had of that country. They had that opinion on the 21st May last, and yet they did not move hand or foot about the giving of the contract until the 25th January last.

Hon. Mr SCOTT—Those regulations were never enforced. We never got a penny out of that.

Hon. Mr. PROWSE—So much the worse, because the government published these regulations to the world. They were an advertisement, and have been the means of bringing people into that country. As far as the second point is concerned, to prevent starvation, if starvation takes place in that district it is owing to the bungling of the present government in reference to this matter, and to no other cause as I heard Mr. Oliver say in making a speech in the House of Commons the other day. He said these people who have gone in there have common sense, and if they find, after they go there, that there is not food to be had, they will do the same as they did in the first place. They happened to go in there and they will then happen to come out and look for something to eat, if they cannot get it any other way. I ought to speak first as to the maintenance of law and order. I do not know that there is a very great deal of danger of trouble arising out in that country. I take it that most of these people who have gone into that country are men of some means, who have made some sacrifices to get there, because I take it no person has gone there without spending $500 to $1,000. They have gone there for the purpose of making money, digging for gold, and they will be as anxious to have law and order maintained as the government is, or as any other civilized people would be. We have not heard of any trouble existing in the country up to the present time. The government on the 21st May gave this advertisement to the world about the richness of that country, telling the people of the world that there was an immense amount of gold to be found there, and they never sent any of the mounted police or any officers into that country until when? Until the middle of winter this year. If the government can send in Major Walsh and his company into that country to maintain peace, law and order in the middle of the winter, surely they will be able to do it after the winter has passed away and summer comes. So I do not think the argument holds good at all that it is necessary to have a railway to send the military forces in there to keep law and order.

Hon. Mr. PERLEY—They are sending whisky in there now.

Hon. Mr. PROWSE—Who is responsible for that? It appears to me that whatever trouble may come—I do not anticipate there will be any—in reference to the Stikine River running through United States territory, the safest thing for Canada to do is to be independent of the United States altogether. I am decidedly in favour, if there is to be a railway built into that country at all, that it should go in directly from Edmonton. Of course, it would cost a good deal more money and take a longer time to build it, but if the bottom falls out of the Yukon gold district in a year or two, that route will be valuable for all time to come by opening up our great western country for agricultural purposes, which is the backbone and mainstay of the country. In my opinion that is the only proper route for a permanent way to get into that country. If Wrangel, which is situated at the entrance of the Stikine River, is a United States port,

then the Stikine River must be recognized as being under the control of the United States, and if that is the case, all the merchandise and shipping going up that river will be subject to the navigation laws, the quarantine laws and the customs laws of the United States, and we may find our people harassed and injured to a very great extent. The building of this railway in there looks unreasonable. The Stikine is a very dangerous river, so far as I can learn, it is unsafe for navigation in summer and impassable in winter even with sleighs. By having the railway built from Edmonton into that country, we known the principal part of the supplies for the Yukon will be food, and the food supply, if taken from our own country, must be produced somewhere this side of the Rocky Mountains. If we send our food supply to British Columbia to a shipping port in Vancouver, it will be subject to railway freights and will have to compete then with food supplies from Washington and Oregon. If we provide a route for the people on the Pacific coast, they will have the same advantages as our own people going in there.

Hon. Mr. MILLS—British Columbia does not want the trade.

Hon. Mr. PROWSE—British Columbia cannot grow sufficient supplies to feed her own people.

Hon. Mr. MILLS—And she does not want this trade?

Hon. Mr. PROWSE—Yes, she will want the trade. A good deal of the supplies, mercantile supplies, miners' supplies, and clothing would go from Vancover, Victoria, in by Calgary and Edmonton as well as from Montreal and Toronto.

Hon. Mr. MILLS—From Montreal to Vancouver and back again?

Hon. Mr. PROWSE—They need not come back again. All the distance they would have to come back would be as far as Calgary and then go up by Edmonton. Another feature of this wonderful contract is the monopoly of between four and five millions of acres of the very best mining lands in that country. Not only that, but this company is getting this quantity of land for building a tramway, land of the very best mining sections in the whole of that country, and they are getting it by paying a royalty of only one per cent to the government where the free miner has to pay a royalty of ten per cent. It will have this effect, in my opinion. If I was going in there as a free miner, I would naturally seek for a good mining claim, and after making a search, perhaps taking me weeks, or months, or years before finding a location, what would I do? Would I go to the government and take out a permit to mine that and subject myself to a ten per cent royalty? No, I would do nothing of the kind. I would go to Mackenzie & Mann and say, "I have found a splendid mining district; I have found any amount of gold there. If you will give me a fair show I will tell you where it is and you can make a claim for it." They would give me, in consequence, something better than a government claim with a ten per cent royalty. They are only paying one per cent. Supposing they were to say, "We will let you have that claim for two per cent, or you can have it free," Mackenzie & Mann would scoop it all up and the free miner would have a claim on better terms than the government would offer. The effect will be that the free miners will work in Mackenzie & Mann's interest every one of them, and will sell to Mackenzie & Mann, and the government will get nothing, because the miners can get better terms from the contractors than they can from the department. It is not in the interest of any eastern man to advocate the paying of a large amount of money for the building of roads in that far distant country, but I do say this, rather than have such a gambling transaction as this, it would be far better, in the public interest, to pay these contractors a fair sum for building the road and keep the mining districts there for our own people. It is my intention to vote against this contract. There are a great many supporters of the government, and I dare say some members of the government themselves, would be glad to see this bill thrown out by the Senate. I am satisfied the country will be pleased with our action, and it will relieve the government of the responsibility of this foolish contract that they have entered into, and enable them to enter into another arrangement by which access can be more easily obtained into that country.

Some Hon. MEMBERS—Hear, hear.

Hon. Mr. PROWSE—I beg of you not to cheer. Have some respect for the feelings of the members of the government. We know the rebuke the House received when the hon. gentleman from Richmond was applauded.

Hon. Mr. BOULTON moved the adjournment of the debate.

The motion was agreed to.

BILL INTRODUCED.

Bill (43) "An Act respecting the Board of Trade of the City of Toronto."—(Hon. Mr. Cox.)

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, March 24th, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

DISMISSAL OF ALFRED E. LENOIR, FISHERY OVERSEER.

MOTION.

Hon. Mr. MILLER moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, all correspondence between the Department of Marine and Fisheries, and any person or persons whatsoever, and also, all reports and Orders in Council relating to the dismissal of Alfred E. Lenoir, lately one of the fishery overseers, for the county of Richmond, in the Island of Cape Breton.

He said: I assume there will be no objection to the papers being brought down. I will reserve what remarks I have to make in reference to the subject till they are on the table.

The motion was agreed to.

REPORTS FROM COMMISSIONER WALSH.

INQUIRY.

Hon. Mr. FERGUSON — Before the Orders of the Day are called, I wish to again call the attention of the hon. members of the government to the fact that a week ago, on my motion, it was agreed that an address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate copies of all letters and reports received by the government, or any department thereof, from Commissioner Walsh on his way to the Yukon district, or since his arrival there. This motion was carried a week ago. I made reference to it yesterday, and we have not yet got the correspondence. I think that we are entitled to it. Parliament has not been fairly treated by the government in regard to the instructions that were given to Major Walsh when he went to the Yukon district as administrator. Since then, while this debate has been going on, we have asked for copies of these reports, and we have not got the official reports made by Major Walsh to the government since his arrival there, or while on his way to that country. Yesterday the hon. Secretary of State read newspaper clippings, inspired very likely, by the agents of transportation companies that had an interest in different routes, with regard to what was occurring just now at Wrangel and Dyea and Skagway and these places. In addition to that, over a week ago Commissioner Walsh gave some interviews to the newspapers, and those statements have been going over the country. Since this is the case, and the government give the House the interviews which appeared in the press as information, clippings from newspapers and press telegrams, which may be altogether the work of interested parties, we should have the reports of their own officer, who is very near the places that are now in our mind in connection with the bill before the House.

Hon. Mr. MILLS—My hon. friend must know that there have been a great many reports moved for, both in the House of Commons and here, and they have been referred by my hon. friend the Secretary of State to the proper department. I understand they are engaged in the preparation of these returns and the report to which my hon. friend refers will no doubt be taken up in its order and at as early a period as possible. I am quite sure that my hon. friend does not suppose that the Department of the Interior has any object in withholding the information which he has sought. I am not aware

even if there are any reports of a very recent date from Major Walsh in the department, but if there are, certainly the hon. gentleman will get them at just as early a date as copies can be prepared and brought down to the House.

Hon. Mr. FERGUSON—I would be sorry to think that there is any object or motive in keeping them back, but I submit to the House, in view of the fact that we are discussing this bill and likely soon to come to a vote upon it, that we should have this information that is so germane to the subject, not by and by, but now.

Hon. Mr. SCOTT—I am quite sure that if there is any information the hon. Minister of Justice or myself would have known about it; certainly neither of us has any knowledge of any report from Major Walsh. If there was anything at all important, the Minister of the Interior would have no doubt brought it to council and communicated it to us.

CORRESPONDENCE BETWEEN THE GOVERNMENT AND MACKENZIE & MANN.

INQUIRY.

Hon. Mr. LOUGHEED—Have the papers been brought down which I asked for relating to the correspondence which took place between the government and Mackenzie & Mann anterior to the contract?

Hon. Mr. MILLS—I think I told my hon. friend, as far as I knew, there was no correspondence. The communications were verbal.

Hon. Mr. LOUGHEED—The hon. gentleman did not give me that assurance. He expressed some doubt, but promised to make inquiries, and my hon. friend says now there is no correspondence.

Hon. Mr. MILLS—So far as I know there is not.

Hon. Mr. SCOTT—I will write a note over to the Minister of the Interior and ask if there was. I suppose it would be with him. There is none certainly in my department of any official kind, or of any kind whatever.

Hon. Sir MACKENZIE BOWELL—Then I understand the Secretary of State to inform the House that there have been no reports from Major Walsh who assumes the responsibility of governing that great Yukon district. Is it possible that he is so absolute in the position which the government have made for him that he ignores the government at Ottawa altogether, that he has made no report; not even informed the government of his whereabouts, what he is doing, and what are the great dangers of starvation, of which we have heard so much and often in the country. I can readily understand that, after reading the Order in Council appointing him to the position which he now holds. The government has given him absolute control of the mounted police, and power over every one else in that country; but I cannot conceive it possible that the government would permit any official to remain as long as he has been in that position without reporting what he is doing, and stating what the circumstances are that necessitate his remaining in the place where he is. When last we heard of him he was returning back to civilization and had reached Wrangel, and was on his way to Victoria or back to Ottawa. The public will learn with a very great deal of surprise that a government existing in Ottawa permits an official in the important position that Mr. Walsh now holds, to remain there without ever reporting to them as to what he is doing.

Hon. Mr. SCOTT—The hon. member from Prince Edward Island asked for any reports recently received. I do not know whether any have been received or not. It is quite likely that from time to time as an opportunity offered—the hon. gentleman knows the mails are not regular in that country, perhaps once in two months or so—that he has communicated by telegrams or written letters to the Minister of the Interior. I have not seen or heard of any.

Hon. Mr. FERGUSON—My inquiry was not for reports or letters received recently, but for anything sent by him since his arrival there.

Hon. Mr. SCOTT—I will inquire of Mr. Sifton.

Hon. Sir MACKENZIE BOWELL—There is another fact which has come to light during this discussion, that is, that hon. gentlemen opposite are governing, not as a

responsible body, but each individual minister is carrying on the government of the country, so far as his own department is concerned, without consultation with his colleagues.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—It is strange, if true, that reports which have been received from that official have not come to the knowledge of the hon. Secretary of State, through whom communications pass or of the Minister of Justice, one of the most important members of government, particularly in connection with a gentleman who was sent there to administer justice. Does Mr. Sifton rule and control the whole of the North-west Territories without the knowledge of the other members of the cabinet? That is the only inference we can draw from the position assumed by the hon. Secretary of State.

Hon. Mr. MILLS—My hon. friend has expressed sentiments that are surprising to me. He was a member of the government for number of years, and during that period he ought to have acquired some familiarity with the principles of responsible government.

Hon. Sir MACKENZIE BOWELL—A little.

Hon. Mr. MILLS—My hon. friend knows right well that the law has divided the administrative functions of this country into different branches, and assigned each branch to a minister of the Crown. When a minister of the Crown is appointed, by his letters patent, he assumes the administrative duties of his office. They are not discharged by the Governor in Council, but by the minister in his department, and unless some question of policy arises associated with that department, the minister does not always bring the matter before council. I remember two or three years ago, when I was in the other House, being told that the Department of the Privy Council had been largely increased in its staff because there were so many more matters brought to council then than previously, and when inquiry was made, found that the ministers were afraid to trust themselves, were afraid to assume the responsibility of discharging the duties assigned to them, and they came to council to get the authority of the council for the work that properly belonged to them personally. I believe the ministers of the present administration are capable of administering the duties entrusted to them, and so they do not find it necessary to spend time in council in discussing matters belonging to each individual minister but devote themselves to directing the general policy of the administration with respect to all the important matters of the government.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is to a certain extent correct, but, as we are living and governing this country under the principle of responsible government, it was the policy of the members of the late government to let their colleagues know of all matters of importance transacted in each of their departments, so that when a question was asked either in the Senate or in the House of Commons, any one representing the government could give an answer to any question asked by a member of either House. Unfortunately, the position taken by the hon. gentleman is this, that each minister governs according to his own good will, and when a question is asked nobody knows anything about it. We have had here in this House one minister answering a question one way, and another answering another way. The same thing has been done in the lower House, so that really you are governing the country by individual ministers and not collectively.

THE YUKON RAILWAY BILL.

THE DEBATE CONTINUED.

The Order of the Day being read,—

Resuming the further adjourned debate on the second reading (Bill 6) "An act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company;" and the motion in amendment of the Hon. Mr. Macdonald (B.C.), that the said bill be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. BOULTON said: The subject that is before the Senate at the present moment is what might be called one of our western questions. It affects that great country which has been opened up in the last twenty-five years west of the great lakes, and as a representative from that western country I cannot allow this debate to close without expressing my views and giving the House the benefit of my experience after some years' residence in that

western country. I must, first, take exception to a remark made yesterday by the hon. Secretary of State when, in consequence of the applause that the speech of my hon. friend from Richmond (Mr. Miller) elicited, he said he was under the impression that the defeat of this bill was premeditated on the part of the members of this Senate. So far as I am personally concerned, I must take exception to that. For several years I have occupied an independent position, although a Conservative bred and born, and a Liberal-Conservative still. I thought it necessary to take an independent stand from the party to which I belonged for so many years, because I wished to have a free hand in criticizing what I thought was wrong in that party. I saw, as year after year went by, acts and measures that were not sound in regard to the best principles of legislation. I saw an hon. minister dethroned after thirty or forty years' service in consequence of a dealing in contracts; I saw commissioners appointed to investigate expenditures in connection with the Baie des Chaleurs Railway; I heard rumours of practices that should be denounced by every right thinking man who was interested in the credit and good government of this country, and I heard that machine politics was the cause of it in both of the great political parties, a name, I think, applied by the Liberal party when in opposition. Even to-day we see a committee sitting to ascertain whether there was any corrupt transaction in connection with the Drummond County Railway deal; we learn that $20,000 passed hands, according to the evidence taken before the committee of the other House, the day the contract was signed by the government that was not available before that contract was signed. When I see those things, I feel it is necessary, from my independent standpoint, if I think there is anything objectionable in the contract before us, to take exception to it on the same grounds. I have no better authority than the leaders of the present government who denounced in the most vigorous terms when in opposition anything approaching the character of the present legislation they have now brought down. I can say this further, so far as my knowledge of the Senate is concerned, that there is nothing whatever premeditated in the vote about to take place. My hon. friend from Toronto (Sir Frank Smith) yesterday took the same independent stand that I am taking; he wished to express himself on this question, not as a party man, but according to what he believed to be the interests of this country. We are taking an independent position probably from two different standpoints, in so far as I am opposed to the contract, while he thinks it will result beneficially to the country. However, my hon. friend (Sir Frank Smith) in the stand that he took has justified my action for some time past. That act alone is quite sufficient to show that the defeat of this measure is not premeditated from a party standpoint, but that every member of this Senate is viewing it according as he thinks it is good for the country or bad for the country. Hon. gentlemen the Senate has a perfect right to adopt a general policy in regard to legislation, and to change as the people change, they may lead public opinion or they may follow it without in any sense depriving the people of the power they exercise through their representatives. Now, if the Liberal party has failed to recognize a change in public opinion in regard to legislation through monopolies, the Senate has, and to protect the people from their rapid growth is part of the duty the Senate has to perform to-day. Now, hon. gentlemen, we have seen a great deal about this House in the press. The press has taken a great interest in the Senate. In fact I do not know when the press has taken such an interest in the Senate since I have had the honour of being a member of it. To show how far some portions of the press have gone in endeavouring to influence this honourable body in the decision they may arrive at in regard to the contract that is now before us, I have here an extract from a paper called the Toronto *Star*, which the *Citizen* says is the organ of Mr. Mackenzie, one of the contractors. The *Star* says:

> There is talk here of a revolution to be made in the Senate. It is pretty well understood that not a few members of the Upper Chamber have been sitting for years without the proper qualification which the British North America Act requires of them. In fact, it is asserted that there are those in the Senate who have no business to be there, and some of these are the most bitter and noisy members who are opposed to the administration. There are always men in every assembly who would think nothing of ruining the country if they could but damage their political opponents in doing so. They are ready to scuttle the ship, and take the risk of going to the bottom if they can drown their fellow-passengers. There are many who now declare that the government does not deserve support if it continues to have within

the Senate walls persons who are without that qualification which the letter of the law requires.

That is the substance of an article from a paper which is said to be controlled by one of the contractors.

Hon. Mr. McCALLUM—They are coaxing us now are they not?

Hon. Mr. BOULTON—Then, again, we have another short article in the *Evening Telegram* of the city of Toronto, a paper that is not controlled by the contractors, but, I believe, is controlled by the people. It says:

> If the Canadian Senate passes the Yukon deal that aged and venerable body should be transported to the Yukon and settled upon the agricultural lands, which according to the *Globe*, the government has so wisely decided to reserve out of the grant to the contractors.

It is quite evident to me that between the two, in trying to avoid Scylla we have a chance of being wrecked on Charybdis. If I am one of the noisy members the article refers to, coming from that western country, I do not come down here with a superabundance of wealth, but I have a wife and seven children on our western prairies and I consider them worth a thousand dollars apiece to the country. In fact, I might say the wife is worth the Yukon contract, and therefore I do not consider that I come under the category of disqualification. At the same time, I have been pioneering so long in that country that I have no desire to commence pioneering it over again on the agricultural lands of the Klondike. I find that the fertile land of the province of Manitoba is quite enough Klondike for me, if the hands of monopoly are only kept off it. To the extent that monopoly holds it down, to that extent are we robbed of the products of honest industry and the progress and prosperity of the country is retarded. I can tell the editor of the Toronto *Star* if he had put in eighteen years' service in the development of a new country for Canada, he would not be so ready to make wealth superior to practical experience in the councils of the nation in dealing with a subject such as we have before us. This abuse of the Senate has been going on for years. Unfortunately, there is a portion of the press of the country that is controlled by monopolistic influences, and if there is one thing a monopoly hates, it is a body which cannot be controlled by them. I believe that this honourable House is in that position, and has wisely been put in that position by the authors of confederation, when they constituted the parliament of this country. There were two ways in which the upper house of this parliament could be constituted; one by making the Senate an elective body, the other, by making it an independent body, imitating as closely as possible that great constitution that has been handed down as a heritage to this country through centuries of time, which has been fought for and won step by step by the heroism and independence of our forefathers in the old country. I say they acted wisely when they imitated as closely as possible the British constitution as it has prevailed in the United Kingdom, anational constitution that is always up to date. There is not a nation that calls itself civilized which governs without the use of a second or co-ordinate body, in the United States the bicameral system has been retained, not only in Congress but in every state of the union. That bicameral system in the United States descended by heritage from the British constitution. When Oliver Cromwell destroyed the parliament two centuries ago and was called upon to reconstitute it, he constituted an upper house. Although he had fought and destroyed the previous parliament yet he found it was necessary to reconstitute it for the good government of the country, and when he did so, as dictator of that country, he created an upper house, because he said if the government was allowed to exist without the restrictive power of an independent upper house, the government might so manage its affairs as to keep itself perpetually in power, and by means of improper influences, exercise the franchise of the people to govern tyrannically, just as much as any of the tyrannical monarchs of ancient times. No better tribute to the advantage of having an independent upper house than that could be cited, the act of a man who fought against the abuses of the age. Those who emigrated to the United States immediately after that revolution came out assisted and aided by the chartered companies of those days, the Massachusetts Company and all the companies who settled the districts in which their commercial interests were located, in the same way as the Hudson's Bay Company was located in our western country. These chartered companies by the British parliament were numerous in the

early settlement of this continent. The first thing that the people did, as soon as they got sufficient numbers, was to claim a representation. First the burghers were convened to advise the governor and officers of the company, and they ultimately became the Senate, afterwards the people were accorded representation and they became the house of representatives. In that way the two houses with the republican form of government were created, the people clinging to these chartered rights that were accorded to them by the British parliament, and upon that model was handed down the same form of government in the formation of Congress. The senators of the United States draw their power from the state legislatures which elect them, and the representatives in the lower house from the people, who elect them, and therefore they have two parties competing with one another drawing their power from the same source and claiming the same rights to exercise that power. Their constitution is a relic of the past and has not kept pace with the freedom of the British constitution. It is not so with us. The House of Commons has complete control over the method of taxation of the people, and with that taxation we have nothing whatever to do. The budget, which creates that taxation, is brought to us, and we have no power to change it. We can reject it as a whole, or we can pass it as a whole, but we have no power to amend it. That is the difference in the form of this Senate and its operation, and the formation of the Senate in the neighbouring republic, and I think as time goes by and ages pass over, it will be found that the British constitution, as it is formulated in Canada, will be found to be the best example to follow upon this continent. The day may come when the people of the United States will return for their model to the British constitution, which is the liberty-loving constitution which we can live under with perfect freedom and security. The charge is made that we are appointed here, and therefore, not the representatives of the people, that the people have given their mandate to the Liberal party to govern this country, and whatever the Liberal party say in the House of Commons, this Senate should endorse. The Minister of the Interior resides in that western country. He is not an old man by any means. In fact, I do not think he was born when I first went to that country. However, his claim is that he is the best judge of what that western country requires, and that I, as a senator, and my brother senators who come from that western country, have no right to express an opinion adverse to his if he chooses to pass a law or put a contract before the country in the lower house. Hon. gentlemen I entirely take issue with this. I do not think either his experience, or his knowledge of the country, or his knowledge of the peculiar circumstances under which we are called upon to debate this measure, justifies the position that he assumes. The hon. Minister of the Interior was not elected on this issue, or upon the conception of an enterprise of this kind at all. He did not obtain a seat in this cabinet upon that issue, nor upon any measure such as we are now discussing. He obtained the position as Minister of the Interior on an entirely different state of affairs.

Hon. Mr. PROWSE—What was it?

Hon. Mr. BOULTON—It was on the school question. He first of all took away privileges and rights from a certain portion of our population that they had enjoyed for twenty years, and then, after having succeeded in doing that, and having raised a great muss, then he gave them back again and entered into the cabinet of this country as a reward for having given them back. I do not consider that that is good politics. He may think otherwise. I call it bad statesmanship, but at any rate it is not a justification for him to lay the claim that upon a great measure of this kind, or in fact on the question of the development and government of that western country, he is to be constituted sole arbiter simply because he has dropped into a responsible position as the minister of the Crown who has to deal with our western affairs and by means of the party whip and an appeal to party interests, claim that the solid majority behind this contract is voicing the honest opinion of the people or even of his party. I contend that any member of this Senate who comes here to give his opinion and to take part in the government of this country is more able to give an unprejudiced view, to take a juster position on such a question as this, than that hon. minister who entered into this contract with the two contractors. One of the things that we have to consider

when we discuss this question is, what reasons are there why we should take a view adverse to the great majority that passed this measure in the House of Commons? One of the reasons that I certainly think would justify us is the haste with which this contract has been put before this country. Public opinion had no opportunity to express itself, because after all, the members of the House of Commons are merely the representatives of the people. When the Liberal party came into power, a question of this kind was never dreamt of, and the knowledge that there was that inherent wealth in that great western country was not known, and nothing was known about this contract until some five or six days before the meeting of parliament. On the 27th January, I think, the contract was signed and given to the public. Now we have a great country stretching from the Atlantic to the Pacific. The representatives of parliament were on their way to meet here after that contract was signed and made public. They have had no opportunity to ascertain from their friends whether it is a proper measure, whether it is a wise or popular measure, and the very fact that this contract has been so hastily entered into, apparently with the view of committing the government to a measure of this kind without time for deliberation, or feeling the public pulse in regard to its wisdom, is of itself quite sufficient reason to justify the Senate in throwing the bill back upon the government, in order that the government may initiate a new measure or take the sense of the country and ask the people if this is a wise measure. That of itself is quite sufficient justification for the Senate to adopt the motion that the hon. member for Victoria has put before the House, to give this bill the six months' hoist, and pass it over until it is brought before this House again at another session of parliament. That is the only thing that the Senate does by adopting it. The Senate does not say "we are here to withstand the will of the people." We are not here to upset the principles of constitutional government, but we are here for the purpose of throwing back upon the government a measure which the people are not thoroughly acquainted with and have not had time to digest, a measure of this kind that proposes to put that great north-western country into the hands of a monopoly and to take possession of such an enormous grant as is proposed to be given under this contract for such a doubtful work as 150 miles of railway which will be frozen in for seven months of the year. I say that is quite sufficient to justify us in taking time to deliberate upon it, and in the meantime to throw the question back upon the lower house. This contract has been entered into with two contractors named Mackenzie and Mann. They are well known in the country. I have not the pleasure of Mr. Mackenzie's acquaintance, but I know Mr. Mann. I know him to be a first-class contractor and railroad man, and I have seen him at his work. So far as being able to build the road is concerned, he can do it thoroughly well, and in an upright, honest, square manner. I have nothing whatever to say against Mr. Mann in that respect. But it is one thing to ask a man to construct a building or a railway for you and quite another thing to put practically the governing power of a great western region into the hands of a monopoly under a contract with these two gentlemen with a multiplicity of favours to distribute, and the great power of financing given to them under this contract. Now, Mr. Mackenzie is a man whose ambition seems to be stirred up to a very great extent, and it is well for us to know what kind of a man he is and on what lines he moves. We know that from his connection with the Toronto Street Railway Company. We know that he was the purchaser of that street railway and of the London Street Railway; we know also that he is largely interested in the Montreal Street Railway. We will just take the Toronto Street Railway as an example to see on what lines he works. That street railway belonged first of all to my hon. friend from Toronto (Sir Frank Smith) and it represented the work of his life. The hon. gentleman worked his way up and made his money by honest, careful judgment. He turned his attention to giving a good street railway to the people of Toronto under the horse system some years ago. I attribute the sympathy which he expressed yesterday partly to the fact that Mr. Mackenzie became his successor in the ownership of that street railway. He sold out his interest to the city of Toronto and the city of Toronto sold out their interest to Mr. Mackenzie for $1,600,000. Since then, the street railway has been increased in

length by about eight miles and has been put entirely under the electric system. Mr. Mackenzie paid the city $1,600,000 for the railway, and bonded the road for $3,000,000 ; that is to say, he issued securities, giving a mortgage on the road to the extent of $3,000,000. Then, after that, he found that the road was profitable.

Hon. Mr. ALLAN—I beg leave to rise to a question of order. What concern has this House in Mr. Mackenzie's connection with the Toronto Street Railway or any other undertaking except the one to which this bill relates? I do not think it is any business of ours what Mr. Mackenzie has done in those matters, and the time of the House should not be taken up in discussing them.

Hon. Mr. ALMON—Some of us know nothing of these matters and some hon. gentlemen appear to know too much about them. If these contractors have managed the electric railway of Toronto well, perhaps they might manage this proposed land grant well. We ought to know all we can, not only about this contract, but about the persons who hold it, whether they are proper persons to possess such a franchise.

Hon. Mr. ALLAN—My hon. friend (Mr. Boulton) made an assertion with respect to a paragraph which he said appeared in a paper controlled by Mr. Mackenzie. I happen to know Mr. Mackenzie very well. I very much disagree with Mr. Mackenzie on several matters, particularly in connection with the Toronto Street Railway, but I do not believe that Mr. Mackenzie would be guilty of anything of the kind attributed to him—of putting such a paragraph as the one referred to in a paper. Mr. Mackenzie is not here to answer allegations made against him, and these assertions are unfair and unjust.

Hon. Mr. PROWSE—The point of order is not well taken in this case. Mackenzie & Mann have made a contract with the government and I take it that it was perfectly competent for the government to inquire into the character and capabilities of the men with whom they were dealing. We know they did that, or made a pretense of doing it, with reference to Hamilton Smith, and now, when a question comes before the Senate in connection with the contractors, I think the hon. gentleman from Shell River is quite in order in letting us know who these gentlemen are and what position they occupy. He is doing it in a proper way.

Hon. Mr. DEVER—I think the point of order is well taken. I have listened with a great deal of patience to this debate throughout and I find that it has been carried on by insinuation and slander.

Some Hon. MEMBERS—Order, order.

Hon. Mr. DEVER—I hold——

Some Hon. MEMBERS—Order, order; withdraw, withdraw.

Hon. Mr. Dever—I will not withdraw.

Hon. Mr. POWER—With respect to the question of order, I think the hon. gentleman from York (Mr. Allan) is perfectly right. The hon. gentleman from Shell River (Mr. Boulton) has not undertaken to question the capacity and ability of the contractors. He stated that himself. The history of the past private life of one of the contractors is not in issue in this House at all, and the Senate is very much degenerating and will degenerate still further if the consideration of a great question like this is to be made the occasion for bringing on a discussion on matters of this kind.

Hon. Mr. McCALLUM—The people of this country are dealing with these contractors. I do not think the hon. gentleman from Shell River said anything at all malicious about these people.

Hon. Mr. POWER—He said they were good contractors ; that is the point.

Hon. Mr. McCALLUM—We should know who they are. How do we know but this bill may pass the Senate? If we knew the character of these men it might influence the votes of members in their favour. I have nothing to say against Mr. Mackenzie or Mr. Mann—I know nothing about them, but I want to know something about them so as to decide how I should vote. The references which the hon. gentleman from Shell River has made to these contractors are perfectly germane to the question.

Hon. Mr. BOULTON—I rise to explain myself in this way. So far as the newspaper clipping is concerned, I did not say that it was Mr. Mackenzie's, I said that the Ottawa *Citizen*, from which I clipped it, represented it as being taken from the organ of Mr. Mackenzie. The Toronto street railway, as I have said, is owned by Mr. Mackenzie. Now, this contract before the House gives Mackenzie & Mann a right to go on the market and raise a large amount, possibly as much as forty or fifty millions of dollars, and the power given in the contract is the power to tax the people. What I am endeavouring to show is the methods by which Mr. Mackenzie attained his purpose, so far as the Toronto Street Railway is concerned. I am saying nothing except what I have read in the newspapers, and if I had read an article detailing exactly what I am saying, I am sure no one would have objected to my doing so. This is not a private question. It is what has been published in the newspapers.

Hon. Mr. LOUGHEED—May I suggest, as one who is inclined to share the hon. gentleman's views, that it would be better to refrain from dealing with the personality of the contractors. I think the House desires to treat this question solely upon its merits or demerits; and I therefore, as a member of this chamber, and one that will be called upon to vote on this contract, should like to have the hon. gentleman deal with this matter as far as possible on the merits of the contract. I would suggest that the hon. gentleman should drop that part of this discussion on which he was entering and deal solely with the contract.

The SPEAKER—If the hon. gentleman is satisfied not to go on, I need not give my ruling. If my ruling is asked for, I must give it. I am in the hands of the House.

Hon. Mr. BOULTON—I cannot see that I have said anything out of the way. I have to make the best case I can. How can I influence hon. gentlemen's minds that there is something wrong with this contract, if I cannot cite a case to illustrate Mr. Mackenzie's mode of managing a railway?

Hon. Mr. BELLEROSE—I have been here for a good many years now—42 years attending the sessions of parliament, and I must say that I never knew an hon. gentleman to be called to order in this manner before. It has always been customary, and I believe it is in accordance with the rules of the House to speak of the subject before the chair. Now what is the subject before the chair? It is Mackenzie & Mann and the government of the country. Surely you have to look into details and see if Mackenzie & Mann have anything against them which should prevent us giving our confidence to them and ratifying that contract.

Hon. Mr. ALLAN—I ask the hon. Speaker for his ruling.

The SPEAKER—It is well known that in the Senate, for a great many years, great latitude has been allowed in discussions, and hon. gentlemen are well aware that on many occasions discussions have ranged a good deal beyond the subject before the House. As I understand, when the hon. gentleman from Shell River (Mr. Boulton) was giving to the House the different stages through which the street railway of Toronto had passed, and the interest Mr. Mackenzie had in that railway, the hon. member for York (Mr. Allan) remarked that the House had nothing to do with the Toronto Street Railway, and the interest Mr. Mackenzie had in that company. In my opinion, the point of order raised by the hon. member from York at this part of the discussion is right. The House has nothing to do with the Toronto Street Railway and the interest Mr. Mackenzie has in that company. I hope the hon. gentleman from Shell River will see himself that the Senate desires the discussion to be limited to matters and arguments germane to the subject now before the House. The hon. gentleman may state any objection he may have against Messrs. Mackenzie & Mann as contractors, but the details and history of the Toronto Street Railway may be strictly objected to as not being germane to the present discussion.

Hon. Mr. LANDRY—I do not want to make any comment on the decision of the Speaker, but I wish to state this—let the decision be recorded in the Journals of the House, as it is generally. It was not done last year, but I think we departed from the course usually followed, and I want to suggest before it is too late, that this decision, and any decision given by the Speaker, shall be recorded in the Journals of the House.

Hon. Mr. BOULTON—I bow to the decision of the Speaker, and will only refer to the legislation that created the powers of the street railway company. I had no desire to attack Mr. Mackenzie's character, it was the legislation. What I was trying to point out to this honourable House was the advantage that exists in having the Senate, which, on certain occasions and at certain stages of our national life, is able to check the disposition of the representatives of the people to take a certain line which would lead to disaster. I wanted to cite, as an incident, the method by which the Ontario legislature conducted a portion of its legislation in connection with the street railways of the province. The Ontario legislature gave to the Toronto Street Railway Company the power to issue $3,000,000 bonds, and after that $6,000,000 stock. Now, there was no chamber like this Senate to prevent that legislation from going through. The $6,000,000 stock and the $3,000,000 of bonds amount to $9,000,000, and represented a line of railway which was sold by the city of Toronto for $1,600,000 to the company that now forms the street railway company. Now, the $9,000,000 is the power given the company which has a monopoly of traffic to extract dividends and interest from the public in regard to that company for a value far above the cost of the road.

Hon. Mr. COX—Does the hon. gentleman mean to convey the impression that the Toronto Street Railway only cost $1,600,000—that that is all it cost in actual money?

Hon. Mr. BOULTON—No.

Hon. Mr. SCOTT—That is the inference to be drawn from the hon. gentleman's remarks.

Hon. Mr. BOULTON—No, I said that eight miles had been added to the track and it had been converted from a horse to an electric railway, and to the extent of those improvements the cost of the line had been increased. I do not say whether it raised the cost to $2,000,000 or $3,000,000, but we can all estimate for ourselves about what it probably added to the price paid to the city. At any rate the bill authorizing the issue of $6,000,000 stock was passed by the Ontario legislature, and it was issued, and innocent parties purchased those securities though the franchise ceases at the end of 30 years. That is to say, the legislature gave a franchise for only 30 years, and at the end of that time, the line is to be taken possession of by the city of Toronto as the value of the material on hand, which may not probably be $2,000,000; therefore, the holders of those securities were muluct of their capital and their profits to the extent of that depreciation.

Hon. Mr. COX—I think that it is entirely misleading and doing an injury to a very respectable company. The stock of that company is selling to-day at par, or about par. The bonds are selling at a premium of nine or ten per cent, and are absolutely good value for that, while the hon. gentleman is conveying the impression that those securities have been put on the market, and that a confiding public has taken them at a price far beyond their value. The markets in Toronto and Montreal fix the value of the bonds above par, and the road is earning a revenue giving good interest on that. It is unfair for the hon. gentleman to depreciate stock that is valued on the market to-day at a premium.

Hon. Mr. BOULTON—I am finding fault with the principle of the legislation which authorized that and that same principle is in this contract. So far as that street railway stock is concerned, holders of that stock issued it at ten cents to themselves and then sold it to the public, so that the difference between ten cents and the par value at which it is quoted to the public has gone into the pockets of a few. Legislation does that. It permits a company to use a franchise designed for the convenience and economy of the people to be used as a monopoly to enrich themselves, and to divide up five millions of capital for which there was no value given. That is going on in our western country. It is that principle of legislation against which I am arguing here to-day. That is the effect of class legislation which goes through a single chamber unchecked. I am merely pointing out how the capital of the country passes into the hands of a few people by that means. We have the very best evidence of how public opinion has been affected in Ontario by that kind of legislation. The Hon. Mr. Gibson, a man with all respect very highly, was defeated in Hamilton, because he lent himself to that class of legislation: because in the city of Hamil

ton he gave a perpetual franchise to some organization which should be managed for the benefit of the people and not for the benefit of a few. He was turned out by a majority of 800 because he favoured a few at the expense of the public. The same vicious principle is in this contract, and we should oppose it to protect the interest of the people from the power of a monopoly that is growing in our midst and which will submerge the liberties of the people, and make them powerless to protect themselves in those principles of government which the British constitution is especially designed to guard. It is to accomplish that that I take an independent stand and discuss these questions in this way. In addition to what we know of Mr. Mackenzie's operations in Toronto, we know something of him out in our western country. He has the charter for the Port Arthur and Rainy River Railway, with all its franchises and assets. That is a railway which runs from Lake Superior into the interior of our country, and we have hoped, for a great many years, that it might be built and give us competition. In addition to that, one of the contractor's names in this bill controls the Lake Dauphin and Lake Manitoba Railway. That company got 6,400 acres a mile and $40,000 a year from the Dominion government and a guarantee of bonds to the amount of $8,000 a mile from the Manitoba government. They have that charter for 300 miles, which they control in the same way. There is a bill before this House to-day to ask for power, for the Lake Dauphin Railway, which Mr. Mackenzie and Mr. Mann control, to amalgamate with any other company. The object of that bill is amalgamation with the Hudson Bay Railway and get the charter from Hugh Sutherland, whose bill has been before us on several occasions. Mr. Hugh Sutherland's charter has a land grant, and it is the object of Mr. Mackenzie, no doubt, to amalgamate with that company and get possession of that franchise, after making arrangements with Mr. Sutherland, who controlled it before. That is one of the monopolies that we object to out in the west. Mackenzie & Mann, it is popularly supposed, with the Canadian Pacific Railway and Sir William Van Horne are at the back of all these deals and are co-partners with him in the interest of this company. The interest of the Canadian Pacific Railway Company is not to build the Hudson Bay Railway. The interest of the Canadian Pacific Railway is not to extend the Manitoba and North-western Railway. The interest of the Canadian Pacific Railway is to divert the lines of railway just in such a way as will best suit them with regard to their profits, and they do not consider the interests of the people at all. If a monoply, such as this, get hold of the Port Arthur and Rainy River railroad they will not build it; they will stop it until it suits them or they bring it into line with the interests of the Canadian Pacific Railway. They do not want competition between Winnipeg and the North-west, and therefore they tie up the charter. The charter has been tied up for years and the charter of the Great North-west Central is tied up in the same way.

Hon. Mr. CLEMOW—They built 50 miles of that road.

Hon. Mr. BOULTON—Yes, but they were tied up after that. Hon. gentlemen can see how these gentlemen, who receive power to raise money in this way, can hold the people down and we understand that they do not give two pence how far the interests of the people are served so long as they manage things to suit themselves. It is that system that I wish to explain in regard to this, because it is very intimately connected with the contract which we have to discuss. I will now go on to discuss the contract. First of all, I would draw the attention of the hon. Minister of Justice to what he stated yesterday with regard to that question of money, and that the Senate had no power to amend, that when it came to be a question of taxation the Senate should not thwart the will of the Lower House. I think that was the gist of his observations. He went on to argue that the land that they were giving under this contract and money were the same thing. I take exception to that, because these lands cannot be put into the Supply Bill. If it was a money bill and the Lower House said we were determined to push this thing through and will make it part of the Supply Bill and whatever it costs we will put it through, then the Senate would have to throw out the Supply Bill entirely, an extreme measure which would not be resorted to. They have no power to amend the Supply Bill, and if this was money they could force it through parliament

in that way, but they cannot put these lands into the budget. The lands are a separate consideration and have to come before this House as a bill to assign those lands to those contractors, just the same as any other legislation that comes before us, so that to that extent the hon. Minister of Justice was not presenting it exactly as he should. Although he considered the value of the lands and the money were the same thing, still, when it came to the discussion before this House, they were not the same thing. The question of urgency has been made a very great question in regard to this contract. That was one of the strong reasons urged by the leader of the House when he presented this contract the day before yesterday for our consideration—that people from all parts of the world were flocking into that country. I do not think it is a wise thing for our government to place itself in the same position as those excitable people who are rushing into that Klondike region without mature consideration as to what will be the consequences of their going in. I do not think that we ought in any way to add to the excitement by undue haste. The urgency that is spoken of is evidence of the excitement that the government, or those who are responsible for this contract, were acting under in regard to this matter. I do not think that it is wise for us to add to this excitement, or to give any more facilities to the people who want to get into that country. Let them go into that country on their own responsibility.

Hon. Mr. MILLS—And starve on their own responsibility.

Hon. Mr. BOULTON—They won't starve. There is no danger of their starving. This railroad will not keep them from starving—what does Mr. Wade, one of the government officials, and Major Walsh's right hand say, what do other correspondents say. During 7 months of the year no horse, dog, reindeer or any other animal can draw into Dawson City more provisions than what is required on the trip. As this railway stops 600 miles of Dawson City I do not see how it is going to keep these people from starving this year. At any rate, the public press has given sufficient warning as to what they are going to suffer, but there is just this fact that with our existing means of communication, they cannot get in there. I do not suppose that more than 10,000 people can get into that Klondike country this year, possibly 12,000, but 12,000 is the outside number. If we build that railway, we might increase that number by 12,000 or 14,000, because they could be taken to the end of that railway with very great facility, and then left to take care of themselves the best way they could. They travel down the streams, and get into the interior of that country, but this contract does not contemplate building that road in sufficient time to bring the people out again from Dawson City. If the contract is to be completed, and the people start on the head waters of navigation, and go down 600 miles to Dawson City, and scatter themselves, they cannot take advantage of that road to get back before the river is frozen up. The government wants them to go in there, and provides no facilities for them getting out. I say the government should assume no responsibility to get them in there and aggravate the position the people are placing themselves in, by the tremendous rush that is proceeding from all quarters. We are not interested in trying to induce people to come in there for the sake of the money that may be received by the transportation companies, or anything of that kind. That is not the business of the government. Their business is to move slowly and surely in the development of our new regions. That country is not going to run away. The gold will not be got out without considerable difficulty, and a considerable amount of labour; therefore there is no danger of its going away. There is no danger, as the hon. Minister of Justice thought, of the country being taken possession of by the United States or anybody else, and our losing the control of that country. It belongs to Canada. Nothing in the world can take it from Canada, and we have to sit down, and deliberately figure out what is the best way to develop that country, and make the most of it.

Hon. Mr. MILLS—And do nothing.

Hon. Mr. BOULTON—I did not say do nothing, but I say do it in a different way. One of the strong objections that I have to the passage of this bill as a western man, is the diversion of our North-west lands for its

construction. The North-west Territories are to the north of British Columbia, and all the lands in the north-west Territories are under the control of the Dominion government. I have always taken the ground that the Dominion government holds those lands in trust for the people of that western country, and for the development of the country, and they have been used in that way heretofore. The province of British Columbia owns its own lands. The government is taking the lands of the North-west Territories to build 150 miles of road in the province of British Columbia. Why does not the Dominion say to the province of British Columbia: "we will assist in constructing 150 miles of road if you will give the land subsidy necessary to make the road." That is a simple thing for them to do. The British Columbia lands are available. They are undeveloped. They want that communication, but the communication of 150 miles of road through British Columbia, if it stops there, is of no earthly benefit to us, no earthly benefit to the development of those mining regions to the north and therefore it is a benefit to the province of British Columbia. Why cannot the province of British Columbia appropriate its own lands, and leave the lands of the north-west country to develop, and connect the agricultural regions of our North-west Territories with the mining regions? I say it is an unjust action on the part of the government. It is a form of injustice that, if continued, gradually works up a spirit of antagonism, and the people begin to develop new ideas antagonistic to the ideas upon which they are governed, and therefore I say anything that may be done, in justice to the pioneers of that western country, should be considered in a case of that kind and that is the very strong objection that we raise to it from a western standpoint. I can quite understand hon. gentlemen, not having that particular idea in view until I explain it to them, but when I bring that forward I am quite satisfied you will see it is a very strong point in the position we take in opposing this contract. Another point is the question of this being an all-Canadian route. There is only one route that I consider an all-Canadian route, that is the one from Edmonton in the North-west or from Ashcroft. I will allow that that is an all-Canadian route, but this route by way of the Stikine River is not. I do not care how you argue or fix it. The treaty that gives us the right to the navigation of the Stikine only gives us that right for commercial purposes. It gives us no right for military purposes. We can claim the right of navigation of that for commerce, and if the United States act honourably they will not put any obstructions in our way to use it for that purpose, but we cannot claim from them under any treaty the right to send our mounted police or a military force or any other troops through there, and that is one of the most essential points for us. It is necessary for us to preserve law and order in that western country, and we cannot preserve that law and order without the use of our mounted police and military authorities, and if they are stopped because we have no power to force our way through United States waters, that shows that it is not an all-Canadian route in one of the most essential points. The only route that is really a Canadian route is that which goes in from Edmonton.

Hon. Mr. MILLS—If this road is extended down to Portland Inlet is it not a Canadian route?

Hon. Mr. BOULTON—Yes, if it runs from a port in British Columbia, but this contract does not contemplate that. This is dependent entirely upon the navigation of the Stikine and the penetration of the Stikine through United States territory. If this contract did involve the construction of another 200 miles south to a point in British Columbia, then the magnitude of the contract would be very great indeed. It would be seen we were undertaking the construction of four or five hundred miles through a difficult country that did not approach when complete nearer to Dawson City than 600 miles, and would be completely locked up seven months in the year; but we are not concerned in discussing the question of the ports of British Columbia. We are discussing the 150 miles of road, for which an appropriation of 25,000 acres a mile is being made. Now, rapid transportation is one of the features of the development of any country that is necessary for us to consider in a contract of this kind. Rapid transportation cannot be obtained by this 150 miles of road. The only continuous transportation we can obtain is via Edmonton into that western country, or by St. Michael's and the Yukon River. What I

mean by continuous is that on the coast route an ocean trip intervenes and lands you at a point where you will have to provide other means, while on the land route the same difficulties do not present themselves to a man and a team who desires to penetrate those mining regions without great cost. With regard to that Edmonton route, I wish to point out that there are ocean routes which are available and always will be available for the coast trade. There is one that is open now by the Yukon River and St. Michael's. That is 5,000 miles long and is the cheapest mode of getting into that country. There is another by Pyramid Harbour and Lynn Canal which will land us on the Upper Yukon. The cost this year for transportation by St. Michael's and the Yukon River is $10 a hundred, being 10 cents a pound. That is $200 a ton for transportation from San Francisco or Vancouver to Dawson City by way of the Yukon River. That makes your bag of flour cost you $10 plus the original cost of it. The route from Edmonton will be an all-rail route when we come to construct it. I wish to inform hon. gentlemen that the Canadian Pacific Railway carries a bag of flour for us from Russell, where I live, to Montreal for fifty cents. That is 1,860 miles. Now hon. gentlemen can see the benefit of an all-rail route from Edmonton. The profits upon the carrying of that bag of flour that 1,800 miles, combined with the other traffic, enabled the Canadian Pacific Railway to earn the enormous dividends of $10,600,000 last year. So that hon. gentlemen see that there is a large profit, and the largest profits which the Canadian Pacific Railway earns are made during the months they are carrying the grain of the country. So it is profitable for a railroad to carry a bag of flour 1,600 miles for fifty cents, while the cheapest rate of transportation at the present moment, over 5,000 miles of water, is $10 for a bag of flour. That will show the great advantage it will be to the trade of this eastern country, and the transportation of this eastern country, to secure, with as little delay as possible, the construction of a road into that country. A great many people say it is going to cost too much. A railway which performs a useful purpose does not cost too much, if it maintains the expenditure upon its running every year. If it maintains the cost of operating that railroad it does not cost too much. The government are making a mistake in my opinion in adopting the principle—and I have opposed it for the last six or seven years—of subsidizing these railroads with land grants and cash subsidies, because our experience in the western countries has been that the subsidies pass into the hands of those who promote the companies, and do not contribute either to the successful operation of the road, or the lowering of the rates to the people who support them, and what I have always urged was that the government should guarantee the bonds of a railway. There is no risk in guaranteeing the bonds to the extent of ten or eleven or twelve thousand dollars per mile, taking the first mortgage bonds as security for the construction, and a railway can be promoted as rapidly as possible under a system of that kind. The Canadian government gave the Canadian Pacific Railway last year eleven thousand dollars per mile to construct the Crow's Nest Pass Railway. If they had guaranteed the bonds of the Canadian Pacific Railway they would have accomplished the same result, and it would not cost the country a penny. They gave eleven thousand dollars a mile, whereas I advocated guaranteeing the bonds for that amount. They put the bonds upon the market and sell them at par, bearing three per cent, and they are taken up by the public, and therefore the cheapest mode of developing new territory that is going to add to the trade and improve the transportation of the country, is to adopt a system of that kind. I wish now to point out one or two things in the contract which I have not heard yet stated. The first clause in the contract provides for the construction of a railway from the navigable waters of the Stikine River in British Columbia to the navigable waters of Teslin Lake and providing for the incorporation of the company. That clause in the Act gives power to the government to extend that road from 150 miles to 200 or 250 miles, and if this Act was passed the government might turn round to the contractors and say: we think that road should start 100 miles nearer the mouth of the Stikine and we have power under this Act to give you 25,000 acres per mile for the construction of that 250 miles. I do not say that under the contract made with Mackenzie & Mann they could force the government to do that, but the government would have power to do that if they

chose. I will read the clause in the contract:

The contractors convenant with the government to lay out-construct, equip and fully complete a line of railway with proper terminal facilities from the navigable waters of the Stikine River in British Columbia at or near the mouth of Telegraph Creek, Glenora, or the mouth of Clearwater River, thence running northward to the navigable waters of Teslin Lake a distance of about 150 miles, more or less.

That is the contract, but there is no mention there of 150 miles. Now the clause in the Act which is the governments power to deal with the contractors reads as follows:—

And whereas subject to the approval of parliament, Her Majesty, therein represented by the Minister of Railways and Canals and the Minister of the Interior entered into a contract dated the 25th day of January, 1898, with William Mackenzie and Donald D. Mann, contractors, providing for the construction of a railway from the navigable waters of the Stikine River in British Columbia to the navigable waters of Teslin Lake and providing for the incorporation of a company with power to acquire and perform such contract and with other powers.

The government has power under the Act which the contractors have not under the contract. They are two different things. You must recollect the first part of this bill is the act which authorizes the government to deal with the matter, and the latter part is the contract between Mackenzie & Mann and the government. The government takes power, under the Act, to build that road from the navigable waters of the Stikine, wherever they may consider that river is navigable, and therefore they have the power to say "we will give you 25,000 acres of land per mile on 200 miles of road," the same as has happened in the case of the Crow's Nest Pass Railway. The government had power to give $11,000 a mile on 310 miles—that was the estimate—but that Crow's Nest line has been lengthened. I see that in the Canadian Pacific Railway Company's statement it is computed to be 340 miles in length, and therefore the government is giving a $11,000 a mile on that length of road, or $330,000 more than the public supposed was to be granted. I wish to call hon. gentlemen's attention to that weakness in the bill, that we may find it is not 3,750,000 acres of land that we are giving in aid of this enterprise, but that it may be five or five and a half million acres. The next clause in the contract relates to the capital stock. Clause 11 of the contract is the contractor's warrant for 25,000 acres for every mile built:

11. In aid of the construction of said line of railway from Stikine River to Teslin Lake the government shall grant to the company for each mile of said railway twenty-five thousand acres of land to be selected as hereinafter mentioned from the Yukon Provisional District and from that part of the Northwest Territories of Canada lying west of the Mackenzie River and Liard River and north of the 60th parallel of latitude, such land to be and become vested in the contractors upon the said railway being completed and accepted as complete by the government and upon the said land being selected as hereinafter set forth.

Now we come to the question which I consider to be a monopoly. Here is the clause in the bill. Clause 19 gives the company unlimited powers to raise money on the mining properties, that is upon the best terms and conditions they are able to obtain.

19. The directors, under such authority from the shareholders as is mentioned in section 18 hereof, may from time to time issue, in addition to those mentioned in section 17 hereof, bonds, debentures, debenture stock or other securities of the company, secured by mortgage upon the lands or any parts thereof to be granted by the government pursuant to clause eleven and subsequent clauses of the said contract, and upon the company's right therein and thereto, and may sell or pledge them, at the best price and upon the best terms and conditions which they are able to obtain, in order to raise money for the purposes of the company.

Clauses 8 and 17 give the company power to raise $14,000,000 on the railway. It reads:

8. The capital stock of the company shall be ten millions of dollars divided into shares of one hundred dollars each: Provided, however, that if the directors by by-law limit the issue of securities under section seventeen hereof to a sum less than twenty-five thousand dollars per mile for the line of railway between the Stikine River and Teslin Lake, the said capital stock may by such by-law be increased by an amount not greater than the difference between twenty-five thousand per mile of the said line and the sum so limited for the said issue.

9. The directors of the company may, by by-law, create and issue any part of the capital stock as preference stock, giving it such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by the by-law.

Now that clause gives the company power to issue $10,000,000 on 150 miles of road. Clause 17 gives the company power to issue bonds to the extent of $25,000 a mile on the 150 miles of road. That makes something like $14,000,000 securities issued upon 150 miles of road. Just think of that enormous power of taxation that the company is given. If there was 200 miles of road, the power to issue would be so much greater. That has nothing whatever to do with the land grant, or with any other concessions; it relates purely to the road. That railway is to be bonded and stocked to the extent of something like $95,000 per mile. If they only bonded for $10,000 a mile, the $15,000

a mile which they do not bond it for can be added to the $10,000,000 stock so that practically that brings it up to $14,000,000 securities issued on 150 miles of railroad. That is what I call an enormous power of taxation given in the issuing of those securities.

Hon. Mr. CLEMOW—No one will take them.

Hon. Mr. BOULTON—We have just heard what the hon. gentleman from Peterborough (Mr. Cox) said about the issuing of $6,000,000 of street railway shares, that the public took them, and they stand at par to-day. Although there is $3,000,000 bonds behind them, they are led away by speculation. Somebody has a right to hold those and if we legislate $100,000 a mile security to the railway company, they can use the power of legislation they have in order to extract dividends on that enormous amount of capital. It is in that way that the capital of the country is collected off the industry of the people by monopolies of that kind, and accumulated in a few hands, and it is that position to which I am opposed. Then they again create a portion of that stock as preference stock. That is not a matter of so much importance. Then the 12th and 13th clauses of the Act provide that:

12. The company may charter, purchase, or otherwise acquire, and construct and maintain and operate steamers and other vessels for passengers and freight in connection with its railways and property, and may sell and otherwise dispose thereof; it may also lease, construct, purchase or otherwise acquire, and maintain and operate wharfs, docks, landing places, dockyards, elevators, warehouses and other works for promoting and facilitating traffic upon its lines of railway, and may sell or otherwise dispose thereof.

13. The company may—

(*a.*) lease, purchase or otherwise acquire and operate mines and minerals and mining rights in British Columbia and the Provisional District of Yukon and the North-west Territories, and may crush, smelt, reduce and amalgamate ores for itself or others;

(*b.*) with the consent of and subject to the regulation of any municipality affected thereby, construct, or aid in the construction, maintenance and improvement of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, ditches, quartz mills, ore houses, and other buildings and works necessary or convenient for the purposes of the company;

(*c.*) erect, use and manage works, machinery and plant for the generation and transmission of electric light, heat or power;

(*d.*) carry on in British Columbia, the Provisional District of Yukon and the North-west Territories, the business of carriers, forwarders and transportation agents and other business incident thereto, also of wharfingers, shippers and vessel owners, and may purchase and vend merchandise, ores and mineral products;

(*e.*) for all or any of the purposes above mentioned, purchase lease or otherwise acquire lands, buildings, patent rights, letters patent, and other property real and personal, and mortgage, sell or otherwise dispose thereof.

That is another enormous power given to this company. We give them power to monopolize the commerce, the transportation facilities and the electric lighting. Every municipal power that is separated up here in our eastern country is concentrated in one huge monopoly under this Act. Not a single company can show its nose but it will be overcome and overborne by this enormous power. No one can exercise any individual effort. It all has to bow down and get the permission of this company before it has any chance of success whatever. A company with such enormous powers and capital, with such powers of taxation on the western people of that country, can control in every shape and form the individual efforts of people that come in there to develop the country for Canada. Now we come to the tolls. That clause 24 is framed in a manner which makes it perfectly evident to me that the government are going to fix the tolls at 10 cents per mile for passenger rates, and the same proportionate rates for freight. The reasons I have arrived at that conclusion is that 25 per cent is taken off at the end of four years; 25 per cent at the end of seven years and at the end of 10 years it comes under the regular railway rate. In order to bring it down at the end of ten years to the ordinary rates of the country, it would have to start at ten cents a mile for passenger rates. So that for four years they are going to have those heavy rates for freight and passengers and for six years further high rates are still to prevail, although the mining grant is supposed to construct the railway. The next clause the question of exemption from taxation:

The lands granted to the contractors or to the company under the said contract, shall be free from taxation for ten years from the granting thereof, except unicipal taxation by an incorporated city, town or llage within the provisional district of Yukon.

We had an opinion expressed by the Minister of the Interior that the granting thereof dated from the day on which the patent was issued. Although the lands earned long ago by the Canadian Pacific Railway were granted to the Canadian Pacific Railway 16 or 18 years ago, yet according to the ruling of the Minister of the Interior

the exemption from taxation, similar to this, does not commence until those lands have been patented, and they are not patented to-day, so that we do not know whether that exemption from taxation is 10 years from to-day, or 40 or 50 years. In this bill the towns and villages which may spring up there are excepted, but if we want to build a road between two villages, the people who are working there have to build it themselves. The company are not obliged to contribute to it in any shape or form. It is only in the towns and villages an exception is made in this clause. The company has power under the contract. Section 2 of the contract says :

To build and operate the railway above mentioned and an extension thereof northward to Dawson City or thereabouts, and an extension southward to a point in British Columbia to be designated by the government and capable of being made an ocean port, also a line of railway from the waters of Lynn Canal to Fort Selkirk or thereabouts by way of Chilkat Pass, also branch lines of railway from any points on the company's railways to any property owned by the company, also lines of railway from any navigable waters to any property owned by the company ; provided that the power to build said line from Lynn Canal to Fort Selkirk, and said branch lines and said lines from navigable waters shall not be exercised without the consent of the Governor General in Council.

The said Act of incorporation also to give the company full and sufficient powers to build and otherwise acquire and operate docks, wharfs and lines of steam and other vessels in connection with its railways and property, also telegraph and telephone lines, also to carry on mining and smelting operations.

Sections 4, 5 and 22 of the contract contain the monopoly clauses, and are as follows :

4. For five years from the 1st of September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the international boundary between Canada and Alaska into the Yukon district, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway.

5. The contractors and the contractors' company shall be entitled to receive in preference to any other person or company during ten years from the said 1st of September, 1898, such aid or assistance in land or money as the government may be authorized and may see fit to grant in aid of a line of railway from Stikine River to an ocean port in British Columbia, provided that the contractors or the contractors' company are willing to undertake the construction of the same at once and completion thereof within a reasonable time upon receiving notice thereof from the government.

22. The grants of lands selected by the contractors hereunder shall be in fee-simple and shall include all precious metals and all minerals whatever, reserving only the royalties above provided for.

That shows the enormous powers given there. They need not come back to this parliament to get power to build a line of railway. They can stop all other enterprises of any kind. It is a monopoly handed over to them, and no one would dream of coming to this parliament and asking power to build a railway or spend a dollar in promotion of any work as long as this contract is in existence. Hon. gentlemen will recollect how the leaders of the present government for years complained of the monopoly clause in the Canadian Pacific Railway contract, though it was an exceedingly mild one in comparison. The Attorney General of Mr. Greenway's government, the Hon. Jos. Martin, almost raised a rebellion in fighting the Canadian Pacific Railway to get the government railway across their line. They are authorized to build from Lynn Canal, though the government appear to think it treasonable on the part of any member of this House to advocate it. This monopoly is destructive to individual enterprise. Now we come to the land grants. The land grant on the 150 miles will be about 3,780,000 acres. The defence of the government in the House of Commons and in this House that these lands have no named value, and that it is a huge gamble. We have nothing, of course, to go by except the reports we have through private sources and the public reports given for our guidance on that particular point ; but I would just say this, that Mackenzie, Mann & Co. have the power to locate 12,000 acre blocks wherever they like. Wherever they find a nest egg they can put a 12,000 acre block on it. If the grant is increased to 5,000,000 of acres, it is a proportionate increase. The reports which have come to us from every source indicate that the value of the land is enormous. Some people value the amount of gold taken out last year as high as $40,000,000 ; others at $25,000,000, and some at $12,000,000. So far as I am concerned, taking the most conservative view, from my own experience I believe there has been $5,000,000 in gold taken out there last year, and will be ready to put through the pan when the earth is thawed out. When one considers the small number of miners there, not exceeding four thousand people, who have taken out $5,000,000, it shows what an enormously rich country it must be. We see by our returns that our mineral output has increased from $22,000,000 in 1896 to $28,000,000 in 1897. That shows that our mineral wealth is assuming very large pro-

portions, and that the mining industry is increasing rapidly and out of all proportion to the very humble structure our geological interests are cared for in. It is increasing in the Kootenay district, and the mining district in the north is going to create a large trade. Gold has been found in California, in the Kootenay district and all through the Rocky Mountains, and there has been an enormous mining development, and although the difficulties of mining are greater, yet that region of the mountains appears to exceed in richness the southern mineral veins. We are increasing our output of gold and interests up there are going to develop very rapidly indeed. We are asked to blanket the whole of that country by a contract of this kind. We are asked to prevent the free miner from seeking remunerative work. A miner, in order to make his miner's claim, has to sink down through the frozen gravel some twenty or twenty-five feet, and as we heard the other day, some miners have to go sixty feet. Not one of these men will go and record his claim until he makes perfectly sure he has reached bed rock and has a claim worth recording, because there is but one chance in that country to record a claim, and therefore while he is digging this hole in the ground at great labour to himself, this company has the power to come, because that claim is not recorded, ignore the efforts perhaps of a year's work, or perhaps two or three years' work of that miner in search for a claim for himself to work upon. Because his name is not recorded as the owner of that claim the company can take away from him all the fruits of the efforts he has put forth. I will read you an extract here from a paper just to show you what may be expected from quartz mining. A good deal has been said on that subject—that it is not likely to amount to much—that it is only placer mining which will peter out in a few years, and that if we do not take advantage of the boom we are going to throw away a large amount of money. This is a memorial adopted at a mass meeting of the citizens of Juneau to the United States Government for the erection of a mint at Juneau :

A conservative estimate of the present annual bullion output of Juneau from its quartz mines alone is about $3,000,000, produced from approximately 650 stamps. Within twelve months the number of stamps in operation in lands tributary to Juneau will exceed 1,100, and the annual bullion product will exceed $5,000,000. During the last twelve months more than $1,500,000 of gold dust produced from Canadian Northwest Territory has been brought through here, and there is now on hand in Dawson City, approximately $7,500,000, to which will be added from this spring's clean-up an additional $7,500,000. Two companies have constructed fleets of lake and river steamers to operate between the head of the lakes and Five Finger Rapids, on the Yukon River, where tram portage has been established connecting with fleets of river boats running thence to Dawson city, and assurance is given that during six or eight months in the year a round trip can be made from Juneau to Dawson City in less than twenty days. In less than twenty years we believe south-eastern Alaska will be the greatest permanent bullion producer in the world.

I read this in order to show by an official memorial from the people of Juneau what 650 stamps at work in their neighbourhood produced. The annual product will exceed, they anticipate, five millions of dollars when the additional improvements are put in, now the strip of Alaska tributary to Juneau is small though a sea port. That shows the enormous value of the country and that quartz mining is going to play an important part. The hon. Secretary of State said that every one knew it cost ninety cents to produce one dollar's worth of gold. In quartz mining it does, but ten per cent is an exceedingly large percentage of profit. Hon. gentlemen should realize this, that in England the great cotton industry which turns over millions and millions in trade, is all conducted at a profit of two per cent, and such is the enormous capital available there that investors would be only too delighted to get hold of any property such as is mentioned in this contract. On the English market you could raise $20,000,000 three times over ; see the subscriptions that came in for Sir John Lipton's Tea and Supply Company, $125,000,000, ten times more than called for. If that company was to go to England to-morrow and take 100,000 acres of that land grant and locate it this summer after having built ten miles of road, they could float it in the English market for anything between two to four millions of dollars on the drop of the hat. We cannot tell until practical experience has shown us, the amount of gold there is, but such is the belief of capitalists in England in the wealth of certain regions in the Rocky Mountains that have been shown by assays and experienced miners to be there, that they greedily subscribe capital and form companies to operate them, and if they only get four or five per cent on their money they are quite satisfied, provided the securities they get may be considered reasonable. Of course the greater the risk the more they

ask. But when the hon. Secretary of State says that ten per cent is the margin, it all depends upon the facilities for conveying food in there, and the facilities for smelting and bringing out the ore. The cost of mining will be reduced immensely if we only take the proper course. The cost depends entirely upon the facilities that are afforded, the amount of wages to be paid and everything else. I have occupied your time as long as it is reasonable in the discussion of this very important question. There are just one or two words I should like to bring before your notice in the shape of a suggestion. I would offer a suggestion to develop that country —and I speak from a certain amount of experience—I have been for thirty years in the western country, I penetrated it before there was any railroad within 400 miles of the city of Winnipeg, and I have been more or less connected with it for 26 years; therefore I have some knowledge of what I am speaking about. We are about to send in a force of about 200 men. I think that is a very wise and proper mode for us to utilize a fine body of men such as we have at our disposal, and I would not send those men there for aggressive purposes. I would not send them in anticipating there would be any trouble. I do not think there will be trouble. Our mounted police are so experienced, so gentle, at the same time forcible in their management of the public, that they are thoroughly respected. When people get into the interior of that country, and have to rely upon themselves they are very amenable to law. They know perfectly that there are difficulties in evading the law and it makes them more amenable than if those difficulties did not present themselves. And I do not anticipate trouble of any kind or description that would necessitate a force being sent in there, unless it is to forcibly get from the miners the ten per cent royalty. You may send a force in there and spend a great deal more in getting the royalty than it would amount to if collected. I would suggest to the government that they should utilize those forces as a pioneer force to go in on the Edmonton route, or at least divide them and send in with them a force of axemen and labourers, and expend half a million in cutting out a pathway right to Dawson City or Fort Selkirk, so that people could go with their teams and have shelter at certain places, and go in unimpeded all through Canadian territory without being blocked up at points like Skagway and Dyea, where they are fleeced of their money, and where they are crowded and herded together, with inadequate facilities of any kind or shape for them. If there was such a road as that cut out, a man could start with a team and drive right through to Dawson City with no more cost to himself than the provisions he would have to use on the way for himself and team. Under the present condition, that is denied to him and denied to any man in the North-west. That is denied to any Canadian, because they have to go right across the continent and fight their way the best they can through all the enormous difficulties that are presented to us day by day, as we read in the daily papers, and I would make that pioneer force work into the country the same way as Lord Wolseley went up to Winnipeg in 1870. It was that pioneer force that helped to open up the country in that day, and if the government adopted that suggestion we would before Christmas get into that country, and when we have that, we can erect our telegraph lines and bring that country into close connection with eastern traffic and trade without any difficulty whatever, and no obstruction from any foreign nation. Such a policy would do more to open up that country than any efforts that could be made under the present contract. That is what I call an all-Canadian route, a route developed upon sound and legitimate lines, not hastily conceived, but gone about step by step. What did the Liberal party suggest when the Conservative party was pushing forward the Canadian Pacific Railway to reach British Columbia? They advocated at that time that the government should not build the railway as a whole, that they should only build it fifty miles a year, and so on. The Hon. Mr. Blake was impelled by his opposition to call it a sea of mountains, as Sir Richard Cartwright and the Secretary of State has described the Yukon to-day a very doubtful asset, in fact a huge gamble. That was their view in that day, and a similar want of confidence is shown by them to-day in the resources of the country, although they are quite willing the contractors should handle them for a huge gamble and trade that right off for 150 miles of a second-hand narrow gauge road. But when the Canadian Pacific Railway was under consideration the Conservative party, under Sir

John Macdonald, conceived that this was a great measure to bring British Columbia into unison with this country and to develop that enormous trade between ocean and ocean, which was going to be such a factor in building this country, and it was carried out to a satisfactory conclusion, and the construction of that road has shown his statesmanship. But this is a different thing altogether. This is not going from ocean to ocean. This is the care that we as a government are able to bestow upon the proper development of that country in order that a good trade may be developed, that wealth may be had to the Canadian people by the industry that can be put into that country in the working of those mines. We have a duty to perform at any rate in the discussion of this question. I believe thoroughly that it is our duty to support the motion of the hon. gentleman from British Columbia and throw this bill back upon the House of Commons for further consideration. If there was evidence brought to my notice, or brought to the notice of this House, that it is the will of the people that this contract should be gone into in this way, this House will not hesitate to support it. But if there is any evidence that has been given to us that this bill is not popular in the country, and does not meet with the wishes of the people, we have that evidence before us. We have just had the Ontario elections. We saw there that with all the power of the Dominion and provincial governments working in unity as a Liberal party, shoulder to shoulder, notwithstanding all the powerful influences that could be brought to bear under the operation of the party whip and party machine and everything else, the biggest effort that ever was made by the people to throw off the monopolistic influences that they felt were getting tighter and tighter around them year by year, we see the result of the Ontario elections. It was the people's fight. And it is evidence of that kind that forces me to the conclusion that the people are now thinking whether the question of monoply versus anti-monopoly should not be a question before the country—not a question of whether Liberal or Conservative, but whether the country is to be handed over to a series of monopolies of which the Canadian Pacific Railway is head and front as we have had knowledge of in our western country. We know perfectly well that that western country is developed purely on the lines and according to the ideas of managers of the Canadian Pacific Railway, and I as a representative in this honourable House come down here and find that I am perfectly powerless. Their control over the organs of public opinion is a public menace. The object of the Canadian Pacific Railway Company is to commit the government to its public expenditure on the coast route that will shut off all competition from the east, whereas a line from Edmonton gives the competition of all the prairie lines to reach it. I can present petition after petition, but my opinion or my views or the views of any hon. gentleman that comes down from the west are nothing as against the influence that can be exercised by the managers of these powerful corporations where their interests are at stake. I think the time has come when it is wise for us to consider whether we should not check, as far as lies in our power, a continuance of that system which has manifested itself in the contract we have been discussing. I repeat the former suggestion I made, and that is either hand all the mining claims over to the individual effort of the miners, or reserve half, and form a company that will mine for the government upon a basis of half the profits, as a revenue to aid in the development of that country, but do not throw the unknown resources of that mining region into the lap of these contractors and their friends.

Hon. Mr. WOOD—I desire to say a few words before I record the vote which I propose to give when the discussion closes. This, I feel, is one of the most important questions that has ever been presented for our consideration in this House. I recognize more forcibly than I have in other cases the very serious responsibility which rests upon the Senate in considering a question of this nature. It is a government measure. It has passed the popular House by a considerable majority, and it comes to us now to either by our approval pass it into legislation, or by our disapproval defeat the proposition which is placed before us. I feel that the position of every hon. gentleman in this House imposes very grave responsibilities, that the extent of the responsibility which rests upon us is greater than in the other House. Gentlemen occupying seats in the other House are elected to represent

the different constituencies in the country. They are elected upon particular issues and they are expected generally to support or oppose the policy of the government in that House and to a certain extent the responsibility for the measures which they are called upon to consider will be thrown by the individual member upon the government which at the time is administering the public affairs of the country. We stand in a different position here. We do not represent any particular constituences, but I feel that we are responsible to the whole people of Canada. In considering a question of this kind, it is our duty to consider, not whether it is a measure which has been presented to us by the government or by any private member, but to consider the measure purely on it merits as it may affect the commercial interests or the social well-being or the political honour of the people of this country. I feel personally, too, at somewhat of a disadvantage in forming a judgment upon a question of this character. I come from a section of this Dominion, the furthest possible removed from the portion of the Dominion which the provisions of this bill affect. I have felt it my duty, therefore, when this measure has been presented for our consideration, to give it more than an ordinary amount of careful study and consideration, in order that I might be able to properly discharge the duty which devolves upon me when I come to pass my vote upon this measure, and I desire now merely to state as briefly as I can to the House the reasons which have influenced me in coming to the decision at which I have arrived. In the first place I desire to say a word with regard to the general character of the route which has been chosen. This feature of the case has been already discussed at great length, and probably almost everything has been stated that can be said both in favour of and against this particular route. I would simply, therefore, direct the attention of the House to this feature of this part of the question ; that is the admission which is made by every person, I believe, who has spoken on the subject, both in the other House and in this House, that this is not the best commercial route that could have been chosen. The Minister of Railways in his opening remarks in the other House, admitted the fact that it was not chosen for its commercial advantages. He went further and stated that the contractors, Mackenzie & Mann, desired to build a railway from the Pacific coast to the Yukon territory by an entirely different route, and that the government compelled them to adopt this route, for considerations which to them appeared to be sufficient. The same statement, although not quite so strongly made, was made by the leader of the Senate when introducing the bill the other day. Now, while we all admit this fact, I think, perhaps, many who have spoken on that question do not attach the importance to the relative commercial advantages of those different routes which they should attach to them, and in order to draw particular attention to that fact I would invite the House to consider some features of those two routes. So far as the ocean voyage is concerned, either from a port in British Columbia, or from a port in the United States, on the Pacific coast, either Wrangel or the head of Lynn Canal, there are no difficulties to be met. When passengers or freight are landed at Wrangel in the one case, they have then river navigation of 150 miles before they reach the southern terminus of the proposed railway. That river navigation is up the Stikine. The Stikine River, from all the information we can gather from the reports placed before the House, is a comparatively small mountain stream. It is shallow, it has a swift current, the velocity in certain places and at certain times in the year being as high as 8 miles an hour. There are also some obstructions in the course of the river. It is claimed by some that that navigation is not very safe, but I think we may say this in regard to it, that it is tedious, it must be difficult, and must necessarily be expensive, and it may not be entirely free from danger. After this stage is passed, the travel of passengers, or the transportation of merchandise, is to be by the proposed railway. So far as the railway transport is concerned, there is no comparative advantage by either line, but at the northern terminus of this proposed railway, passengers and freight are landed at a place called Teslin Lake, and from there they have again a river navigation. The distance from there to Dawson City is 600 miles or upwards, and for that 600 miles the traffic, whether passenger or freight, has to be carried in the same class of small river steamers that are to be used on the Stikine

River. This part of the journey therefore must, as the Stikine River portion, be tedious, difficult and expensive. The advantages of the other route are that when the ocean steamer arrives at the seaport on the Pacific coast in Lynn Canal, the passengers and freight are transferred directly to the railway and carried to its terminus ; they are then landed at a point on the Lewes, or Yukon River below the Five Finger Rapids. They have there river navigation with a depth of water at all times of the year of at least five feet, so that steamers can pass from Dawson City to the terminus of the railway in either direction at all times rapidly and without any excessive charge for the transportation of passengers or freight. The two most difficult portions of the travel by the proposed Stikine route are the 150 miles of river navigation on the Stikine and the difference in distance from the terminus of the railway to Dawson City, which is at least between 300 and 400 miles. Now, in my opinion, and I think it must be apparent to any one who has had experience with regard to the cost of travel or freight transportation, that these differences must seriously increase the cost of travel and freight traffic by the Stikine route over what it would be if the other route had been adopted—that the commercial advantages, are very decidedly in favour of the northern route. But there is another important difference between these two routes : the one is open only 5 months of the year, while the other can be used during all the year. This is an advantage which, from a commercial point of view, leaves no comparison between the utility of the two routes. I think it is fairly admitted that this route has not been chosen on account of commercial advantages which it possesses, and we feel obliged to look for other reasons before we are justified in adopting it. Let us for a moment, then, examine the reasons which have been given by those who favour this route why it is preferred over the other. In the first place, it has been contended that this route has been adopted because it is an all-Canadian route. I need not say very much upon that point, for it has been already pointed out, and I think now is generally admitted, that the route that is presented in this bill for our acceptance is not all-Canadian.

Hon. Mr. SCOTT—Yes, it is.

Hon. Mr. WOOD—I do not think the proposal in the bill is to establish an all-Canadian route, and I will tell the hon. gentleman why.

Hon. Mr. SCOTT—Parties are travelling up the Stikine River now and have no difficulties with the United States customs authorities.

Hon. Mr. WOOD—I fancy that persons who are travelling that way now have no trouble with the United States customs authorities, and I understand that parties going by Skagway have no difficulty with the United States customs.

Hon. Mr. ALMON—They may have had on both routes ; we cannot hear from them.

Hon. Mr. WOOD—I am also right in asserting that parties go in by way of the Yukon River and have no difficulties with the customs. The same difficulty, whether they are more or less, that exist at Dyea we must have in the transhipment of goods at Wrangel.

Hon. Mr. MILLS—No, not at all.

Hon. Mr. WOOD—I must differ from the hon. gentleman. I am expressing my opinions and they must be received for what they are worth.

Hon. Mr. SCOTT—But the others are facts.

Hon. Mr. WOOD—What facts does the hon. gentleman refer to ?

Hon. Mr. SCOTT—There is no proposition to exact customs duties on the Stikine route ; on the other route there is always the necessity of paying duty or giving a bond, or being accompanied by a customs official. There is no similarity between them at all.

Hon. Mr. WOOD—Perhaps the hon. gentleman cannot see the similarity, but I confess they appear to me to be precisely similar, because provided there is a necessity to tranship at Wrangel——

Hon. Mr. MILLS—Wherever there is a right to navigate a river by treaty, as an incident to that right is the mooring to the bank, shipping and transhipping. That has been held over and over again, and been conceded.

Hon. Sir MACKENZIE BOWELL—But it must be under an arrangement with the customs authorities.

Hon. Mr. ALMON—We have a right to kill seals in the Pacific Ocean, but it took seven or eight years to get the United States to concede it.

Hon. Mr. SCOTT—For years we have been navigating the Stikine.

Hon. Mr. WOOD—I am not disputing that point at all. I am only saying that if we tranship goods at Wrangel, in my humble opinion that transhipment has to be made under such rules and regulations as the United States customs may prescribe.

Hon. Mr. MILLS—They are mere police regulations : no duty can be exacted.

Hon. Mr. WOOD—No duties are exacted at Dyea or Skagway.

Hon. Mr. MILLS—Oh, yes.

Hon. Mr. WOOD—If there are, there is a rebate at the other end.

Hon. Mr. MILLS—That is a matter of forbearance ; the other is a matter of right. In one case we have the right, and in the other we have not.

Hon. Mr. WOOD—We have a right, under treaty, to navigate the Stikine River but that does not give us a right to tranship goods at Wrangel.

Hon. Mr. MILLS—Oh, yes, it does.

Hon. Mr. WOOD—I must differ from my hon. friend on that point, and I am confirmed in that opinion from reading the speech delivered by the hon. Minister of the Interior in the other House. I was struck with the explanation which he gave in referring to this point, that in case regulations were made with regard to transhipment at Wrangel, which would be vexatious or interfere with our traffic, one way of obviating it would be by making the transhipment at Port Simpson. I can quite understand that that is one way of getting clear of this difficulty but that method of meeting it is subject to this objection, that it increases the difficulties and expense attendant upon the transport of passengers and freight by a route which is already difficult and expensive. Then the hon. gentlemen who are representing the government in this House have told us that they propose to extend this line to a seaport in British Columbia, the object of which, if I understand it, is to make it an all-Canadian route, which it is not at the present time.

Hon. Mr. SCOTT—The object is to reach an ocean port.

Hon. Mr. WOOD—But if this is an all-Canadian route, and there is an open port at Wrangel where we can tranship our goods without interference by the United States authorities, I do not see what better off we would be by going to British Columbia.

Hon. Mr. SCOTT—One would be an all-the-year route and the other would be limited to six months.

Hon. Mr. WOOD—That is a new feature of the case. The object, then, of extending this line to a seaport in British Columbia is to get a port which will be open all the year round and not to get an all-Canadian route.

Hon. Mr. SCOTT—Both. The hon. gentleman is not quite fair. The ocean port would be in Canadian territory.

Hon. Mr. WOOD—But the object, if I understand the hon. Secretary of State, is to get a route which will be open all the year round.

Hon. Mr. SCOTT—To a British port all the year round.

Hon. Mr. WOOD—And not to overcome any difficulties which may occur at Wrangel ?

Hon. Mr. SCOTT—That is silly.

Hon. Mr. WOOD—I regret that my views do not accord precisely with those of the hon. gentlemen who have interrupted me, and that I have so far misunderstood the arguments both in this chamber and in the other chamber as to have formed the impression which I have with regard to our rights at Wrangel. It appears to me these hon. gentlemen are presenting it now in an entirely new and different light. We have this statement made with regard to the proposed extension to an open seaport in British Columbia, that the government have that under consideration, and that they propose to ask parliament, before this session closes, for a sum of money to at least open a wagon road on that route, the object of which I

certainly understood to be that we would have an entirely independent Canadian route into that territory.

Hon. Mr. SCOTT—For the whole year.

Hon. Mr. WOOD—Does the hon. gentleman mean to tell me that the object of building that road is to have a route which will be open all the year—that the government are going to build a wagon road from a seaport in British Columbia to Telegraph Creek which will be open all the year, and a wagon road or any other kind of a road from Teslin Lake to Dawson all the year?

Hon. Mr. MILLS—Is my hon. friend referring to what I said?

Hon. Mr. WOOD—I was just now referring to what the hon. Secretary of State said.

Hon. Mr. SCOTT—I think I made this as plain as possible, that the ultimate object was to continue the railway south to a port on the Pacific Ocean in British territory. I mentioned the fact that it was a prelude to a railway—I suppose you have to cut the road through before you can build the railway. My hon. friend does not want to understand this matter.

Hon. Mr. WOOD—I do want to understand what object the government had in building the wagon road.

Hon. Mr. MILLS—I told the House, I do not know whether my hon. friend was here or not—that we had the right to use the navigation of the Stikine for commercial purposes; that so far as commerce was concerned that was, in effect, an all-Canadian route, but that if difficulties arose and it became necessary to send troops into the country the United States government might not permit them to go through, and would have the same right to object to them going through that they would have to object to our sending either troops or commercial products by way of Dyea and Skagway—that if it were necessary to send troops there we could land them at Observatory Inlet or Portland Inlet, and they could march to Telegraph Creek in order to take the railway there—and that was the reason.

Hon. Mr. WOOD—I have a note here of that feature of the hon. gentleman's address, and I intended to refer to it later on; but I was at this stage of my remarks, addressing myself to the commercial merits of these different routes, and not to the political reasons which the hon. gentleman gave us for adopting what he calls an all-Canadian route. Now, I certainly understood—but I may be mistaken in that—that the object of extending this line to a seaport in British Columbia was to secure an all-Canadian route, and the only remark I intended to make on that branch of the subject at the present time was this, that in my opinion one of the most serious objections to the proposition before us is that it absolutely makes no provision for the extension of this line of railway to a seaport in British Columbia. Now, we may be told that it does, but I desire to direct the attention of the House to this, that the provision in the contract is in section No. 2, that these contractors are incorporated

> With all necessary powers to build and operate the railway above mentioned, and an extension thereof northward to Dawson City or thereabouts, and an extension southward to a point in British Columbia to be designated by the government and capable of being made an ocean port.

And in section 5:

> The contractors and the contractors' company shall be entitled to receive in preference to any other person or company during ten years from the said 1st September, 1898, such aid or assistance in land or money as the government may be authorized and may see fit to grant in aid of a line of railway from the Stikine River to an ocean port in British Columbia, provided that the contractors or contractors' company are willing to undertake the construction of the same at once and completion thereof within a reasonable time upon receiving notice thereof from the government.

The observation I make with regard to those provisions in the contract is that while it clothes this company with power to construct this section of the line, it places upon them no obligations whatever to do so. But that is not the only serious objection to this part of the contract. It places it practically beyond the possibility of securing any other company or set of contractors to build that portion of the line. Mackenzie & Mann own the line from Telegraph Creek to Teslin Lake. It would be practically out of the question to expect any other company, or set of contractors, to build the connecting line between that line and an ocean port in British Columbia and undertake to operate the road. It must be clear to the common sense of any one that knows anything about operating railways in this country that those lines, if they ever are constructed, must be owned

and operated, to be operated to any advantage whatever, by the same company and the same corporation. If the government under this contract decided that in one, two or three years' hence this connecting line must be built for giving an all-Canadian route into that country, they are obliged to go to Messrs. Mackenzie & Mann and no others. They can ask them what terms they will build it on, and they have to accept those terms or they cannot get it built at all. That is the position of the government under that contract—and I believe that is one of the most objectionable features of the contract as it stands before us to-day. There is another reason which has been given by those who have spoken in support of this measure why this road should be built, and that was in order to secure to Canada, as far as possible, the trade of that Yukon country. I admit that is a laudable and worthy object, and I would support the government in any reasonable scheme which would have that end in view. I have therefore listened with the greatest attention to see explained by some one the reasons why they expect this road, if constructed, will give Canadian merchants or manufacturers or producers any advantage whatever over their United States competitors in securing the trade of that country—and I must admit that I have listened in vain. There can be no difference in the transport of passengers or freight across the ocean from any Pacific port to the terminus of this railway or to Port Wrangel. When passengers or freight arrive there it will not be asked by the railway company whether the goods are United States or Canadian; there would be no discrimination as far as the rates are concerned. The only advantage the Canadian will have will be that the United States goods, when they reach the Canadian boundary, will have to pay the Canadian duty, whatever that may be. But if the United States and Canadian goods go in by Skagway or Dyea, the same things precisely prevail. United States goods, when they reach the Canadian boundary, must pay the Canadian duty, while the Canadian goods go in free. The same is true, so far as the transport of merchandise is concerned, for it does not apply to passenger traffic at all. The only advantage by any of these routes is that Canadian goods have the advantage over United States goods by the amount of the Canadian duty which is imposed when they cross the boundary—and they have that advantage as much by one route as by another. The building of this road gives them no additional advantage, so far as I can see, in the competition for the trade of that country. But more than that, if it is effected at all, in my opinion it tends to lessen the advantage which the Canadian merchants or manufacturers would otherwise possess. When the cost of transportation is very small compared with the original cost of the class of merchandise transported, the amount of duty is an important factor in deciding where those goods shall be procured. Therefore, the cheaper you make the cost of transportation the more important a factor the amount of duty becomes in settling between two contending parties who shall be successful for the competition of the trade of any particular country. The advantage of the other routes which have been proposed is that the cost of transportation will be considerably reduced, and therefore the question of duty will be a more important factor in settling where the goods will be purchased or whether the goods that are consumed in that country will be of Canadian or United States origin. On the other hand, if you adopt a route which, as I say, is tedious and must of necessity be expensive, when the cost of transportation is one or two, or three or four, or perhaps five times the original cost of the class of goods which are transported, the matter of duty is a mere insignificant factor in determining whether those goods shall be secured; therefore this route, by increasing the cost of transportation, if it has any effect whatever so far as competition is concerned, certainly acts to the disadvantage of the Canadian as opposed to his United States competitor.

Hon. Mr. MILLS—My hon. friend has been assuming throughout that Canadian goods should not be subject to duty at Dyea or Skagway, or wherever the starting point would be in United States territory, and I would ask him this question: If that was the only route into the Yukon country, whether the United States government would allow Canadian goods to be sent through that border strip of territory without paying duty to the United States.

Hon. Mr. ALMON—In bond?

Hon. Mr. MILLS—What right have you to claim bonding privileges at all? It is a

matter of arrangement—I ask my hon. friend whether he thinks the United States government would allow our goods to go through in bond and without payment of duty.

Hon. Mr. WOOD—If the hon, gentleman wants my opinion, I frankly tell him I think they would.

Hon. Mr. MILLS—What object would they have?

Hon. Mr. WOOD—I can hardly conceive it possible that a civilized nation such as the United States of America is, would refuse the Canadian people the bonding privilege over that narrow strip of territory.

Hon. Mr. SNOWBALL—Have you ever heard that suggested over the state of Maine?

Hon. Mr. WOOD—Yes, and a bill was introduced into the Senate to take away our bonding privileges at Port Wrangel; that bill passed the Senate, but my hon. friend, the Secretary of State, told us the other day that he had heard nothing of it since—and I doubt if we shall hear anything more of it.

Hon. Mr. MILLS—You put yourself absolutely in their power.

Hon. Mr. WOOD—That is another point. I am simply answering the hon. gentleman's question, and in my opinion they would not deny us the bonding privilege in that country. They have not done it so far. The Hon. Mr. Sifton in the House of Commons the other day stated that he had made satisfactory arrangements for the bonding privilege over United States territory from Dyea and Skagway, and I have read in the papers atdifferent times since that that Canadian goods are being taken in that way, and there is no trouble whatever; and that on United States goods, as they reach the Canadian boundary, the duties are collected and there is no trouble whatever.

Hon. Mr. BOULTON—If I may be permitted to interrupt my hon. friend, I would just say this that the United States people are just as anxious to get their goods into the territory of Alaska along the 141st meridian, and would be very thankful indeed to exchange the bonding privilege of thirty miles in their territory for the five hundred miles of Canadian territory.

Hon. Mr. WOOD—Yes, I think that is a forcible point. That is one means we would have in our hands of making a favourable arrangement with them in case any trouble arose. I do not think the trouble will arise, and I think the hon. leader of the House will admit that unless the United States people, by Act of Congress, actually take away from Canadian goods the bonding privileges through that narrow strip of country on the Pacific coast, no trouble would arise, and I would go further on that point and express my own opinion, that if the United States Congress should go so far as to prevent Canadian traders taking their goods and merchandise through that narrow strip of country without paying duty, it would be an act of legislation for which I do not believe there is a precedent in the history of any civilized country.

Hon. Mr. MILLS—Yes, there is.

Hon. Mr. WOOD—It would certainly be so hostile to the interests of Canada that it would justify the government, and I believe they would receive the unanimous support of every member of both chambers of this parliament as well as the whole people of this country, in enacting retaliatory legislation which would deprive United States citizens of the right to trade in that country, or United States goods of finding a market there. I certainly would endorse any legislation which would go that length if our United States neighbours should go to the extreme length of enacting legislation which would deprive us of the bonding privilege on that coast.

Hon. Mr. MILLS—You would make the road useless to both.

Hon. Mr. WOOD—I do not quite understand that. The hon. gentleman spoke of the necessity of getting mounted police in there. Those, he said, were political reasons which justified the construction of this road which in comparison with other roads, had not the greatest commercial advantages, and I am willing to admit to the hon. gentleman that, so far as that part of his argument was concerned, I felt there was a great deal of

force in it. I entirely sympathize with the hon. gentleman in his desire to have an entirely independent route to that country, in case any complication should arise, by which our mounted police or military and their supplies, both in food and ammunition, could be got in without being dependent upon our neighbours. But, remember, that is only necessary as a means of communication to fall back upon in case complications do arise. The hon. gentleman himself admitted that while two nations remain in the same friendly terms in which the United States and Canada are to-day that food and supplies for the mounted police or for the military in that country could be sent in, for it would not be inquired who was going to eat this food or for what purpose they were to be used when they got in. So far as building a wagon road, either to an ocean port in British Columbia, or, as I understand my hon. friend from Shell River, in from the other side of the mountains, by which in case of emergency or mounted police, or a military force to support them, could be taken in there and ample supplies of ammunition to enable them to discharge the duties which devolve upon them. I would entirely favour such a proposition whenever it is presented to us. But it must be remembered in connection with that—and I would like to particularly call the attention of hon. gentlemen to this point in connection with that feature of the subject—that even after this road is built it can only be used for that purpose for five months in the year, and I assume that the government will, under these conditions, knowing that the mounted police after they are in there will for seven months of the year be shut out from communication with the outside world—take the precaution this summer, and every summer until permanent railway communication is established, of having an ample force of mounted police in there to preserve order and to maintain government, and will see that there is an abundant supply of food, ammunition and whatever else is required for at least twelve months in advance.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. WOOD—Before the Speaker left the Chair at 6 o'clock, I had been offering some observations to the House with regard to the character of the route which had been chosen for building the railway, that is now under consideration, and I had endeavoured to point out what was admitted on all sides that this route was not chosen on account of any commercial advantages which it possessed. I had also endeavoured to point out that, while it was claimed to be an all-Canadian route, it was not really so, and that the proposition which had been urged upon the House, that the contract which we are now considering provided for the extension of this road to a port in British Columbia, failed to provide any means for that extension except upon such terms as the present contractors might dictate. I had also pointed out that, while this contract might have been justified for political reasons, the reasons which have been given by the leader of the House of a political character were not sufficient, in my opinion, to justify the House in adopting the contract laid before them. I do not intend to occupy the time of the House any longer by observations on the character or the merits of these different railway routes. I wish merely, in addition to what I have said to refer to the price which it is proposed to pay for the construction of this line. The contract provides that the contractors shall collect from the gold-producing regions of the Yukon 25,000 acres per mile for the length of line which they are called upon to construct, which will amount probably to 3,750,000 acres, or probably in all 4,000,000 acres. The opinions which have already been expressed with regard to the value of these lands differ very widely indeed. I admit that the value of these lands cannot at the present time be accurately stated, and those who have addressed the House in support of this contract have dwelt upon this feature in regard to the lands. Indeed, this has been termed in the other House, and I believe, too, in this House, a sort of gambling transaction, so great is the uncertainty with regard to the value of the land which it is proposed to give the contractors as a reward for the construction of this railway. I admit there is something of that character in this transaction, but, if I look at the subject rightly, from my own point of view, at all events, it does appear to me that one party to the game holds all the winning cards. We can only form our judgment of the value of this concession from such infor-

mation as we have regarding the condition of things in that remote region. The very best authority is the report of Mr. Ogilvie, a government surveyor, who has spent months and years in travelling through that country. If we can believe the reports which he has sent to us, there are at least many millions of gold already in sight in that country, and the prospect for the discovery of many millions more are very good indeed. This opinion is confirmed by so high an authority as Dr. Dawson. In addition to this, every letter that comes and every report that reaches us from those who are already on the ground, tells very much the same story, and in my opinion the discoveries which up to the present time have been made, place it beyond doubt that the Klondike is really the richest gold producing country that is known upon the face of the globe, and is likely to become the greatest gold producing country upon the face of the globe to-day. If this conjecture is correct, I feel that we are perfectly right in assuming that it will be absolutely impossible for any man, or number of men, to select out of that whole country four million acres of land, making the selection with ordinary judgment and discretion, as no doubt these men will without getting tens or hundreds and perhaps many hundreds of acres of land any one acre of which would be worth more than the whole cost of the construction of this line. My hon. friend seems to look incredulous; it is, of course, my own way of looking at it, and I give my own views on the subject whatever they may be worth. It has been remarked in this connection, by different speakers, that the cost of discovering the gold mines, if they exist in that country, workable gold mines, I mean, will probably be on the whole more than the gold that is taken out of them will be worth. I am inclined, in a general way, to admit the correctness of that statement. The experience we have had so far in that line will show that if you count all the money that has been expended in prospecting and exploring, and in the work of development of the different gold fields of the world, the total would amount to probably as much, or more than the amount of gold that has ultimately been taken out. While that is so, we have also this fact, which is quite as well established, that in all these rich gold producing countries many have made immense fortunes. We would be led to infer, from the general tone and the general line of argument which has been used by many gentlemen speaking upon this feature of the case, that these contractors, Mackenzie & Mann, will spend money in exploring that country in hunting for gold mines and in the work of development, and they will probably be required to spend as much in that way as they will ultimately receive from the mines which they discover. I do not think we are justified in assuming that that is the line of action that they will adopt. I understand they are capable business men, and will select these lands with the greatest care. I have no doubt they will select the very best experts which they can obtain, and I have no doubt too that they may spend money in exploring, and in the work of development, and they may enter into mining operations if they find that it would be profitable for them to do so; but I desire humbly to suggest that they will have other means of making large profits out of this transaction besides engaging in the work of gold mining. I find that this contract provides that they will be authorized, when this company is formed, to issue stock to the amount of $10,000,000, that they will have the power of issuing bonds to the amount of $25,000 a mile which will amount to nearly, if not quite, $4,000,000 more, that they have the further right of mortgaging their land grant which they receive to any amount which they may think proper. I do not think there is any candid business man listening to my voice to-day who will question the fact, in the present condition of public feeling in this country and the old country, that if this contract becomes law, if this company is organized and if the securities are placed upon the money market either of the United States or Great Britain, they will not fail to realize a sum which would amount to two or three, or perhaps four or five times the amount of money which it is admitted they would be obliged to expend in order to construct this line. I would desire to humbly suggest that there is another possible way of realizing large profits on these lands which are conceded to them in this contract. So far as my reading upon such subjects has given me any opinion in regard to it, I have been led to conclude that gold discoveries in the main are accidental, that while explorers and gold hunters may travel over these auriferous regions for weeks and months, and

perhaps years, without finding anything which they can work with a paying product, some man accidentally stumbles upon the clue which leads to the discovery of the richest and most profitable mines. I can readily understand how a shrewd business man, who has carefully selected four million acres of land in a large, rich gold producing country could afford to allow those lands to lie idle for one year or two years, or three or four or five years, We know it now to a certainty that in the present year thousands and tens of thousands of explorers will go into that country. We have every reason to believe that for two, or three, or four or five years to come a still greater number will go into the Yukon. Those men will travel over that country in every direction, and, in my opinion, it is hardly possible to conceive that upon 4,000,000 acres of land, selected over that country in almost every direction, nobody will stumble upon a rich gold producing mine. If that happens, what will be the result—if that find is on one of these 4,000,000 acres of land, the discoverer of course will be well rewarded for his trouble. The next process is to form a company to sell a small amount of stock, a few thousand dollars, in order to provide capital to carry on the work of development. If the mine proves to be useless, the public that buy that small amount of stock, lose the money they invest and the original owner loses nothing. If the mine proves to be a workable mine, one which will pay large profits, the whole capital of that stock, which may amount to hundreds of thousands of dollars, and in some cases to millions of dollars, is readily sold upon the market, and the original owners of the land own the greater part and receive the returns for the greater part of it. When we consider the probability of what may be realized not only in one way but in a number of ways, by any person or any company of men who own such an enormous tract of country in a rich gold-producing district, it is hardly possible to conceive that it will not yield them at least many millions of dollars in return, and the possibilities of the returns which may be received are indeed something fabulous. In view of these facts, I, for my own part, have come to the conclusion that it is a most unwise policy for this country to transfer to any men, or company of men, so large an area of mineral lands in what is known, or at all events believed to be, one of the richest gold producing countries in the world, and especially when the consideration for which it is given is only to build a short line or railway at a cost of some three or four million dollars. There is one other feature of this contract, and one other consideration bearing on the terms of the contract made with Messrs. Mackenzie & Mann, to which it appears to me but little attention has been devoted. The hon. member for Richmond (Mr. Miller) in his admirable address the other day made reference to this point, and evidently appreciated the very great importance of it; but it has appeared to me that the government, in entering into this contract, have allowed it almost entirely to escape their attention. The point to which I refer is the earning power of this railway, or of any railway constructed from the Pacific coast to the Yukon region which has, as this one will have under the terms of this contract, a practical monoply of the passenger and freight traffic between these two different points. It is difficult of course to make a very accurate estimate of what the earnings of this railway may be, but we have at our command some data from which we are enabled to form at least a tolerably approximate estimate of what the earning of such a road must be. The hon. leader of the House, in introducing this bill, told us that a moderate estimate of the number of people who would go into the Yukon district during the present year would be 100,000.

Hon. Mr. MILLS—I said within twelve months.

Hon. Mr. WOOD—Say within twelve months it would be 100,000. The vice-president of the Canadian Pacific Railway, in conversation a day or two ago, estimated it 50 per cent more—he thought the number would reach 150,000. I have no means of judging, and accept the opinions of such high authorities as these with regard to the number of persons that are likely to travel in that direction. It is hardly possible, even if that country should prove not to be so rich as it promises to be at the present time, that this enormous travel will not continue for at least two, or three, or four, probably five years from the present time. If we admit those facts, I think we are well within the limits if we estimate the annual number of passengers which would travel over a railway in that region at 50,000. I think,

too, we are well within the bounds of reason if we estimate the traffic which would be carried over the railway at 50,000 tons. I estimate the charge, a fair passenger charge, for carrying a passenger over a railway in that section of the country, at $20. I know that many have estimated it at very much more.

Hon. Mr. MILLS—What do you estimate it at as things are now? What does it cost a passenger now to get in?

Hon. Mr. WOOD—I have seen it stated, but I do not just remember. I think it is one hundred or one hundred and fifty dollars, I could not tell the hon. gentleman just how much. At all events, I have been partly guided in making that estimate by this fact. The contract made with Messrs. Mackenzie & Mann in the bill before us provides that the rate shall be fixed by the Governor in Council, that after four years they shall be reduced 25 per cent, that after three years more they shall be reduced another 25 per cent, and then at the end of ten years they will come within the provision of the Railway Act. Now, if we start with less than $20 at the outset, certainly at the end of ten years we would have pretty cheap railway travel in that section of the country. If I am correct in this estimate, I would say that with regard to freight, I have placed the estimate at $25 a ton which I think is well within the mark—I have seen it estimated at much larger than that amount.

Hon. Mr. MILLS—A dollar a pound at present.

Hon. Mr. WOOD—Yes, at present; that is, $2,000 a ton. I am estimating it at $25 a ton, which would be a very great reduction. I am possibly below the estimate. I wish to be very moderate in my statement. If I am correct in the estimates which I am making here, the gross earnings of that line of railway in one year will amount to $2,250,000. Now, in regard to the operating expenses, if we allow the same rate for operating that railway for train mileage that it costs to operate the Grand Trunk Railway, the Canadian Pacific Railway and the Intercolonial Railway, and such railways as those, the cost per train mile would range from seventy to eighty-five cents per mile. Upon that basis, and allowing the cost of operating this railway to be one dollar per ton mile, the operating expenses for a year would amount to about $135,000. I could give the House the details of that calculation if they wish, but I do not care to take up the time. But, even supposing it is double that, make it a quarter of a million, there is still a couple of million of dollars profit in the operation of the road.

Hon. Mr. MILLS—What does my hon. friend count the loss that Canadian commerce sustains by the continuance of things as they are now?

Hon. Mr. WOOD—I have not gone into that calculation.

Hon. Mr. MILLS—It seems to me that is a necessary part of the consideration of this question.

Hon. Mr. WOOD—I shall allow my hon. friend to take up that branch of the subject, I have not taken it up, as it is not in the line of the argument I am making at the present time. I am not discussing the loss to Canadian trade. I am looking at this transaction from the point of view of the company that shall own and operate it. One can almost read the countenance of my hon. friend from Chatham (Hon. Mr. Snowball), as to his opinion when these figures are presented to him; he is inclined to treat them with derision, I am not surprised that statements such as I have just made to the House should strike the mind of any one at first sight as almost absurd and ridiculous. But a little reflection will perhaps lead us to a different conclusion. I would like to point out to the House, in this connection, that the advantages and the conditions under which that railway will be operated are entirely exceptional; that such conditions have never been known in the history of this country. I do not believe that such conditions exist in any country in the world at the present time. Just think for a moment of some of the exceptional conditions under which that railway will be operated. Every passenger that passes over that railway goes from one end to the other and pays the full transportation charge for the whole distance. Think what carrying 50,000 passengers means. It means the whole population of a city like Ottawa. Remember that

every other railway in Canada has a large proportion of travel which is suburban in its character, persons going short distances; but on this railway there will be no suburban travel; there will be no pic-nics or Sunday school excursions—nothing of that kind at all. Every man who passes over that road goes from one end to the other, and pays the full amount of the transportation charge. Then, taken into consideration the lessening of the operating expenses. There are no way stations to build or no station-masters to pay. Every ton of freight is loaded in the cars at one end of the line and emptied out at the other.

Hon. Mr. SNOWBALL—But there can only be one train on the line at a time.

Hon. Mr. WOOD—Not by any means. You might send one train after another at every hour in the day. I suppose the train could turn around. You would have a turn table.

Hon. Mr. SNOWBALL—You must have way stations to let the trains pass.

Hon. Mr. WOOD—You must have sidings or crossings to allow the trains to pass. What I mean to say is, there is no way traffic, and we all know that a very large portion of the expenses—I think my hon. friend has had enough railway experience to know that—of a railway are the maintenance, the comforts they have to provide for the passengers, and the agents that have to be there to sell the tickets. It is true they will be obliged to erect telegraph poles, and have a few persons stationed along the line, but the cost of that will be infinitesimal compared with the enormous expense which every other railway in the country has to provide for in the matter of way stations. Now, I say the exceptional conditions are these, that while the receipts from traffic are excessively high, while this traffic is carried under conditions which exists in regard to no other railway at the present time, while the operating expenses are in many respects at least reduced to the minimum, and if we carefully consider these exceptional conditions, I think we will have no difficulty in arriving at the conclusion that these startling statements which I made to the House a few minutes ago are not at all unreasonable. I have heard of only one instance in the world where a similar condition of things existed, and the results in that case were precisely similar to the results which I claim will follow if this railway is built and becomes a highway for travel and commerce into that region, and that is the case which has already been referred to in the course of this debate—the railway which was built in western Australia at the time of the discovery of the celebrated Coolgardie gold mine. The government of Australia took the matter in hand at that time. They contracted with Messrs. Wilkie Bros. for the construction of that road. They paid them a subsidy of $2,500 a mile, and gave them a certain length of time, after the road was completed, to take the profits of the operation of the road before they handed it over to the government. They operated, according to the statement which appeared in the *Citizen* the other day, for about nine months, and in that nine months the profits of the railway were so enormous that it paid the entire cost of construction, and left the contractors a handsome profit in addition.

Hon. Mr. SNOWBALL—Did they pay $2,500 or £2,500?

Hon. Mr. WOOD—$2,500 a mile—£500, and the railway cost about $12,500 a mile. The profits from operating the road the first nine months paid a cost of $12,000 for the construction of that road, and I do not know how much additional profit to the contractors besides. Whatever may be the facts with regard to that statement—and I believe it to be entirely true—I find by turning to the railway statistics of the colony of western Australia that the government system of that colony, which up to 1896 had not been able out of its own receipts to pay anything near its operating expenses, from the time this railway was handed over to them it has yielded a large revenue to the government of the colony. This is the only case that I can find where the conditions were anything similar to the conditions which will exist in that remote part of this Dominion, and I feel safe in predicting that the result in that case will be the same.

Hon. Mr. MILLS—Are the rates the same as on the Intercolonial?

Hon. Mr. WOOD—I do not understand that.

Hon. Mr. MILLS—My. hon. friend is speaking of Australia. There the whole peop.e were interested in one railway, but here there will be only one section. The hon. gentleman knows how it works on the Intercolonial.

Hon. Mr. WOOD—I do not see what that has to do with the line of argument. I was speaking of the profits of railways under these conditions where they had exceptional traffic of this character. I do not know what the Intercolonial has to do with it. I will say this to the hon. gentleman, that every passenger that travels over that railway, if it is constructed, as every passenger that travelled over the Australian railway when it was in operation, will pass from one end to the other and pay twenty dollars a piece, while the average receipts for passengers on the Intercolonial railway are only sixty-six cents per head. This results from the fact that so large a proportion of the passenger traffic upon roads like the Intercolonial is of a suburban character, pic-nic excursions and that sort of thing, and it reduces the average rate per passenger to a very small amount. In the case of the Intercolonial it is sixty-six cents; in the case of the Grand Trunk, ninety-eight and a half; in the case of the Prince Edward Island Railway, it was only fifty cents; in the case of the Canada Atlantic, it was $1.29, and others about the same proportion. This only shows in a still more marked manner the extraordinary contrast between the condition of things with ordinary railways of the country and a railway operating under the exceptional circumstances under which a railway must be operated in that district after it is built. There is just one other observation in that connection that I wish to make. I opened my remarks by pointing out that this railway did not itself possess natural commercial advantages, that it was not the best route, from a commercial point of view, but I must point out in that connection that the government aim—and I presume they will successfully accomplish what they are aiming at—to make it the only commercial route by giving the contractors an entire monopoly of railway construction in that section, for we all know that the contract under which this railway is to be built prevents the construction of any competing line from the Pacific coast to the Yukon district for the next five years, and the leader of the House himself, in his opening address, said it would be impossible to build a competing line from the direction of Edmonton and have it in operation within five years, so that if this bill passes and this contract is entered into, whether it possesses natural commercial advantages or not, the freight traffic and the passenger traffic will be compelled, by the provisions of this bill, to pass over this line if it goes by railway at all. I do not intend to detain the House longer upon that subject. I pointed out, to the best of my ability, what appear to me to be great and serious objections to the adoption of the proposition presented for our consideration. I merely wish to to say this in conclusion, that in my opinion, if it is necessary to have a railway constructed from the Pacific coast to the Yukon country, the negotiations for the construction of a railway either by this or any other route should proceed on the basis of making the traffic of the railway pay for its construction. I say this because the conditions there are, as I have pointed out, of an entirely exceptional character. It is not for me to suggest to the government any particular line of action. I presume if I do it will not have very much weight in their deliberations on the subject, but I may venture to say that if it can be shown that it is wise to construct a railway at all upon this line (and the longest has been selected) the government might have safely provided the funds for the construction of that line, relying on the enormous traffic which it must receive within the next 2 or 3 or 5 years to reimburse them for the outlay necessary for the cost of construction.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. WOOD—There are other ways in which it can be done. As I said in the remarks that I addressed to the House last session, I am not in favour of the government constructing or owning railways if they can possibly avoid it. I think it is much better to place them under control of private companies, and if the government hold that view, as I do, it would appear to me a wise and prudent course—as well as a safe

course—to adopt with this or any company, to advance the money necessary for the construction of a railway, or guarantee the bonds of the company to give them money or credit and rely upon the earnings of the road to reimburse the public treasury. In my opnion, there would be very little risk, almost no risk at all, in a transaction of that kind, but if the government feel, as they do feel, that the public of this country would not justify them in taking a dollar from the public treasury to secure the construction of a work of this kind, I venture here to express the opinion that there is still another way in which this can be accomplished without appropriating anything from the public treasury, and that would be by chartering the company, for which my hon. friend from Calgary has a bill now before the House, or by contracting with Messrs. Mackenzie & Mann, if they chose, for the construction of a line of railway which they stipulate in this very bill that they shall have the right to construct, that is if it is ever constructed, on the very best commercial route which that company can select, anywhere from the head of Lynn Canal inward to a point on the Lewes or Yukon River.

Hon. Mr. MILLS—Is my hon. friend in favour of subsidizing a road from the head of Lynn Canal?

Hon. Mr. WOOD—No.

Hon. Mr. MILLS—I understood him to say so now.

Hon. Mr. WOOD—No; I did not say anything of the kind. I said that, in my opinion, there was a method of securing a road over a route in that locality, if the hon. gentlemen are willing to let it be known that any company who will construct that road will be secured from the construction of any competing line for five years, as this bill secures the present contractors, so that they will have, on the very best commercial route that they can select between the Pacific coast and the Yukon country, an absolute monopoly of the travel and traffic of that country for five years at least; and, if the government will, at the same time, as they take the same course they are providing in this bill, guarantee to the company that constructs that line that they will allow them reasonably high charges for the carriage of passengers or transportation of freight, I venture to say here to-day that they will find not only one, but half a dozen companies that will be willing to undertake the construction and operation of such a line as that without one dollar of subsidy. These are suggestions which have occurred to my own mind. I merely mention them in order that this House and the country may know the point of view from which I regard this transaction, and if these suggestions should be of any value to the government in their future deliberations on the subject I shall be only too glad to know it. I do not intend to detain the House any further on this subject. I thank hon. gentlemen very much for the careful attention with which they have listened to my observations. I would say, in closing, that it is with regret I am about to record the vote that I am giving in this instance. I should have preferred to vote for this proposition if I could have conscientiously done so. I desire to say, also, that I do not wish to obstruct railway construction in that country if done on reasonable terms, that I do not wish to place any obstacles in the way of the government in providing reasonable facilities of ingress and egress for those who desire to go there in search of gold, or for any other object. I shall, in any proposition which may be submitted to the House which appears to me at all reasonable, be glad to give the government my support, and it is only because this proposition contains a great many features of so objectionable a character, from my point of view, that I feel compelled, in this instance, to cast my vote in favour of the amendment which has been moved by my hon. friend from Victoria.

Hon. Mr. KING—It was my privilege at an early period of this session to make a few remarks to this House on the address in reply to the speech from the Throne. In that speech I took occasion to dwell, at considerable length, on the question which is before us now. The only apology which I have to offer to the Senate to-night for so soon again trespassing upon the time of hon. gentlemen is, that while I had the honour of occupying a seat in the House of Commons my hon. friend from Westmoreland (Mr. Wood), who has just taken his seat, also sat in that House, and he very often paid me the compliment of replying

to speeches that I delivered in that chamber. To-night I propose to return the compliment, and to be as brief as possible in doing so. I do not propose to waste time in discussing the subject further than is necessary in replying to some statements made by the hon. member from Westmoreland. That hon. gentleman comes from my own province, and I have to say to-night, as I think is well known to all, that when he rises to discuss any public measure, he, at all events, has the faculty of convincing those who listen to him that he is sincere and honest in what he says. I am not to-night going to charge him with want of sincerity, but I do say, and I do believe, that the hon. gentleman is not as firmly convinced to-night that in the attitude he has taken on this particular question, he is standing on as good ground as he has heretofore stood in considering questions in the interest of this country. The hon. gentleman started out by condemning the route adopted by the government for this railway in the Yukon territory. First of all, he tells us that the Stikine is a shallow river; that it is not suitable for navigation; that there are impediments or obstructions to navigation in that river; that it is unsafe and dangerous. That may be all very true, but I claim to-night in discussing this particular question, however, it may be on other occasions, we all stand pretty nearly on an equality—the most that the majority of us know about this Yukon country is what we have gathered from reports, official and otherwise, which have come into our hands quite recently. I fancy that the hon. gentleman's means of getting information on this subject do not surpass mine. And in forming my conclusion, I am forced to accept the best authority available. I may be wrong in the statement which I am about to make, but if I am wrong I am subject to correction. I have been informed, within a very short time, since coming into this House to-day, that at the present time the gentlemen who control the great trans-continental highway of this country are engaged in constructing steamers to ply on the Stikine River for the purpose of transportation in connection with ocean boats plying between Vancouver and Wrangel. Then, I think I have another proof which will be accepted by this House. I have here before me a copy of the correspondence between the government and some gentlemen representing capitalists in this country and elsewhere, who made certain propositions to the government of Canada with regard to the construction of the road and opening up a means of ingress and egress to that country. First of all, I refer to an extract from a letter written to the Hon. Clifford Sifton, signed by J. Wesley Allison, in which that gentleman says, after referring to a road which he proposes to build by Skagway and Dyea and Lake Bennett:

> That your petitioners propose to immediately construct a wagon road from Glenora to the foot of Teslin Lake and to provide boats and barges for the navigation of Teslin Lake and the Hootalinqua, Lewes and Yukon Rivers, which your petitioners state is the only means of developing the country during the year 1898, and until such time as supplies for the construction of heavier works can be introduced into that country.

I am supposing that the gentleman who wrote that letter knew something of the navigation of the Stikine River and the route to which he referred. Further on I find, in a letter addressed to the Minister of the Interior by Maitland Kersey, representing a syndicate, making an offer for the construction of a railway from a point at or near Glenora on the Stikine River to a point at the head of Teslin Lake, an approximate distance of 150 miles in which that gentleman says:

> It is understood that the Government of Canada and the Government of British Columbia desire to develop at the earliest possible moment a British Columbia route between some point on the Pacific Coast and the territory known as the Yukon.
>
> It is believed that the earliest available route on the above lines is by means of the Stikine River from a point at or near Glenora to a point at the head of Teslin Lake, a distance of approximately 150 miles.
>
> With regard to the development of the waterways north of Teslin Lake, the proposal of the syndicate is to provide means of communication for the whole of the section of country from Teslin Lake to Fort Selkirk and Dawson City by means of the Hootalinqua and Lewes Rivers.
>
> It is proposed to provide all necessary means of water transportation by steamboats owned and sailing under the British flag on the rivers above mentioned, to provide trading posts, stores with miners' outfits, goods and supplies.
>
> In pursuance of its intentions, the syndicate has already secured wharf sites, timber and grazing lands at the head of Teslin Lake, and is at the present moment constructing steamboats, barges, small boats, a sawmill and other buildings on the spot, placing themselves, it is believed, in the position of being the only parties who, some two months before the navigation of the Yukon is open, will be capable of carrying passengers and stores into the Yukon territory by direct means of water transportation.
>
> As I advised you yesterday, we have a fleet of boats building on the coast, including two steamers and numerous small boats on Teslin Lake itself, the engines and boilers for these boats and a sawmill

being sent in over the snow, and I have further a full equipment of men, sleighs, etc., under an experienced man who knows the trail, waiting in Victoria at the present moment for news to come of the taking of the ice on the Stikine River in order that they may proceed to open up the trail.

Now, if I am not very much mistaken, this is the route which is suggested by these gentlemen, and on which they are to-day, at a fearful cost, constructing steamers on Lake Teslin for the purpose of navigating that lake and Hootalinqua River. These men certainly know what they are doing, and yet we have hon. gentlemen standing up in parliament and telling us what they know about that route, that it is not navigable. I think I am safe in saying we had better accept the opinion of gentlemen who are investing their hard cash out there in preference to newspaper reports or reports put in circulation by people who have never been on the ground.

Hon. Mr. MACDONALD (B.C.)—Those parties never saw that route.

Hon. Mr. KING—I have not read the whole correspondence; the hon. gentleman has it before him. I do not know how it is possible that they should be engaged in transporting material over the snow roads into Teslin Lake and building steamboats in that country without ever having seen the route.

Hon. Mr. MACDONALD (B.C.)—They say they went to Victoria to wait for the river to freeze.

Hon. Mr. KING—Hon. gentlemen in discussing this question usually discuss it from a Dawson City standpoint. Now, I am sure it would be out of place for me to call attention to the fact that Dawson City is at the extreme western end of the Yukon territory, about as near as it is possible to place it without being over the boundary line in the United States, yet it is a fact that, in discussing means for getting into that country, hon. gentlemen are continually talking about the best way of getting to Dawson City. Do hon. gentlemen not know that the Yukon territory extends from the northern boundary of British Columbia to Dawson City and even to the Arctic regions? I do not know at the present time that any great gold discoveries have been made in any district except in the vicinity of the Klondike and Dawson City. I was suprised the other day in listening to testimony given in a committee room in this House, to find that so far as is known at present the rich finds are confined to an area in that country of some 25 miles by 40. Now, hon. gentlemen, I have this to say with regard to the opening of that country, that unless profitable mines are to be discovered between the boundary of British Columbia following down the streams which this route takes to Dawson City—I say unless something is to be found on the rivers which converge at or near Fort Selkirk, or at the mouth of the Lewes River, I doubt very much whether the government will be warranted in making very large expenditures in developing that country at all. It may be said, however, that there are sufficiently good indications in that country to warrant the government in proceeding to make a large expenditure for the purpose of opening up that country. I must confess some six or eight weeks ago I was somewhat of that opinion myself. The longer I live, and the more I study the subject and the more information I get upon it, the more am I convinced that the government of Canada adopted a correct course in not attempting to expend a large amount of money for the purpose of constructing a railway into that country, I would not insult this honourable House by quoting from a book which I propose to quote to-night, if it were not a fact that the hon. member for Richmond (Mr. Miller), who addressed this House on the subject so ably and so eloquently, took the liberty of quoting from it in the course of his speech. I am not going to weary this House with Prof. Ogilvie's reports of that country, but I ask the House to listen to a few extracts from this book. This is by Mr. Livernash, the correspondent of the New York *Times*, and the correspondent of the San Francisco *Examiner*. What does he say about that country? On page eleven you will find that Mr. Livernash, who is corroborated in his statement by the other gentlemen, Mr. Wills and Mr. Landreville, says this:

To be frank at the outset, scarcely anything is known of the vast region wherein Circle City and Dawson sit shivering. When anybody tells the boundaries of a so-called mineral belt there, it is safe to assume that he is guessing. Men have not been moving about in that savage realm long enough to know much definitely concerning the extent or value of the mineral deposits. The best that can be done is to lay before you more or less disconnected bits of information, springing, as a rule, from insufficient ex-

ploration, and to write in a big, bold hand across nearly all the map of the frozen northland this honest word: "Unknown." Consider how immense and well-nigh inaccessible Alaska and the Yukon district are, and that until last year only a few hundred miners were scattered in that great solitude.

And further on page 12:

In the Yukon district the precious metal has been found on Forty-mile creek, on the Chandindu River, on Moose-Hide Creek, on Deadwood Creek, on the Klondike River, on Dion Creek, on Bryant Creek, on Montana Creek, on Insley Creek, on the Indian River, on Sixty-mile Creek, on the Stewart River, on the Pelly River, on the Little Salmon River, on the Big Salmon River, on the Lewes River, on the Hootalinqua River, on the Liard River, on the Frances River, and on the Finlayson River. This last looks formidable; it does not follow, however, that these localities are much known, nor does it follow that the finding of gold in them should lead a government to presume richness or even value.

That is the testimony of Mr. Livernash. Then on page 34 Mr. Livernash says:

With regard to the extent of gold deposits it is very easy to fall into an exaggeration of the wealth of the Klondike. We know from experience the difficulty of gaining reliable information concerning the actual yield, and the probable extent of the unmined gold of the northern placers. One's first impressions are likely to be very wide of the truth, so prone are miners to talk loosely of their earnings and so loud is the clatter made by a few generously circulating gold-sacks in a small camp with few avenues for the expenditure of wealth. We can, therefore, readily understand how, without any intention, to put into his statements a bit of glitter that should not be there. Mr. Ogilvie went much astray in his early reports to the Minister of the Interior; and it is quite in keeping with the superior character of the gentleman that scarcely any of the matter contained in them has been reproduced in his recent work. Unfortunately for the Klondike, however, public opinion in the Dominion rests largely on those early reports, so far as relates to the wealth of claims.

I dare say hon. gentlemen have read this book. Is it worth while reading the whole book over?

Hon. Mr. LANDRY—That is the best part of your speech.

Hon. Mr. KING—Then there is some sworn testimony. John McGillivray, in a solemn declaration, says:

There has been located in the Yukon district more than 3,000 claims—more than 250 miles of creeks; and a very small portion of the territory located—not more than fifty miles—is generally believed to be workable with profit by present methods and with present values, and by "generally believed," I mean generally believed by the miners of experience with whom I have spoken in this regard.

And Alex. Macdonald says:

So far as known to me, and I am familiar with said creeks, there are not on Bonanza, Eldorado and Hunker Creeks combined, more than twelve claims which have yielded an average of $35 per cubic yard of the dirt handled during the summer season of last past. This is on a basis of working a cut thirty feet wide, taking the very richest of the pay-streak. The pay-streak is narrow, and runs to colours or no colours before the rims are reached, even where the bottom from base to base of hill is less than 300 feet wide.

Prospects and "winter work" indicate that there are on said three creeks about thirty other claims which will yield an average of $35 per cubic yard of the dirt handled in a summer cut thirty feet wide in the richest portion of the deposit.

So far as known to me, after careful inquiry and prolonged travel and inspections, there are about 200 claims in said district which, in the absence of royalty, can be worked under existing conditions and yield expenses but nothing beyond with certainty, and which could be worked so as to yield fair profit with modification of burdensome conditions as to cost of supplies and absence of modern methods of mining.

There are other extracts, but I will not weary the House reading them. They are in the same strain, and in place of leading me to suppose that there is any positive certainty of making rich discoveries in that Yukon territory over and above what is known to exist within a radius of 50 or 60 miles from Dawson City, the country has no guarantee that gold is likely to be abundant as my hon. friend gave us to understand he believed it would be. One would suppose from the way hon. gentlemen have been discussing the Mackenzie & Mann contract, that they knew all that was in that country, that they themselves were perfectly cognizant of the fact that gold was to be found in abundance on the creeks up there. I think I am right in stating that probably neither one of these gentlemen was ever in that country. They have no more information than is before hon. gentlemen to-night, and I must conclude, therefore, that in undertaking the contract which is called for by this bill before the House to-night, they are simply taking their chances. I trust it may turn out to the advantages of Messrs. Mackenzie & Mann, but to say that the government should speculate upon the chances of that country producing gold, I do not think the country would warrant it in taking such a course. That deep interest is being manifested by the people of Ontario and Quebec in that great north-western country, even from Montreal to the Pacific coast including Vancouver, I have no doubt; but let me tell this honourable House that there is a section of this Dominion of Canada which is not likely to receive very great benefits from the opening of that country, I care not how it turns out—at any rate not in the sense in which people in this part and the other parts of Canada are looking to that

country. It is true that the people of the maritime provinces—and I do not speak of them farther than those I have had the honour of representing in times past—have an interest in the future of this country, and it is true that if Canada prospers directly it must lead to their prosperty, but they have not the same direct interest that the people further west have. They have an interest this far, in the fact that the government of this country have been able to find a portion of that great North-west which is able to take care of itself without imposing further burdens on the people of these older provinces. Again let me say that I think it is a mistaken notion on the part of any hon. gentleman, with the knowledge that we have of that country, to make up his mind that a very large population is going in to that country to remain there permanently—I mean to remain there any considerable length of time. We have had some experience in gold mining in this country before I have not had any personal experience, but I do know I am addressing hon. gentlemen to-night who understand the question to which I am referring better than I do myself. I refer to the excitement which took possession of this country from 1863 to 1868, with regard to the discovery in the Cariboo regions in British Columbia. I know that the local government of that province went to a large expense in constructing a wagon road into that district, and I dare say it was a proper expenditure on the part of that government, but I may fairly claim to-night that the discovery of gold in the Cariboo district was not such as to warrant this government, judging by the experience of that country in the past, in making large expenditures for the purpose of opening up the mining industry at this time. I believe in five years the business of placer mining died out in that district, and for years very little has been done in the way of placer mining in the Cariboo district. I had two brothers who spent five or six years of life in that country, and I know that is the history they gave me of it, that the people came out in 1867 and 1868, and have not gone back since, except to develop the quartz mines in that country. Then, again we are told in this Yukon country there are immense quartz deposits and that the government of Canada are very likely to derive large benefits from them. I would again call attention to Mr. Livernash's book. He is a good authority in this matter. With regard to quartz mining in that country, what does he say? On page 55, after refering to the cheap cost of mining in that country, he says:

> Until more is known of the Yukon country it will not be safe to say much as to auriferous quartz. Scarcely any prospecting for gold-bearing quartz has been done there, and there are not in the region more than a few miners who are qualified to prospect for such ore. It is true that quartz is scattered abundantly throughout those portions of the Yukon district which have been explored and along the Yukon River for a long distance after it enters Alaska; but this may or may not be significant; for, after all quartz is the commonest rock in the universe. However, in the Klondike and Indian divisions, along the Forty-mile, and in some other districts the quartz is elbowed by slaty rocks suggestive of precious metal, and the developments in Cordilleran belt are especially the quartz mining in British Columbia and along the Alaskan coast, are of a character inviting careful prospecting of the Yukon region. We do not mean to speak discouragingly of the outlook, but to place out testimony in opposition to the rumours which have represented much as known, whereas next to nothing is known.

So much with regard to the information which is in our possession up to the present time with regard to quartz mining in that country, Going back again to the route, let me say that I was never more surprised in my life in listening to the hon. gentleman from Westmoreland than I was at the attitude taken by that gentleman to-night with regard to the location of this railway into the Yukon territory. Why, hon. gentlemen is it not a fact—does not every hon. gentleman in this House to-night, within the sound of my voice, know that ever since confederation the policy, not of the Conservative party but the policy of all Canada, is to construct railways over Canadian territory in such a way as to make ourselves independent of our neighbours to the south of us.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. KING—Is it not a fact that Canada expended $40,000,000 to construct a railway via the north shore of New Brunswick in order to keep away from the United States frontier. Is it not a fact that our great transcontinental highway is carried away north of Lake Superior? And if the opinions had prevailed which have been put forward by the hon. gentlemen on the Conservative side, notably the hon. gentleman from Westmoreland, that road would have gone south of Lake Superior. But one of

the strongest arguments used at that time was that we wanted to be independent of our neighbours to the south, and therefore we would incur the very heavy cost of carrying it round the north shore of Lake Superior, and we discovered, before it was finally completed, from a military standpoint at least the wisdom of constructing the road by that route, because it is a well known fact—and I am not going to charge anybody with having caused the rebellion in the North-west—we found it very convenient at the time of the rebellion to have a road round the north shore of Lake Superior, although not fully completed, for the purpose of transporting troops and munitions of war to quell that rebellion. Do we not know that prior to that, in the history of the country, when a rebellion took place in Manitoba we were refused permission to take troops through the Sault St. Marie Canal. Do we not know that Canada to-day has pursued the same course that she has been pursuing all along, at an expense of some million dollars—I do not know the amount but it is not small—on the construction of the Sault St. Marie Canal? I dare say if to-morrow Canada wanted to use the Sault St. Marie Canal for the passage of troops, the United States would concede it. And why? Because we are independent of them. And that is the policy which this country should follow in the construction of railways. I say the course laid down since confederation is the right and proper one for Canada to pursue in the future, and if to-day we are to have 50,000 or 100,000 men in that Yukon district, by all means give us the nearest approach by a Canadian route. I know that some hon. gentlemen say this is not a Canadian route. They say that we have no guarantee that we are going to be allowed to use that river. I say in the year following the Jubilee no greater insult was ever offered to Her Majesty, Queen Victoria, than to tell her in this House that the treaty rights secured to Canada by Her Majesty's government are going to be taken away from us by the Americans to the south of us without resistance on our part. I have more faith in Great Britain than that. I believe that the power that a few years ago made a demonstration such as no nation had ever before made upon the ocean, in regard to the fleet for the purpose of standing up for the rights of a few of her citizens in that far off country, Venezuela, will be at our back to secure our rights on the Stikine, which rights were secured to us by treaty, not between Canada and the United States, but between Great Britain and the United States. If you want to be independent of the United States provide your own means of ingress and egress in that country. If you want the means of carrying troops and munitions of war to that country, provide your own route and pay for it. I have not a doubt that if we secured the route to the Yukon on Canadian territory we will never be deprived of the bonding system from Dyea across American territory. I am quite satisfied that the feeling which exists regarding that country will be so strong as to compel the Washington authorities to make an attempt to deprive us of the bonding privileges in that strip of territory. I for one do not want the government to place us in the humiliating position we would be in if the scheme proposed by the hon. gentleman who has preceded me were adopted and I am surprised at any members belonging to the Conservative party stooping—no I will not say stooping—but so far forgetting the history and record of their party in this country as to advocate any such scheme. The hon. senator from Westmoreland (Mr. Wood) devoted some considerable time in his closing remarks to informing this House that the road that these contractors are authorized and empowered to construct in that country is going to be one that will pay immense profits. But the hon. gentleman must know—I am sure he would not disguise the fact—that there are other companies to-day who are in possession of charters and who have a perfect right to go on and construct roads into that Yukon country across United States and Canadian territory. There is nothing to prevent any company in Canada or the United States or Great Britain, from investing capital in a road across from Dyea to the Lewes River, or Hootalinqua, a distance of 225 miles and the hon. gentleman would have us believe there were millions in it for these contractors. Does the hon. gentleman suppose that if there are millions in it, that the gentlemen who are so anxious to get to that country are not possessed of business tact and knowledge to induce them to adopt that route, and if the advantages are as great as he points out to-night, there is more money, according to his showing, in a road

from Lynn Canal into Lewes or Yukon than than there is in the other road. Does anybody pretend to say we are going to be tied up for all time to this one road from Telegraph Creek to Teslin Lake? I do not believe a word of it.

Hon. Mr. WOOD—If my hon. friend will allow me, there are, it is true, two charters to two different companies from the head of Lynn Canal, not to a point on the Yukon River below Five Finger Rapids, but to some point below Lake Bennett, one the British Yukon Company and the other the Yukon Company. One of the roads goes over the White Pass, and the other by the Taku Inlet, and so far as surveys have been made on that route, I believe they are both impracticable.

Hon. Mr. KING—I am surprised at these gentlemen coming and asking for charters which are impracticable.

Hon. Mr. WOOD—And so far as the advantages of the routes go, they would have very little advantage over the route proposed.

Hon. Mr. KING—Let me tell the hon. gentleman that if his predictions are true with regard to the paying qualities of the 150 miles of road between Glenora and Teslin Lake in the near future, he need not have any doubt that before a year expires, so soon as it will be demonstrated to the capitalists of this country, we will have the route established which we are all anxious to have, the route from Edmonton to the Yukon, the route which I approve of above all others, the route which I would give my vote for to-night, if it were practicable. But we must not lose sight of the fact that the Yukon country is not situated like some other countries. The Yukon is right alongside of Alaska. The hon. gentleman from Westmoreland says we should be satisfied with a waggon road. The hon. gentleman from Shell River says. Open up a trail from Edmonton to Peace River by the troops and then on to that country. That is not what we want. We want some other means of getting in to the Yukon. We have no guarantee that we are going to have law and order maintained in that country, unless provision is made by which the miners and the aliens who are there are convinced of the fact that we have a way of sending troops and police into that country. Show these men—aliens nine-tenths of them or seventy-five per cent of them—that the people of this country are prepared, by opening up a way for the transportation of troops into that region, to nip in the bud any disturbance there may be in the country and then you have accomplished all. You can keep the peace. But hon. gentlemen if you attempt to govern that country without a ready means of going into it, the moment the population of that country discovers that you are at their mercy, that moment will they take advantage of the government of this country. And then I venture to say that this chamber would resound with harangues, each an hour long, if the government were not to attempt to get means of access to that country at the earliest possible moment.

Hon. Mr. MACDONALD (B.C.)—Can troops go in by the Stikine River now?

Hon. Mr. KING—I do not know; I am not a lawyer. I have not heard anybody say that civilians could not go in by the Stikine River, nor do I think the gentleman who moved the six months' hoist will dare to rise in his place and say that under the treaty between Great Britain and the United States, civilians will be prevented from going up the Stikine River. I do not think that he will dare to rise from his seat and say that food for troops will be prevented from going in by that route.

Hon. Mr. MACDONALD—I say troops cannot go in.

Hon. Mr. KING—The government provides that they shall start at an ocean port, and go through the 200 miles up to the end of the road at Glenora, and we will not be so far off that road at all. Then, hon. gentlemen, reference has been made to the Yukon navigation. I know we have by treaty the same rights on the Yukon River that we have on the Stikine, but do you forget that for a thousand miles, at all events, it passes through foreign territory?

Hon. Mr. MILLS—Fifteen hundred miles.

Hon. Mr. KING—And do hon. gentlemen forget where the outlet of that river is? We

may have faith to believe that, so far as our American neighbours are concerned, we are safe; there is a good feeling, and I am glad of it, existing between Great Britain and the United States and long may that feeling continue, but do you know this, that in approaching the Yukon River you are treading closely upon Russian territory?

Hon. Mr. MACDONALD (B.C.)—With the Behring Sea between.

Hon. Mr. KING—And you have not a British port nearer to the mouth of the Yukon than Port Simpson, and you are at the mercy, in case of difficulty, of one or two powers. That is a point worth considering. This has just occurred to me since I got on my feet, but still I think that that point is well taken. We have had trouble enough in Behring Sea before with Russia and the United States, and we might have trouble in Behring Sea again, and for my part, I approve of a policy, hon. gentlemen, which, first of all, will make Canada independent of every other nation, which will keep Canada for the Canadians. I was going to remark, "How have the mighty fallen?" For the eighteen years I have been in politics, I have heard the cry from the mouths of the Conservative party, "Canada for the Canadians." It has been the watchword of the party, the cry to which, I believe, they owed their eighteen years' possession of power, and to-day they are prepared, as a party, to abandon that cry and say, "Canada for the Americans." Why, sir, I would not be surprised if this vote were taken to-night in this chamber that, at the telegraph offices in San Francisco and Seattle, there are gentlemen waiting for a despatch from Mr. Livernash, to say that the Senate of Canada had decided upon a United States route in preference to an all-Canadian route. I have taken up more time than I intended, and I thank you for the great attention that you have given me. I hope I have not said anything which will tend to grate on the feelings of any hon. member. When I do speak, I believe in saying what I mean; and, when anyone replies, I am willing to accord him the same privilege.

Hon. Mr. PERLEY—It is only from a sense of duty that I rise to-night at this very late hour to offer a few remarks to this House upon the question which has been very long before the parliament and this country. I am only a farmer, but I will venture to say the task I have undertaken now, of saying anything new on the question now before this House, would tax the ingenuity of the greatest lawyer in Canada. This question has been argued from every possible standpoint, not only in the other House, but already in the Senate and in these newspapers. So much has been said that almost every ragamuffin on the street could dance to the tune of the Klondike railway bill. I am not in the habit of speaking in this House. I have been content, on most subjects, to give a silent vote. I do not trespass on the indulgenge of hon. members very frequently, but, coming as I do from that western portion of Canada, that is, perhaps, more interested in this bill than any other portion of the Dominion, I feel I can justly claim the indulgence of this House for a few minutes. A great deal of advice has been tendered to this hon. Senate. We have been directed and told how we should vote upon this question, and have also been told what consequences would follow if we did not happen to vote in a certain direction. I may say, so far as I am concerned, I have not been approached by any man, by word deed or insinuation, no one as asked me to vote against this bill, nor as any one interested in the bill asked me to vote for it. I say it with considerable pride, I have not been lobbied—as I have heard some hon. gentleman say there has been lobbying going on—I come here knowing the responsibility that rests upon me as a senator of the Dominion of Canada. When I took a seat in this chamber I made up my mind that I occupied a different position to that which I had occupied in the other House where I served a couple of sessions. In coming here, strong as my political proclivities might be on some questions, I have always determined to do my duty honourably, fairly, and justly in the interest of the country that I am here to represent. On every question that has come before this House I have given a fair and impartial vote. I have voted against the Conservative party, strong as I was in favour of their general policy, and I have made a record that very few reform members can equal in this House. When I come here and a government bill is introduced into this House I make up my mind to give a fair and impartial vote upon it.

That is my duty to myself and to the people I represent, and I would be unworthy of my position in this House if I did otherwise. I put off all my inclinations and vote for the bill on its merits. My hon. friend here (Sir Frank Smith) yesterday put very great emphasis on the fact that a majority of 39 hon. members in the other House had voted for this bill, and it would be a very great wrong and great responsibility for us to undertake to thwart the vote of those hon. gentlemen. If we are here merely to ratify the decisions of the majority in the lower House, then the sooner we are abolished and sent to our homes the better. We are here to vote regardless of how they vote in the other House, to vote conscientiously as an impartial tribunal. Judging by what many of their papers say, it would seem that they think the country is owned by them. But this is the people's country, and we have upon us the greatest responsibility that falls upon any men to vote in a fair and impartial and honourable manner, and so long as I have my judgment and health and strength and senses I shall endeavour to do it in that way, regardless of all threats, fear or other influence. My hon. friend spoke about the influence the majority of 39 had on him. He has already forgotten acts that happened not very long ago. I quite understand that some men's memories fail them once in a while. I remember a few years ago a Combine Bill passed the other House. The hon. gentleman then had not the same respect for the majority that he has on this occasion. He voted in opposition to the wish of the popular branch, as it is sometimes called, and supported a measure that was not in the interests of the country. Every one knows there is nothing so unpopular as these monopolies or combines established in this country. Now, my hon. friend from King's, Prince Edward Island, last night made a statement which I endorse, but he did not qualify it to the full extent that I desire to qualify it. He said that he was prepared to give the benefit of doubt to the government, a sentiment which I endorse to the very letter. I should be justified in taking the word of the government, because it is well known that the government has chances and opportunities of acquiring information that no private member possesses, but I regret to say that it is a very difficult task for a private member to get information from any of the departments. It is regarded as a sin involving beheading for any civil servant to furnish information from any of the departments. If I ask a civil servant for information he will tell me to move an address for papers. I come to the Senate and do that, and then have to wait for weeks for the return—a return which could be brought down in an hour and a-half if the government would take the trouble to supply it. I have begged and coaxed and done everything within the power of a private member to get that information, and yet for six weeks I have been waiting for it and have not got it yet. How then can we be expected to vote for a measure concerning which the government refuse to give us information? I could go home and defend my conduct before the people of the Northwest, if they took me to task for voting in a certain way, by saying that the government told me that so and so was the case, and that I acted upon their statement. But in order to do that I must have implicit confidence in the men who tell me, on their honour, that such and such is the case. But I must look at the record of a man before I give him my confidence. If he is in the habit of deceiving me and failing to carry out his pledges, I have no right to attach any importance to his word. Therefore, I say, I am not at liberty to take the assertion of the hon. gentleman opposite when he said, in the early part of the session, "If you only knew what we know you would vote for this bill—if you poor ignorant creatures only knew what we know you would give us your support." Here, to-night, the hon. gentleman has been reading extracts from papers and letters that he got two or three days ago; had they been given to the House long ago we might have been in a position to cast an intelligent vote on this measure. When the hon. member tells us that if we knew what he knows we should vote for this bill, what right have I to accept his assurance? He is one of the few men in the government that the country regards as an upright and honest man, but to my mind he is like the man who has a reputation for early rising—he can sleep till noon. My desire would be to take the word of the government and vote for the measure, but what right have I to place any reliance in the statements of men who have violated all their pledges. Look at their programme

when in opposition—their prohibition policy—how they have humbugged the country on that question. They preached prohibition and yet they have been granting permits for the sale of liquor in the Yukon until every second house in the Klondike is a rum shop. I am told that whiskey is as free as water in that region, and sometimes freer. We know what their pledges were on trade questions: have they carried them out? I challenge them to mention one pledge that they made in opposition which they have redeemed in office, yet they say to us "if you knew what we know you would vote for this bill." I want some better ground for supporting a measure which, on the farce of it, is objectionable. I am opposed to one feature of this bill which has not yet been referred to, I am not going to speak about the Stikine route, I know nothing about it, and I venture to say that nine-tenths of those who have spoken on the subject know as little as I do. If I had not been opposed to the bill before this debate began, the speech of my hon. friend from New Brunswick (Mr. King) would have convinced me, so would the speech of the hon. Secretary of State, and, above all, the speech of the hon. senator from Toronto, (Sir Frank Smith). I can hardly contain the convictions that have been forced upon me by these gentlemen. They have failed to advance one solitary argument in favour of this measure—and the government in giving this company so much land and spending so much money.

Hon. Mr. SCOTT—There is no money involved.

Hon. Mr. PERLEY—No money involved, when you are maintaining Commissioner Walsh and purchasing 13,000 lbs. of beef at a dollar a pound?

Hon. Mr. SCOTT—That was for the starving miners. Mr. Walsh had abundant provisions for himself.

Hon. Mr. FERGUSON—How does the hon. gentleman know that the beef was bought for starving miners?

Hon. Mr. SCOTT—The reports that came through were that persons coming out from Dawson relied on the police to feed them as they went by. Major Walsh had ample provisions for more than six months ahead.

Hon. Mr. FERGUSON—Why do you not bring down those reports?

Hon. Mr. SCOTT—I see them in the newspapers. I get them just the way the hon. gentleman gets them.

Hon. Mr. PERLEY—Only the other day the hon. member, in replying to a remark from me based on some newspaper talk, told us that he did not waste time in reading the newspapers. As a business man I regret to say that this government contains no business men. It is a government of lawyers. Now, I give a lawyer all the credit he is entitled to, but a lawyer is not the greatest man in Canada. I am prepared to award to these gentlemen all they are entitled to, but when you have a government composed, as the present one is, of a large number of lawyers, who are the most unreasonable and inexperienced men in the country to do business with, and the last men you would trust to carry through a commercial and financial transaction—because a lawyer wants the whole thing himself—you might expect just such a measure as this. I am opposed to the bill on the ground that there is no precedent for such legislation in the history of the world. It differs from any charter ever asked for in parliament to my knowledge. It is chartering a company which may build a line from the tropics to the Artic circle. It is what you might expect from a government who know nothing about the subject. The Minister's own argument in defence of the bill is that they do not know the first thing about it. The Secretary of State says that the country north of Glenora is no good, and that Yankee fellow the other day said that there was only 80,000 acres of land in the Yukon country on which gold has been discovered yet. Here, without any knowledge of the country, with undue haste, without calling for tenders contrary to every precedent—contrary to the principle which hon. gentlemen opposite advocated in opposition about letting contracts—they give a contract to Mackenzie & Mann to build a railway beginning nowhere and ending nowhere, and which leaves us at the mercy of the United States if we wish to take armed forces into that country.

The railway terminates 300 miles from Dawson on a river difficult of navigation during the short season when it is open, as we learn from the newspapers, and that is the only way we can get information about that country. I say they are humbugging us and humbugging the country. I am opposed to this railway being built at all. I do not think it should be built at the present time, even by the Edmonton route. No country ever undertook to build a road without knowing the first thing of the character of the country through which it was to pass and the difficulties to be encountered. The book published by that Yankee, from which the hon. gentleman quotes, does not give a very flattering description of that region. He speaks of the frost being several feet deep in the ground, and he describes the difficulty of striking pay dirt. These are facts which are not denied. The government themselves have very little to say in favour of that distant country, and they speak of Mackenzie and Mann as though they were philanthropists going in there to build a great railway for which they are to get practically nothing. The country is yet undeveloped; in course of time it may be more populous, but that time has not yet arrived, and it is premature to undertake the construction of a railway under the circumstances. When a member of the government said in the other House that it was a huge gamble he described it correctly. I was surprised to hear hon. gentlemen opposite say that this company would make its money out of the poor confiding Englishmen who would advance money for the construction of the road. Such a policy is enough to ruin the financial standing of the country. Nine-tenths of the people in the Klondike region are aliens, and if a railway is wanted for their accommodation there are three projects ready to be promoted without giving a monopoly to this company. There are thousands of settlers in our north-west who have been waiting for years for railway facilities which the government have not felt themselves in a position to furnish, yet we are asked to subsidize a company to build a road into the Klondike where very few people live and where most of those who are there are aliens. There in the North-west Territories the settlers are hanging on by the eyelids in the hope that the government would see that a railway was built to that country, but you cannot get it. They know that it is a magnificent country and a country which will produce millions upon millions of bushels of wheat, and afford traffic for a railway. There is a chance for us to spend money in the development of the country, where we have hundreds and thousands of good honest settlers, and not ninety per cent aliens. There they are with their wives and families suffering with privations of pioneer life. It would make you heart bleed if you went to that country and saw those people suffering as I have, and I have raised my voice in the House in advocacy of the policy of making the government complete the lines of railway, but there is no effort to have them completed. They look with a coldness equal to an iceberg upon the hardships and privations of these people, while away in the Klondike they want to build a railroad and charge the country with it for the benefit of a small population most of whom are aliens. They say it does not cost anything, but that is a blind. They are advertising to the world that this railway is to be built, and if men go there it will be because of the false advertisements which attracts them. It was a violation of every principle of responsible government to seal a contract and act as the government did, and there was no justification whatever for it. They have sent their agent, Mr. Ogilvie, across to the old country where he is lecturing, and he is booming the company with a view of making the stock sell better, so that they will raise lots of money. No wonder it is called a gamble. It is worse than a gamble, because fraud added to a gamble makes the gamble still worse. I think it is a complete fraud upon the honesty, integrity and faith of the country, because, while every citizen should have faith in the government, and when the government announce to the world that they are doing something which they are not doing, I say it is worse than a crime—it is a trick, an insult, and an injury to the credit and intelligence of the people of Canada. I suppose the word trick is hardly parliamentary, I will say an act.

Hon. Mr. MILLS—Oh, the expression is mild.

Hon. Mr. PERLEY—I challenge any member of the governmnet to contradict one

word I have said about the violation of the promises they made when in opposition. I have heard the Prime Minister—whom I have always spoken of in the highest terms—denounce the national policy, and the big member for Guysborough says it is not a national policy, it is a national poultice, drawing the money out of the people's pockets, and ever since that memorable expression, they have styled him the big poultice. The people believed him and thought he was telling the truth. But if they were to appeal to that western country to-day, they would find a different feeling altogether. They may humbug them while they are in power, but the day of resurrection is coming and the judgment is upon them, and the word will be to them, "Depart, I know ye not." I am opposed to this railway. Hon. gentlemen have heard this matter fully discussed. Common sense is the gauge that guides a man in the successful performance of any kind of work. In proportion as he has common sense, he will be successful, and I say that the common sense of any man will tell him that it is a most preposterous, outrageous and unjustifiable thing to undertake to build a railway, starting at the interior of a country where it will cost a man his life and fortune to get to one end of it, or cost his life and fortune to get from there to the other end of it. I am not going into the details of it, because I have no desire to repeat arguments which have been advanced so many times. We have the Northwest Central Railway going through one of the finest countries in the world. It is projected 50 miles and it goes by the very door of the member of East Assinaboia in the other House, and that railway is not being pushed forward. Hundreds of honest, loyal Canadians are living there in the hope that it will be built, but the government is not granting aid. I venture to say there are ten times as many people living on those railroads, Canadians with their wives and families and with all their machinery to work, as there are in the Klondike, but the government does not know them, and does not care a snap about them. When my hon. friend speaks about these miners going back into Assiniboia and Western Canada to farm, it shows the very vague and imperfect idea he has both of the character of the miners and the character of the country. The hon. gentleman told us that the other day in describing the way to get into this Yukon country, and he thought if it was a great argument in support of his side of the question. But he did not do it fairly. I tell him in unmistakable language that he did not do it fairly, because he started at Winnipeg, and told you that it was 1,000 miles from Winnipeg to Calgary. He might as well start at South Africa and he would have made the distance a little longer. He might as well have started at Halifax and gone three times round Prince Edward Island and he would have had the distance a little longer. Winnipeg has no more to do with it than the man in the moon. If he had started at Calgary and told you that you had to pay for the heavy haul on the Rocky Mountains and then round up to the Klondike, putting that as one route and comparing it with the Edmonton route it would have been an honest comparison, but he could not start at Calgary, because his disposition was to mislead the people and he had to start at Winnipeg and say it was a thousand miles, while it was less than nine hundred. At the present time I am not in favour of a railway. I say it is premature, and I will stake my reputation, as a man of common sense, as a man living in the country, as a man who knows something of what he is talking about, that if you cannot complete it all the way, it is premature. I say this tramway is a humbug and a piece of bosh. It is not worthy of the name, and I am surprised hon. gentlemen would think about calling it a railway. It is only a narrow gauge road, and will be no use when it is built. What I would propose would be to build a wagon road for the time being, starting at Edmonton. The road is partly built, and we have long water stretches along that line which would make it easy of construction, and render it easy to get into that country. We would then have an all-Canadian route, and we would not be troubled with all these perplexing questions that may lead to trouble between United States and Great Britain by some rash man violating the law or doing something wrong. They may incur that disadvantage and misfortune to the empire. In this way they would have no difficulty of that kind whatever. I hold in my hand a map on which I can show you the proper route. I have

made a few notes as to the distances because they are difficult to remember, and I will mention them :—

—	Miles.	Miles.	Miles.
Wagon road now in use Edmonton to Peace River	260		
Steam navigation on Peace River to Fort St. John		140	
Wagon road St. John to Forks of Nelson			150
Steam navigation down Nelson and up Liard to foot of rapids		135	
Wagon road around rapids on Liard			35
Steam navigation on Liard through Rockey mountain to foot of Brulé portage		40	
Wagon road foot of Brulé portage to head of Cramberry portage			15
Navigation head of Cramberry portage to Frances Lake		175	
Wagon road Francis Lake to Pelly River			50
Totals	260	490	250
Grand total	1000 Miles.		

And when that is reached you are at the head of all routes.

Hon. Mr. MACDONALD (B.C.)—How many transhipments ?

Hon. Mr. PERLEY—Two or three. You can take your load off the wagon and put it on the boat. I would advocate the opening up of a good wagon road by which people could go in there. My hon. friend from Shell River (Mr. Boulton), said that if he had a letter of credit from the Hudson's Bay Company, he could go in there in six weeks. If a wagon road were built in there, you would have the means of transportation and after the country is developed if the circumstances of the case warranted it, the government could build a proper road. I was the representative of the territories at the World's Fair, and I can tell hon. gentlemen that we had the finest of wheat exhibited there which was grown upon the Peace River, some five or six hundred milees north of Edmonton. There is good forage there for horses, and there are many advantages near the head waters of those rivers. It is said the sources of those rivers abound with gold, and that the gold is not all in the Klondike region. I saw a letter in the press the other day, written at Prince Albert, stating that there were large quantities of gold found on these rivers, in fact all the line I am speaking of gold is found. By means of the wagon road you would develop that country, you would open up an agricultural country, where, if the miner was dissatisfied or had made his pile, he could locate on a farm. That would be possible on this route but not on the other route. It is said that ninety per cent of these men who go to the Yukon will be aliens. They are coming to the country to take the wealth away, and all the country receives from them is what they pay for supplies ; but the men, as a rule, who come by the Pacific routes buy United States goods at San Francisco, Seattle and Washington, and different points along the line. All the provisions they require are supplied by the United States already. We may possibly, on our side of the mountains, compete with these men in our produce—beef, pork, mutton, eggs and butter—that miners require in order to supply them with food. But by this Stikine route all supplies would have to be hauled across the Rocky Mountains and up that difficult road to get into the Klondike, and no wonder it costs ten dollars a hundred to obtain it up there. We cannot compete for that trade. We cannot compete for the supplies that are going into that country, because the Americans have the advantage of us in their better means of transportation. They are nearer the waterway. Hon. gentlemen heard Mr. Thompson tell the committee on the Ottawa Canal the other day about the contrast between the railways and waterways as to the cost of carrying goods. That gentleman was a Yankee, but a fair man, and gave a good illustration of the difference between the two ways of transporting freight. I say it is a mistaken idea for any government to undertake to say that high and extravagant rates will pay for the building of a railroad. Nothing will retard the progress and development of any country like excessive charges of transportation in and out of that country. I live at Wolseley, 300 miles west of Winnipeg, on the Canadian Pacific Railway. If the government of Canada would give me the whole municipality of Wolseley and give me no railroad, I would not take it. It would not be worth a ha'penny ; and if the railroad were built and no settlers there, the railroad would not be worth a ha'penny, and I say it is proper and right for the government to subsidize a railroad into such a country in order to get it built. Then, it is

right again to see that the freight rates are not exhorbitant, or extravagant, or burdensome on the people who are in that country. It is a mistaken policy to allow heavy charges for freight, and if you desire to make a country prosperous you must make transportation as low as possible, thus encouraging the men to go in there. He will have some heart to go to work and develop the country But as to this Yukon district, not one man in 10,000 in Canada, I was going to say, who will go into that country will make more than he will take in if extravagant charges are allowed on transportatiun. There was an argument the other day about rich gentlemen going into that country. We do not want any rich silk-gloved men in that country. We want the workingman. I say the policy of the government, if they are going to build a railway there, for the first five or six years after that railway is opened should be to allow only the lowest rates to be charged, even if the government have to give a premium to the railway company to take supplies in for the people into that country. Then in a few years the increased business consequent upon so many people going into the country will ten times over pay the loss in the first place. That is a sound and honest and businesslike principle. If you undertake to handicap any businesslike principle. If you undertake to handicap any business on the start, you kill it. You could not build a factory or an industry if you worked on the financial basis, that the company had to pay up the dividends, pay for the work and pay everything out of the profits on the start. When the government build a railway into that country, I would like not only to see them give them a proper subsidy but to see the government have some officer to see that it shall be properly built and to fix the rate. What do you find in the contract? I remember when the Canadian Pacific Railway was built Sir Wilfrid Laurier said that if the government had taken the advice of Mr. Blake they would have had a fixed rate upon that railway above which the company could not have gone, and then they would have had a living rate. And what has happened in this case? They do not profit by the experience of their predecessors. I do not blame a man for making a blunder at first, but when he sees other people blundering and observes the effect of it, he should be able to avoid that blunder himself. The hon. gentleman made that statement in my hearing, but in the face of that the government have gone on and given these men just such a monopoly they have everlastingly been finding fault with the Conservatives for giving. They give a monopoly for five years, and give them an extravagant rate for it, because in five years there will be 25 per cent taken off, and in another five years there will be another 25 per cent taken off which will make 50 per cent of a reduction. I think, therefore, that the rate in the first place must be too high. The rate should be reasonable at the start and the government should, if necessary, pay a bonus to the company, until the country is settled enough, to make the operation of the line profitable. It is not good policy to undertake to build a railroad and expect the poor man going into that country to have the last dollar extorted from him in order to pay for its construction, while the customs derives a revenue from him. It is a policy which will cause great injury to the development of the country.

Hon. Mr. DEVER—Will the hon. gentleman tell us where the government are to get the money?

Hon. Mr. PERLEY—The hon. gentleman ought to be able to solve that question himself. He has solved more difficult problems in his life. One of the great arguments in supporting this measure is that the road will afford a market for our people, but if that is the most important object, the Edmonton route would serve the purposes of Canada better. It would afford a market for the settlers in the North-west as well as for the manufacturers in eastern Canada, so that the benefits of the work would be distributed over the whole Dominion; but building it from the Stikine would give the bulk of the traffic to the United States, and Canada will be the poorer by the amount of gold taken out of the country. I am going to vote against the bill. I am not lacking in courage in some directions, but I would not have the courage to go back and face an indignant people if I voted for this measure. Since it was made public, I have received many letters from people in the North-west, not one of them in favour of the bill. If the government could read the writing on the wall, they would see that their fate would be sealed by the passage of this bill,

and the Senate will do them the best possible service by throwing it out. When the time comes when a railroad will be required, something will be known of the best route by which to build it. There is room for two lines into that country, one through the great mineral district north of Kootenay, and the other through the prairie country. Throughout this whole affair the government have shown undue haste. It is simply an outrage on the public to dispose of dredging licenses as they have been disposed of. No wonder the ministers call this a huge gamble—they have sold dredging licenses to speculators so that if a poor man goes into that country and happens to locate a claim on a paying sand bar, he will find the heirs of Mercier, or some other clique, seeking possession of it. In the eyes of the people of Canada to-day the government stand condemned; they have spun the rope that will be placed in the executioners hands at the next election. Their days are numbered. As the judge metes out the days of mercy to a condemned criminal, so the days of this government are numbered by the number of days between now and the next election. By not fulfilling their promises to the electors on the tariff they have woven one strand in the rope; the Drummond County deal is the second strand, and this Yukon transaction is the third strand, and I tell you they have woven a rope so strong for their own execution that it will not break.

Hon. Mr. FISET moved the adjournment of the Debate.

Hon. Sir MACKENZIE BOWELL—I should like to ask the leader of the House when he expects this debate will close? I ask the question in order that members may govern themselves accordingly.

Hon. Mr. MILLS—I am unable to say how long the debate will last. I understand a number of members desire to speak yet. The hon. gentleman knows the progress we are making, and I am satisfied that the debate cannot come to an end before Tuesday next. My hon. friend ought to know more about the matter than I do, but that is my impression from what I see and can learn.

Hon. Sir MACKENZIE BOWELL—If I could have my way the vote would be taken to-morrow night, but I am not better acquainted with the feelings of members supporting the government than the hon. gentleman himself is. How long he or his friends might desire to occupy the time of the Senate is, of course, better known to him than it can possibly be to me. This I can say, those who will vote for the amendment are ready whenever the leader of the House is inclined to call for a division to cast their votes.

Hon. Sir FRANK SMITH—Is it proper for a member to pair?

Hon. Mr. MILLS—I understand that my hon. friend is ill and would like to leave; certainly he can pair.

Hon. Sir FRANK SMITH—I mean for the vote. I do not want to shirk the vote, and, if necessary, I will come back if I am able to get here.

Hon. Sir MACKENZIE BOWELL—If a member wishes to leave for any reason, and can get a pair, it is considered the same as if he had remained to cast his vote. My hon. friend, I understand, has arranged a pair with Mr. Ferguson.

Hon. Mr. ALLAN—There is no doubt about the right of a member to pair. We had an illustration when the vote on the Drummond Railway Bill was taken last year. An hon. gentleman opposite came across the floor to me and asked if I would pair with him, and I did so.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 25th March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

JOINT COMMITTEE ON THE PRINTING OF PARLIAMENT.

FIRST REPORT ADOPTED.

Hon. Sir JOHN CARLING, from the Joint Committee on Printing of Parliament,

presented the first report and moved its adoption.

Hon. Mr. POWER—I do not rise for the purpose of opposing the motion of the hon. chairman of the committee, but the uniform practice with these reports is that we have waited till the House of Commons has adopted them. I think there is some recommendation with reference to an expenditure and we should await the action of the other House on the report.

The motion was agreed to.

THE SONGHEE INDIAN RESERVE.

MOTION.

Hon. Mr. TEMPLEMAN moved:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all correspondence between Mr. J. A. J. McKenna, the representative of the Department of the Interior, and any member of the British Columbia government in respect to the proposed removal of the Indians from the Songhee Reserve in the city of Victoria, British Columbia.

He said:—I do not think the motion requires any remarks on my part further than, for the information of the House, I might say that the Songhee Indian reserve is situated in the centre of the city of Victoria, that communication has been held between the local and federal governments with reference to removing those Indians out of the city. The people of the city of Victoria are very anxious that they should be removed, but for some reason or other, negotiations thus far have not met with success, and we in British Columbia would like to know whether it is due to the grasping policy of this government, or the policy of the government in British Columbia. It is a scandal and a disgrace to have an Indian reserve of over 100 acres on which there are 100 Indians situated almost in the centre of a city like Victoria.

Hon. Mr. MACDONALD (B.C.)—I am very glad the hon. gentleman has brought this matter before the House. We have been struggling with this matter of the Songhee reserve for the last 20 years and have failed so far to accomplish anything. It seems the Indians have rights which cannot be controlled without their consent, but the hon. gentleman is a new broom and I wish him all success in the matter and hope that he will stick to it till it comes to something.

The motion was agreed to.

CONTRACT OF TIGNISH BREAKWATER.

INQUIRY.

Hon. Mr. PROWSE inquired—

1. Is the work on a contract assigned to J. H. Myrick & Co. on Tignish breakwater being proceeded with.
2. Has an inspector for this work been appointed.
3. If not, why not.

He said:—I may say that I have it from a very reliable source that work under this contract has been commenced and proceeded with to a very considerable extent already, and up to the present time there is no inspector looking after the work. As it is a work exposed to the action of the sea, it is of the utmost importance that it should be proceeded with at once.

Hon. Mr. MILLS—I may say, in reply to the hon. member, as to his first question, that the contract with J. H. Myrick & Co. was returned duly signed to the department on the 8th instant, and preparations are being made by them to proceed with the work. To the second question I may say that no inspector has yet been appointed; to the third, that the inspector is generally appointed by the department when the actual work on the ground has been commenced.

DISMISSALS OF GOVERNMENT EMPLOYEES.

RETURNS LAID ON THE TABLE.

Hon. Mr. SCOTT laid on the table of the House returns in connection with dismissals.

Hon. Sir MACKENZIE BOWELL—That is not the whole of the returns called for?

Hon. Mr. SCOTT—There is one more to come. This is the return from the Post Office Department.

Hon. Sir MACKENZIE BOWELL—God help the poor officials.

Hon. Mr. SCOTT—You can understand the cost of making up the return.

Hon. Sir MACKENZIE BOWELL—It is sometimes necessary, in order to expose

the iniquities of the government, to get returns printed, even if they do cost something.

THE YUKON RAILWAY COMPANY'S BILL.

DEBATE CONTINUED.

The Order of the Day being read,—

Resuming the further adjourned debate on the second reading (Bill 6) an Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company; and the motion in amendment of the Honourable Mr. Macdonald (B.C.), that the said bill be not now read a second time, but that it be read a second time this day six months.—(Hon. Mr. Fiset.)

Hon. Mr. DEVER said: I find that the hon. gentleman from Rimouski moved the adjournment of the debate, not for himself, but for another member, and as that hon. gentleman is not disposed to speak to-day, I wish to say a few words on the subject before the House. In doing so, I intend, as preliminary to what I have to say on the main question, to address myself to some of those who have preceded me. First I shall address myself to the hon. member from Shell River (Mr. Boulton) I apologize to that hon. gentleman if I in any way interjected anything that was offensive to him. I have always found him a man who was entitled to respect in this House, a gentleman who is anxious to perform his duty as a senator, who is an agreeable speaker, and always ready to present public questions before this House in a manner attractive and becoming to one on whom we look as a man of refinement and education. Saying this for the hon. gentleman, and much more that I would wish to say, I must beg his pardon and tell him that when he comes to the philosophy of finance, unfortunately his propositions never satisfy my views. I may be wrong, and I dare say it is my fault, but at all events some of his propositions last night did not meet my approbation when he seemed to argue that, because gentlemen sought a charter from the government to go on with a work they had no right to have power to issue bonds for more than the work might be worth. Now, the view I take of a charter of that description, especially in the case of Mr. Mackenzie which he instanced, the Toronto Tramway Company, I could not perceive why they should not have a right to issue bonds for any amount on the security of their charter. That did not compel applicants to give their price. Their bonds were like greenbacks, liable to fluctuation, and fluctuating until they reached a level of what was a bona fide gold basis. Therefore, I cannot conceive what injustice or wrong-doing any gentleman might be guilty of in issuing promises to pay for certain amounts when it was optional for parties to purchase or decline to purchase as they thought proper.

Hon. Mr. BOULTON—The hon. gentleman should realize that the power to issue stocks and bonds is the power to tax the people.

Hon. Mr. DEVER—No doubt of that, but the people need not be taxed—they need not own the bonds. We have no right to restrict a commodity which is merchandise in the market, especially we who claim to be free traders. At all events, that is the view I take of it, and I trust in taking this view I may not be considered anxious to be at issue with the hon. gentleman; but I thought it my duty to interrupt him to explain the view I took of his philosophy in finance. The next friend, to whom I shall offer a few remarks, is my honoured friend from the woolly west (Mr. Perley). We all know that the hon. gentleman is blessed with great physical force and mental power, and when he gets his angry passions up he feels irresistible. I have pride in him for many reasons. I have pride in him especially because he was a New Brunswick boy. We have all read of the great Buffalo Bill. I have myself stood at the street corners in silent wonder at the evolutions of that wonderful performer. We have read about it in the papers and the youngsters were all anxious to see the show; but may I tell you hon. gentleman, I was more pleased and I think better satisfied at that grand performance which was put on our boards last night by the hon. gentleman from Wolseley than I ever was before. Coming down to the financial part of that hon. gentleman's statement, that he could build wagon roads into the Yukon country 1,000 miles long, and two extensive railways, wholly independent of the railway that is under discussion, I may say he lacked one important particular, and that was how he could raise the money for these great undertakings. His imagination was grand, he could conceive a road here, a road there, and

a wagon road 1,000 miles in length yonder —but there is no bank account forthcoming; and he refused to endorse the only road that is adopted by the government of Canada, who are charged with the affairs of this country, and in a position to say that it is the only road that can be built in that vast region by a land grant. My friend from the woolly west may have been satisfied with his own argument; for my part I was not; still I admire and look upon him as my friend, and am always glad to claim him as a New Brunswicker. My next reference will be to my colleague, from New Brunswick also, from Westmoreland (Mr. Wood). I do not wish to name that hon. gentleman, but I cannot allow his very graceful and very smooth and very eloquent speech to go unnoticed. Of course hon. gentlemen who speak fluently are very apt to make mistakes, and I thought, notwithstanding his religious accent, his religious style, his profession of great honour and honesty, that he was by no means disposed, if he could help it, to oppose the government measure. Of course, he is shrewd and he rolled up those expresive eyes of his and looked to the moon, to the stars, and to the great Apollo himself, and cried that he was full of sorrow that he could not give his consent to the government proposition. I felt this, that nevertheless the hon. gentleman's speech was somewhat condemned, as the prophesies of Cassandra were condemned. It lacked one thing: I was unable to receive it as true, therefore there was that difference between that hon. gentleman and myself. He was most anxious also to build railways for the government. He could build two railways; he knew that were better routes than that laid out by the government; but he also failed to tell us how we could build them. Are we prepared to go into the money markets of the world and borrow some thirty or forty millions of dollars to sink in the great Yukon country?

Hon. Mr. PROWSE—On 150 miles of a tramway.

Hon. Mr. DEVER—My hon. friend says 150 miles; that is the roadway that is supposed to be built by a land grant. I have reference to the road mentioned by my hon. friend from New Brunswick. There are other routes which are known to be expensive ones. They are known to be roads that could not be constructed without a deal of public money, perhaps amounting to 30 or 40 millions of dollars. We have had some experience, hon. gentlemen, in the past of borrowing money in other countries. They borrowed money to build the Intercolonial; that railway cost some 45 or 50 million. It has been in operation for several years and yet, notwithstanding the vast amount of money sunk in that great public work, to-day it is as far off from producing a profit as it was one year after it was constructed. I hold that those hon. gentlemen are just as anxious as I am that no such folly shall be practised by other governments.

Hon. Mr. PRIMROSE—Will the hon. gentleman excuse me for interrupting? I wish to ask whether it was the intention in the construction of the Intercolonial Railway, that it should be a paying railroad.

Hon. Mr. DEVER—I think so.

Hon. Mr. PRIMROSE—It was built as the connecting link between the upper and lower provinces.

Hon. Mr. MILLS—Is that a reason why it should not pay?

Hon. Mr. DEVER—I am aware that it was one of the conditions of confederation, but, I do not think, the matter of payment ever was considered, because it was thought that the internal trade of Canada would be of such a nature and so large in its proportions that it would be utterly impossible that a great work of that kind should not pay, at least, some small dividend. That is the answer.

Hon. Mr. PERLEY—It would pay if we charged high enough rates.

Hon. Mr. DEVER—I do not think the hon. gentleman from the wild and woolly west should be so unjust as to think that the three small maritime provinces should be the sole supporters of that great work when, unfortunately, it has been too true that we have been the contributors, and we expect to be the contributors, but we do not expect by any means to allow any government that may come into power in the future to borrow more money merely to build public works that are very speculative, when there is no surety that they will pay any-

thing approaching the interest on the cost of construction. I will address myself now to the main part of what I am about to say on the bill. I have listened with a great deal of anxiety to hear arguments advanced by hon. gentlemen who oppose this measure. I waited with some patience until I had heard several speeches, but I think I do not say too much when I say that I really did not hear any facts that would go to show that they were desirous of repudiating the efforts of the government of Canada to build a temporary, or almost temporary road for immediate purposes into the Yukon country. It is true I heard insinuating remarks, and I looked for some proofs to confirm the said insinuations, but instead of getting proofs, I found I was answered, as others were answered, by more insinuations. Hon. gentlemen dealing in insinuations should be prepared to offer some manly evidence that these insinuations are based upon some foundation that honest men could receive as a shadow of proof, at all events, of the misconduct of those persons who had been assailed, but such insinuations, I assure hon. gentlemen, have not the slightest weight with me. I know well the power of insinuation. I know unfortunately, sometimes most noble men and fair women are ruined by insinuation. But the parties who deal in such arguments we characterize as cowards.

Hon. Mr. MACDONALD (B.C.)—That is a good word.

Hon. Mr. DEVER—I belong as you are all aware, to one of the lower provinces, and on behalf of that province I do not feel disposed to encourage the borrowing of money to build a railway to the Yukon district. I therefore give credit to the government for their success in securing this road without calling for another loan to be squandered as under former governments, amongst shouters and speculators whose continual cry was "give us more subsidies, else we will turn you out of office." I also think, hon. gentlemen, that it does not reflect great credit on gentlemen to impute double dealing to the premier of Canada. Our sovereign and her advisers did all they could to pay him honour a few months ago. Surely if our sovereign, thought him worthy of her gracious attention, it should intimidate those who are disposed to throw out insinuations against him. Such slanders—I cannot call them anything else—I am sorry to say, sound very base to me. Besides, if Sir Wilfrid Laurier is the dangerous tricky man he has been held up to be in this debate, the other gentlemen in the cabinet are no better. They must be rascals also, else they would not sit with him in the cabinet. So that hon. gentlemen will see that these insinuations are thrown out against a body of gentlemen the first in our country, and if the first gentlemen in our country are not allowed to pass without treachery and dishonesty being imputed to them I wonder what will become of the common crowd. But I do not believe these insinuations, neither does the country believe them, nor has the country any confidence in the men who make them. The country is with the present government, and the more unscrupulous men try to stab them, the more the country will be at the government's back. I do not wish to impute motives, but few can help seeing there is petty spite in this matter. We have a good government, we have a wise government, we have a great government.

Hon. Mr. McCALLUM—Hear, hear.

Hon. Mr. DEVER—And Sir Wilfrid Laurier is to be congratulated on bringing around him such strong men, so that the people in each part of the Dominion can feel that they are represented by able and trusted men in the cabinet. It has been stated by one hon. gentleman very positively that there was no respectable paper that he knew of in this country supporting the government or the men who were about to support the government on this government measure. I do not know whether the paper is in the Conservative or in the Liberal interest, but in reading its articles, I find that it is very Conservative in my opinion. I have taken it up and read with pleasure many of its articles, and have always found, according to my limited means of knowledge, that it dealt with questions on a reasonable and logical basis; therefore I would take the liberty of reading you a short article on this very important point of what the Senate should do, under the circumstances.

Hon. Mr. PERLEY—Is it the *Globe*?

Hon. Mr. DEVER—No, the Montreal *Witness*.

Hon. Mr. BERNIER—It is a very conservative paper.

Hon. Mr. DEVER—I suppose it is. It comes to my room and I read it and I believe it is Conservative.

Hon. Sir MACKENZIE BOWELL—Very strongly so.

Hon. Mr. DEVER—There is a certain class of people who would not consider any paper that would speak against their baby a Conservative paper.

Hon. Mr. PRIMROSE—Was the *Witness* sworn?

Hon. Mr. DEVER—I do not propose to put him on oath because I consider him a gentleman.

Hon. Mr. DANDURAND—When I see the *Star* cited as an independent paper, I think the hon. gentleman is quite justified in citing the *Witness* as an independent paper.

Hon. Mr. DEVER—The article reads:

THE SENATE FACE TO FACE WITH SUCH A CHOICE.

BELIEF THAT THEY WILL NOT REJECT THE YUKON BILL.

Now that the Yukon railway bill has been sent to the Senate, the daily question on the streets is what chance has it there? The answer is that its chances have vastly improved within the past few weeks, and those in a position to know are saying that the bill will pass the Senate. That body has a rare chance of showing that they are something more than the mere henchmen of party leaders, the donkey engine to the political machine which is operated in the House of Commons. By rising superior to the position in which they are placed by common repute the Senate will do more to justify its own existence than anything they have done in the past twenty years. If they act so as to confirm the popular impression that the majority of that independent chamber are mere partisans bound to embarrass the government of the day when it is Liberal and not to embarrass the government when it is Conservative, then they will do much to strengthen the cry for reform. From another point of view, however, the Senate may be expected to adopt the bill. The government says it will not be responsible for what may happen in the Yukon territory, for the perservation of law and order and for the proper administration of the government of Canada—if its policy is checked by the rejection of this bill in the Senate. The government goes still further and says that the retention of that territory within the area of British domain as involved in the question, and that without this means of communication they will not be responsible for the temporary and violent destruction of British authority in the district, and the setting up of mob law in place of the Queen's government. Sir Charles Tupper, in his speech in the House anticipated a revolt among the miners and a refusal to pay the royalty. In fact, he said that we could not put in soldiers enough to collect the royalty. Well, whether the royalty is good, bad or indifferent, once the government of Canada says it is to be collected it must be collected at whatever cost, for no government and particutarly no British government can allow it laws to be set at defiance in remote territories. Respect for British law is one of the colonizing forces in the girdle of dependencies which Britannia has buckled round the globe, and in this case, with the eyes of the world on the gold fields of the Klondike, it is imperative that the traditional respect for British rule shall not be destroyed. In the face of this it is difficult to see how the Senate can assume the responsibility of crippling the executive of the country in its Yukon policy. The people have placed the government of the country in the hands of Sir Wilfrid Laurier and his colleagues. The Senate has no right to take that government out of their hands. And that is practically what they would do if they defeate the bill. Mixed up with the question there is a boundary dispute, and the British flag has been hoisted at the summit of the mountain range where the government contends a proper interpretation of the treaty fixes the boundary between the territory of Alaska and the British possessions. By this Stickine route, including, as it does, an all-rail connection with an ocean port in British Columbia, support could be introduced into that country behind the summit to back up the force of mounted police who circle round that flag and thus bid defiance to any one on the coast side of the range, whether mob or not, who attempted to tear it down. The Senate of Canada dare not reject a bill, one consequence of which rejection might be the humiliation of the British flag and the chagrin of the British people all over the world.

Hon. gentlemen, I agree with those expressions. I hope this Senate will take them into account, and I now address my brother senators and say to them that those who avoid voting on this question by staying away are as guilty as though they voted against the bill. Let every man stand to his guns, that we may know who are the traitors. There is now just one other matter I want to place before the Senate. Another speech was delivered by an hon. gentleman, whom I do not see in his place at present, the Hon. Mr. Kirchhoffer. No doubt this speech has gone to the country, and I believe it made a very wrong impression. I feel it is my duty to do the best I can to present the matter to the Senate in its true light, not in the light which that hon. gentleman wished to present it for the purpose of influencing the vote of this House. It has been said by this hon. gentleman for the purpose of influencing this Senate in its vote on this question, that the Senate had gained credit in the country some time ago by throwing out the Harvey-Salisbury Railway Bill. This statement is not wholly correct, as I will show; there is no parallel between the two bills. It is true the Senate threw out the Harvey-Salisbury Railway Bill, but it was because it was a mere personal and sectional matter in the interest of Halifax as against St. John.

It was not a general bill, it was a sectional bill. It was most unjust to St. John, who was entitled to get the benefit of its geographical position, of being the winter port of Canada, some 275 miles nearer open sea all the year round than Halifax is. Why, then, should a bill that was merely sectional, that was merely supported by a section of the government, by a very small section of the people against another section equally important, why should such a bill be compared to this great measure that the government have unanimously called upon the House of Commons and upon this Senate to adopt as a measure of expediency. There is no parallel. But I will go further; the Senate was asked to waste some two and a half million dollars at that time by that measure to save a distance of about twenty-three miles, and leave St. John out in the cold. It was well known, too, that only part of the government was in favour of that outlay, the other part being against it, giving the Senate the wink behind yonder curtain, to throw it out. Where is the similarity? What is there in that precedent that should influence the vote of this Senate with reference to the Yukon Bill? I can see, and I think any hon. gentleman who investigates this matter will see no parallel whatever. But what is our position on this Yukon Bill? Why, that the whole government beseech us to stand by the country in time of danger, to prevent a mob from pulling down our flag in the Yukon region and trampling it in the dirt before the government could defend it from such disgrace. Hon. gentlemen you may help to do this thing, but I shall vote for the bill. I thank you, hon. gentlemen, for hearing me with such patience, and I trust you will believe that I have not done anything but my duty, and that when I am called upon to perform a duty, no personal consideration can induce me to shrink from doing what I believe to be right.

Hon. Mr. BOLDUC—I have listened attentively to the eloquent and very interesting speeches which have been made on this question and I must say that I agree with the hon. gentlemen in saying that I am fully in accord with them when they say that the question now before us is one of the most important we have dealt with in Canada. We knew for several years, that gold existed in the Yukon district, but the wonderful discoveries which have been made during the last 12 months have created an excitement, not only in Canada, but throughout the whole world and if one-half of the expectation that we have of that vast country is realized, there is no question that Canada has at the present moment the best and the richest gold fields ever discovered. It is true that the mining industry is only in its infancy in that district. The only portion of the Yukon country which is partially explored lies between the Indian River and the Klondike River; a few affluents of these rivers have been explored and partially worked. Among those the Bonanza and Eldorado Creeks have given proofs that prior to the discovery of this Klondike country, nowhere in the whole world was gold to be found in such large quantities. We have no reasons to doubt that the other portions of the country lying between the Indian River and the Klondike River will prove to be as rich as those portions which have been explored up to the present time. The evidence we have warrants us in believing that this Yukon country will become one of the best mining countries in the world, and consequently a vast trade will develop there, and it devolves upon the government of the day to see that that trade is kept as much as possible for Canadians. When I first saw in the public press that the government had taken steps to secure for Canada the immense trade which will be developed there, and had succeeded in making an agreement with two gentlemen to build an all-Canadian road which would not cost a single cent to the country, I said at once, "I have always been against the Liberal party, but if this statement is true, it will be the duty of every member of the House of Commons and every senator to support the government in passing that measure." But, hon. gentlemen, it was not long before we learned that that contract, which seemed when announced to the public in an after dinner speech, was not so good, not so advantageous to Canada as it had been at first described. I fully agree with those who say that it is the duty of every member of the House, in considering a question of this kind, to forget party divisions and party lines. Our duty is to examine the bill before us, and if we are convinced that this bill is in the best interests of the country, I have no doubt that every hon. member of the House will, without hesitation, vote for its passage. I am sure of one thing, that before recording his vote every hon. member of the House

will consult his conscience and record his vote according to his own conscience in what he believes to be the best interest of Canada. We have to examine, before giving that vote, the agreement entered into between Mackenzie & Mann and the government, to see if it is for the best advantage of Canada. The only available routes to reach Dawson City, which seems to be at the present moment the objective point of all the miners who try to reach that Yukon country, are via Edmonton, the Stikine River, Skagway, Dyea, the Dalton trail and St. Michael's. In the Yukon country, as elsewhere, trade will find its natural channel, and that channel will be the least expensive and quickest. In fact we have, at the present moment, experience in Canada of what I am stating here. We have two important railway corporations; one, the Canadian Pacific Railway, has its agents throughout the whole Dominion try ing to have all intending mining settlers in the Yukon travel by its line. When they succeed, we are sure that the man travelling by the Canadian Pacific Railway will reach Vancouver or Victoria, and consequently will buy his provisions and outfit in this country. On the other hand we have the Grand Trunk Railway, another inportant railway corporation of Canada. What are they doing? They have also agents throughout the whole Dominion who are trying to have all the passengers travel by their road, and if they succeed their passengers will travel either by the Union Pacific Railway to San Francisco, or by the Northern Pacific Railway to Portland, Oregon, or to Seattle. These men on arriving at the Pacific coast will have to buy their outfits, their provisions and all they require in the United States. Why is that? The Grand Trunk Railway Company is a Canadian corporation as the Canadian Pacific Railway is, but their interest is to have all the traffic they can on their own line, and they do not care if what they are doing is detrimental to Canada or not. They will try and do what they can to have their line of railway pay. So all the exertions of the Grand Trunk Railway to secure passengers to the Yukon are detrimental to Canada, because it is to their interests to take them out of the country. On the other hand, the Canadian Pacific Railway Company are working in favour of Canada. Why? Because their railway is through the whole Dominion, and in working for Canada they are promoting their own interest, I may say that as long as the Dominion of Canada has no road leading to the Yukon district on the north-east side of the Rockies, it will be impossible to compete with the United States. Let us adopt one route or the other. As long as those routes start from the Pacific coast, it will be impossible for Canada to compete against the United States trade which can be developed there. We know very well that in Oregon, in California, in Washington State they have fine agricultural lands. They can raise wheat and all the foods that the miners require. Bacon, ham, beans and flour are produced there in abundance, and can be sold, if not cheaper, at least as cheap as they can be sold on this side of the line. The government may make all the regulations they wish, but it will be impossible to prevent the people of the United States from securing the great bulk of the trade which will be developed in the Yukon district before it is possible to build an all-Canadian road, which means a road from the only place to control the trade of that district, a road from Edmonton to Dawson City. Before the Telegraph Creek and Teslin Lake road can be built the only routes into that country are by Dyea, Skagway and St. Michael. That by St. Michael's being a water route, will always, in summer time, be the best route and the one which will be cheapest for the transportation of goods. Goods loaded on ocean steamers from San Francisco, from Portland, Seattle, Victoria or Vancouver can be unloaded and transhipped on river steamers at St. Michael's and then carried straight to Dawson City. We all know, from the information we have, that the Yukon is a river fairly navigable, so I say that, do what we may, it will be impossible to divert the trade in the summer time from the route by St. Michael's to any other. Next to St. Michael, in winter time for example, the most advantageous route at the present moment and the one that always will be until we discover new passes which are for the present unknown, is the Skagway route by Chilkoot Pass. It will always be the shortest and most advantageous route, because supposing that railway is built from Telegraph Creek to Teslin Lake, and that miners in winter would go up the Stikine River and Telegraph Creek, and then take the railway from

Telegraph Creek to Teslin Lake, on reaching the head of Teslin Lake they would still be a further distance from Dawson City that when starting from Skagway. Can we imagine for a moment that, for the sake of encouraging the Canadian railway, the miners will proceed by that route when they have such a convenient route by way of Skagway. And if I am correctly informed, before three or four months will have elapsed, a tramway will be built from Skagway up to Chilkoot Pass, and instead of its taking from five to fifteen days to cross on account of the difficulties existing at present, miners will be able to cross that pass in one or two days at most. As I have said before, if we are willing to have an all-Canadian route, the only way is to build one route from Edmonton, and if the government is not willing to build the railway at the present moment, there is nothing to prevent them building a wagon road. We have navigation on Peace River, on Nelson River, on the Liard and Pelly Rivers: so that only a few miles comparatively of that road would have to be made to furnish a good wagon road, and as it has been mentioned several times, this road from Edmonton would be the poor man's road, because all those who are going there are not wealthy men. The fact that they are going to earn a living there shows that they are courageous and possess a great deal of energy, but they are lacking in one particular thing—money. We have been told several times in this House that this country was unknown, that the government had received little or no information on that district, and the great reason why they had made an agreement with Messrs. Mackenzie & Mann so detrimental to the interests of this country was on account of urgency. The hon. Secretary of State said that most of the information he had was obtained from the public press. How is it that they are not better informed? How does it happen that the government having several employees there, cannot receive information from that great country? How is it that the government cannot tell us frankly and candidly the reasons which induced them to make that agreement with Messrs. Mackenzie & Mann. I am sure, hon. gentlemen, that all the members of the Senate were, like myself, surprised to see at the beginning of this week that three gentlemen had been sent as delegates from the whole of the miners, I might say, in Dawson City to interview the government. These gentlemen have been here during the last 5 or 6 weeks. Nobody knew it. Nobody was aware that Mr. Landreville, Dr. Wills and Mr. Livernash were here. They admitted to me that they were afraid of approaching the members of this House or the other House fearing that the ministers would say that they were coming down for political purposes, and their presence was kept secret till last Monday. Nobody knew that there was such a delegation waiting to see the ministers. It was my good fortune to meet these delegates yesterday. Every one of them told me that during the last five or six weeks they had done the best they could to obtain interviews with the government, and more particularly with Mr. Sifton, the Minister of the Interior. Day by day they were at his office, and they were treated like mere office boys. It was impossible for them to obtain an interview, and they told me the only gentleman who showed them a little courtesy amongst those they had seen was the hon. Prime Minister, Sir Wilfrid Laurier; but still Sir Wilfrid, not being at the head of the department which had to deal with these questions, found it impossible to do anything for those delegates. The hon. Minister of the Interior could not pretend that he did not know that these three gentlemen were authorized by the whole of the miners in the Yukon district, because he had a petition sent to him, signed by 2,500 odd miners in the Yukon district, stating that the three gentlemen had been chosen by all the miners and were authorized to supplement all that was missing in the petition prepared by the miners there. I see that the Minister of the Interior received the petition of the miners telling them that Messrs. Landreville, Wills and Livernash were the three delegates authorized to speak for them. Accompanying that petition there is a letter written by Mr. Thomas Fawcett, gold commissioner, as follows:

DAWSON, N.W.T., 13th Dec., 1897.

Hon. Minister of the Interior,
Ottawa, Canada.

SIR,—I have the honour to transmit herewith a petition signed by a majority of the miners in this Yukon district. I have not the leisure necessary to examine and report thereon as I could have desired, but as you will doubtless gather from my reports my opinions on the subjects with which it deals. The gentlemen who have been appointed by the miners to accompany it to Ottawa, will be able to give you very full information in reference to the country, mines,

methods of mining, and all other points on which you may desire information. Dr. Wills, of the North-west Mounted Police, is himself quite a prospector, and has taken a great interest in mining and the regulations governing it. Mr. Landreville, a Canadian, from Quebec, is a practical miner, and had interests on Glacier Creek before that portion of the country was known to belong to Canada. Mr. Livernash has had a legal training which has been of much assistance to him in collecting information which will in due time be submitted for your consideration.

I have the honour to be,
Your obedient servant,
THOMAS FAWCETT,
Gold Commissioner.

So that the Minister of the Interior was fully aware that Landreville, Wills and Livernash were coming to see the minister privately, and were the spokesmen of a large body of men who should be encouraged as much as possible, because if we have discovered mines in that great Yukon country it is due to the men who are courageous enough, and who have the energy to go and work there and we should endeavour to assist them. But instead of that, those three delegates, whom I consider the representatives of a very important part of this country, were refused admission on one pretext and another. They admitted to me yesterday that before the end of last week they would not say a word in public, though they were the delegates of so great a corporation. And why? They said to me: "what do we care about the colour of the present administration? What do we care if the administration is in the hands of the Liberal or Conservative party? What we want is to have good laws for that country, and we thought it very prudent to come here and see nobody else than the ministers of the present administration." I admitted that I thought it was the best thing, and that discretion was their best course. I may say, en passant, that if I take these three gentlemen as specimens of the miners working there, I think there is brain enough in the Yukon, that we can let them do what they please, without fearing they will starve there. Speaking of starvation, I mentioned that to Landreville yesterday. I said it was stated in both Houses—I do not remember if it was said here, but I remember that it was stated in the other House—that there was danger of starvation. He turned to me and said: "Mr. Bolduc there is brain enough in the miners there that if there was the slightest danger of starvation, every head would have left there last fall and would have reached places where there is plenty of food, and no one ever supposes that there was ever the slightest foundation for the rumour that there would be starvation in the Yukon districts."

Hon. Mr. SCOTT—Does not the hon. gentleman know that some 500 or 600 persons were obliged to leave Dawson last fall?

Hon. Mr. BOLDUC—That is just what I say.

Hon. Mr. SCOTT—Forced to leave because there was no food.

Hon. Mr. BOLDUC—And I say more: if the necessity had been greater a larger number would have left Dawson City and would have come down, but how is it, when we hear every day that it is impossible to have news from that great Yukon district, that the most part of the news we have from that great country comes through the press. It is very easy to explain. When we see deputations of intelligent men like the three named being refused admittance to the office of the Minister of the Interior, we can understand very well why the government are not better informed than they are.

Hon. Mr. PROWSE—Did they refuse admission to Slavin, the pugilist?

Hon. Mr. BOLDUC—And we hear from the Secrtary of State that part of this scheme was only gambling on the part of Mackenzie & Mann. I was surprised to hear such a thing, but I can understand now why Laundreville, Wills and Livernash were refused admittance. From what I heard from the hon. Secretary of State, I understand that it was impossible for Mr. Sifton to receive these gentlemen—and why? Because, if I may use the very expressions used by the Secretary of State, I would say that he was too busy gambling with Mackenzie & Mann.

Hon. Mr. SCOTT—I made no statement of the kind. I made no statement about their inability to see Sifton.

Hon. Mr. BOLDUC—I did not say that. I said the hon. gentleman stated it was a gamble on the part of Mackenzie & Mann.

Hon. Mr. SCOTT—I said the whole thing was a gamble because they could not tell the value of the land, neither could Mac-

kenzie & Mann. They had to take their chances.

Hon. Mr. PROWSE—Do I understand the hon. gentleman to say that these delegates coming down from Dawson, representing these people, have been here four or five weeks and have not yet had an interview with the Minister of the Interior and could not have it.

Hon. Mr. SCOTT—The hon. gentleman is misstating it entirely, I happened to go into the room of the premier some days ago I forget what day it was, and I found those two gentlemen and a number of gentlemen, I think Mr. Blair was there, and Sir Louis Davies, and I think Mr. Tarte also were present. They had for a very considerable time been discussing this matter. They had been there for an hour before I went in, discussing the matters in which miners were interested. I remained for half an hour in the room with them.

Hon. Mr. McCALLUM—When was that.

Hon. Mr. SCOTT—I do not recollect the date. It was a few days ago.

Hon. Mr. BOLDUC—Monday last, was it not.

Hon. Mr. SCOTT—I never heard of their being here, they never called on me.

Hon. Mr. BOLDUC—This is all very true. They had an appointment for Monday last, but it was impossible for them to place their case before the hon. gentlemen there. The agreement before us says that the road will be built from either Glenora or Telegraph Creek to Teslin Lake. We are told the distance is about 150 miles, but we know very well that in the route where this railway is to be built there will be sinuosities, and it will be very surprising if the road is not double the estimated length, and I say that instead of the contractors receiving four million acres of land, the quantity will be nearer five millions. We know very well, those who have had experience in railway building, that in the most level countries you have to add at least twenty per cent for curvatures, and at least twenty per cent to the length of the line on account of sinuosities of the land. How can we suppose that, in a country like the Yukon region, the road will be so straight that only 150 miles will be required to reach Teslin Lake from Telegraph Creek? It is possible, if this agreement is passed by the Senate, that next year instead of three and three-quarter million acres of of land being granted to Mackenzie & Mann we will have probably between four and and five million acres and perhaps more. I said a little while ago that, by the first intimation we had from the government, a contract had been given to Mackenzie & Mann it looked to be a splendid arrangement. We received the details piece by piece, just a scrap from day to day and still, at this time I think there is yet a good deal suppressed. I asked the Secretary of State if a wagon road was to be built from Telegraph Creek to Teslin Lake. He said, yes. I asked him who was to pay for that wagon road, for I see no reference to a wagon road in the agreement. He said, "Mackenzie & Mann will pay for it." But in the other House Mr. Sifton, when asked the same question, declined to answer. He refused to tell the members of the Commons who would pay for that wagon road. The Secretary of State said he had but little information about this contract. I do not accuse the hon. gentleman of having tried to deceive this House; I have too much respect for him to say that, but after the admission he has made that he was not well posted on these questions, have we not a right to infer that not only are they giving Mackenzie & Mann four or five million acres of land, but that they will pay extra for building that wagon road. It looks as if the wagon road was not thought of in the first place, but was mentioned by somebody after this agreement was entered into as being necessary for the purpose of taking in supplies for the starving miners. The government were giving everything without knowing the extent of what they were giving. Why? Because they failed to mention anything in the contract about a wagon road. Is it not reasonable to assume that, say 24 or 48 hours after the contract was signed, Mackenzie & Mann were told that a wagon road there would be very important for this season, and that they should build it. Knowing Mackenzie & Mann as I do, by reputation, if the government is going to pay for that wagon road, not only will the contractors receive that immense land grant, but the wagon road will be so built that, after its completion the contractors will only have to lay their rails upon it and have their tramway built. That is my impression of

what will happen if this agreement is carried in the Senate. To reach that Telegraph Creek and Teslin road we must go up the Stikine River for a distance of about 150 miles. I thought at first that the best information the government could get had been received, and that they had the satisfaction of knowing that this river was easily navigable. All I have been able to find in the official papers on the subject is a report from Mr. Jennings. In his last report, page 8, addressing himself to the Minister of the Interior, Mr. Jennings says :

SIR,—In reporting on the result of my observations for a railway route between Stikine River and Teslin Lake, B.C., I would, however, first refer to the means of communication between the sea and a suggested point of debarkation on the river, by mentioning that the Stikine has been navigated by steamers to Glenora and Telegraph Creek, a distance of from 140 to 150 miles from the sea, since the early seventies, when the Dease Lake and Cassiar mining excitement was at its height, but while so navigated during the open season, usually between May 1st and October 20th, the journey has almost invariably been considered slow, tedious and not without danger, partly owing to the inferior class of steamers used and partly to the fluctuating state of the water. At times the river is too low for speed with a reasonable cargo, or, the stream may be very high and the riffles difficult to make headway against, with the additional danger of drift trees or snags getting foul of the steering gear or wheel. The latter danger is most to be feared where the channel is contracted such as in Little and Klootchman's cañons, where, if any mishap occurred to the vessel's machinery, she would at once be carried against the rugged rock walls by the swift swirling, disturbed waters, and sunk by having her planking either torn out or stove in. The distance of 96 miles between Wrangel and Little Cañon can be made by a powerful steamer in one day, whereas, by reason of the swift and difficult water above, it takes two days more to reach Telegraph Creek, a further distance of only 54 miles, or 150 miles from the sea; therefore, with these facts before one, it seems reasonable that on a route where safe and speedy transit is contemplated it is advisable to commence the railway section well down the valley at a point to be determined on below the Little Cañon and on the left bank of the river, 96 miles from the sea.

Hon. Mr. CASGRAIN—What is the date of that report?

Hon. Mr. BOLDUC—It is the last report by Mr. Jennings. As you will see, hon. gentlemen, it may be possible to build a railway from Telegraph Creek to Teslin Lake, but what is the use of having an all-Canadian route there if we cannot reach that railway? In the only official report that I could find, Mr. Jennings who has the reputation of being a very clever and intelligent engineer, says that the navigation of that river is practically impossible. How can we imagine that, after having seen these reports and being aware of the difficulties of the navigation of that river, the government decided to give more than a whole province for the sake of saying that they have a railway built altogether in Canada.

Hon. Mr. POIRIER—It is a gamble.

Hon. Mr. BOLDUC—If we examine this bill carefully in connection with the mining regulations at present in existence, it is impossible to come to any other conclusion than that the policy of the government is to give monopolies there—to give the whole Yukon district to this corporation and destroy all chance for the free miner. We have first the obligation of a free miner to take a license, for which he has to pay $10; then he will have to register and pay $15. He has to pay a royalty of 10 per cent on his gross output except on the amount of $2,500, but this exception is made only in the case where the free miner can go and place the royalty in the hands of the bank named by the government or the gold commissioners. In case this money is collected by the police, then he has to pay the royalty on the whole output of his mine. Is it not extraordinary to see the government trying to deprive the miner of his earnings there? Is it not a fact that in any industry a profit of 10 per cent is considerably more than good? As a rule the profits derived from industry run from six to eight per cent, and the government is not satisfied to take 5 or 6 per cent, but will force the poor free miner to pay 10 per cent. Not only that hon. gentlemen, if the free miner, after having located a good claim, a claim which will recoup him his expenses, is unlucky enough to leave that claim for 72 hours, a big corporation like Mackenzie & Mann will come and say "that belongs to us; you have lost all your rights." Then what can the poor miner do against a mighty corporation when the law is against him? So that I say that all the policy of the government is against a free miner, and in favour of monopoly. More than that, hon. gentlemen, in those regulations adopted in January last, the government has decided to give leases to parties who are willing to dredge in rivers. A man has a right to lease 5 miles in length of a river, and has a right at the same time to take 5 other similar leases, in all 30 miles. What have they to pay for that? Only $100 a mile. And they have to pay 10 per cent on the output of their diggings there. But when? When they have succeeded first in recouping them-

selves their expenses, taken $90,000 worth from their leased claims. Compare that now with the obligations of the free miner. When he gets $2,500 he is obliged to go himself and deliver that money into the hands of the bank, or of the gold commissioner, and failing to do that, he loses his right and a wealthy man who has not gone to the North-west to discover where there was gold, can by paying $100 a mile, lease long distances of the best rivers in that country. At the rate they are going, I think that before three or four months have elapsed there will be more leases given to their friends than there will be rivers to be found in the whole district. In speaking of monopolies that the government is going to create there, it strikes me that the same thing has existed in the parish of St. Francis in the county of Beauce—the county I had the honour to represent in the other House for several years. The first gold which was found in Beauce was in 1846. It was found by pure accident, by a young girl one Sunday morning, crossing a little stream called the Gilbert River. Her attention was attracted by a thing which she thought was a yellow stone. She picked it up and it was taken to Mr. de Leary, and without hesitating one moment Mr. de Leary went to Quebec and obtained letters patent for the exclusive right of mining there to the extent of 72 miles. Of course nothing was said about such a patent existing before large discoveries were made. The farmers looked for gold every summer, and in 1863 Joseph Poulin, John Poulin, F. Poulin and N. Rodrique, in one single day, having struck a place on the Gilbert River where there was only four or five feet of dirt on the bed rock, found with only shovels, picks and common pans seventy-two ounces of gold. As soon as that rich finding was known, there was a stampede, everybody wanted to go and work at the gold mines there. People came from every part of the Dominion, from Europe, from Australia, and from California, but the purchasers of the rights of the lucky gentleman who had succeeded in obtaining from the government letters patent for the exclusive right of mining in that district, saw that it was then the time to make the most of their rights. They made very stringent exactions on the miners there, and a few weeks after all the strangers had disappeared. The next year and the years following the farmers, sometimes on their own farms and sometimes on their neighbours' farms, continued to work for gold. They were left digging as long as they found nothing, but as soon as they discovered something to pay them they were taken by the throat and imprisoned, and it was impossible even for the farmer to work for gold on his own land. What was the result? There was great excitement. The government had to send police there at a very large cost, not to protect the mines, not to develop the mines, but to protect the interests of the parties who had acquired the rights of the happy gentleman who had obtained that concession; and the very men who had been deprived of their right to work on their own farms had to contribute to the payment of the police who had been sent to prevent them from working where they had a natural right to work. Well, it was said then that the government had granted those valuable rights without knowing what they were granting. Can we say the same thing to-day? Can my hon. friend tell me that they have granted so much land to Messrs. Mackenzie & Mann without having some idea of the value of the land? They admit frankly that they have done that without knowing what they were granting, without even knowing the place where the line of railway is to be built and without knowing even if the Americans will not place difficulties in the way of transhipping at Fort Wrangel. The government has acted in exactly the same way as the Quebec government acted when they granted that exclusive right as above stated. It is ten times worse than that, because in 1846 when that patent was granted no one spoke of gold discoveries there. The government was not aware that gold had been discovered there, but to-day the government knows that the great Yukon district is undoubtedly the richest gold district of the world, and with all this information, they did not hesitate a moment and will try to put in the hands of two men land enough to keep under more favourable conditions working and living there a population of at least 1,000,000 souls When I have seen what has occurred in Beauce no possible consideration could induce me to vote for a bill which would entail ten times worse evils than exist there, where I have seen the farmers turned out of their homes and arrested, why? Because the government had failed in its duty, because the government had granted to a single person the right to mine everywhere in that

parish. All those who know the difficulties experienced in Beauce, and how the gold miners were ruined there, would not under any consideration, ratify this agreement, and now hon. gentlemen, we know very well that a great number of miners will go there. Lands taken by Mackenzie & Mann will be explored, and imagine the position of a man who has been working a year or two and discovers gold on Messrs. Mackenzie & Mann's property, without knowing that it was theirs, being arrested. The result will be serious difficulties there. The government will have to send a whole army to maintain peace, not to encourage mining development, but to protect Messrs. Mackenzie & Mann. For my own part I will not be responsible for that, and I shall vote unhesitatingly against that measure. I have spoken longer than I had intended. The measure has been ably discussed by gentlemen who can deal with it a great deal better than I can, labouring, as I do, under the disadvantage of speaking in a language which is not mine. However, I thought it was my duty not to give a silent vote. I thought it was my duty to let you know what has happened in Beauce, and to state why I oppose this measure. In opposing this bill, hon. gentlemen, I feel satisfied that I am doing my duty and that my vote will meet with the approval of the great majority of the people of this country.

Hon. Mr. MACALLUM—I would say at the outset that this is a most extraordinary bill that we have before us, and before discussing it, I may have to ask a few questions of my hon. friend the Minister of Justice, the leader of this House. In his speech on the address, he told us that if we knew as much as he did we would be sure to pass this bill unanimously. I have waited ever since then to get that knowledge which my hon. friend claims that he possesses, I am sure he has a great deal of knowledge, but he might be kind enough to impart a little of it to the House if he wants to carry this bill.

Hon. Mr. MILLS—It is pretty clear that I did not estimate my hon. friend's objections or I would hardly have said so.

Hon. Mr. McCALLUM—I know my hon. friend is wise in his day and generation ; he is considered so. When he is possessed of so much information he might let us have a little of it if he wants to carry this bill. Of course, if he wants to defeat it, then he will not impart his knowledge. We are not going to be carried away with any such chaff as his vague assurance—at least I am not. This contract that we are dealing with is a most monstrous contract, and, if ratified, will do a great injustice to the people of this country, and I would say to the Minister of Justice, that he should, if he wants any support, share his knowledge with us. He has plenty—he is called the sage of Bothwell, he has read a good deal. Can he show me any other contract like this, making such large concessions without getting an equivalent for them, in any legislation in the world ? I have read some, but I can assure hon. gentlemen that in all I have ever heard of I never read of such a monstrous proposition as this. What are we getting in return for this land that we are giving away ? My hon. friend from Lauzon (Mr. Bolduc) said the land grant was five million of acres—I do not think it is so much, but I am satisfied it will be over four millions, because the railway, if we get any benefit from it at all, has got to be 165 miles long. Now, what do we get for all this land we are giving away. If you start to-day to go to Dawson City it will take you 40 days to get there, and you get the privilege of riding a few hours, say ten hours at the most, in this tramway of theirs during that time. For this privilege you are giving away lands three times larger than the province of Prince Edward Island. I don't blame Messrs. Mackenzie & Mann ; they are working for themselves, but I blame the government of this country that has allowed themselves to be mesmerized—I cannot call it anything else but mesmerized—by Messrs. Mackenzie & Mann to make such terms. There never was such a thing in the history of the world as this. People do not realize what we are giving away under this contract. My hon. friend from Brandon (Mr. Kirchhoffer) spoke a good deal the other day about the antecedents of Mackenzie & Mann. According to the ruling of the Speaker yesterday, I must be very careful how I say anything about Mackenzie & Mann, who are getting all these favours from the government of the country. I know nothing against Mackenzie & Mann, but if I did know anything about their antecedents and

thought they would not carry out this contract honestly, I would state what I knew to the House. So far as I know they are gentlemen. I consider that Mackenzie & Mann are before this House, and whatever their antecedents are, we have a perfect right to discuss them, to see why they have been selected to carry out this contract. The government of this country is practically in the hands of these contractors. They have a chain around this government and can make them do almost what they like. Let us see what we are giving these contractors. The land grant will be at least four million acres. Do hon. gentlemen realize what an extensive country that is? It would make a strip of land a quarter of a mile wide that would go clear around the world—a strip of land 1,330 feet wide to go clean around the earth. Or take it a chain wide, 66 feet, it would go twenty times around the world. That is what we are giving away. The Minister of Justice said the other day that we have lots of territory up there, but he wants to get rid of it too fast. We give Mackenzie & Mann our gold lands and in return we get this tramway. My hon. friend from Lauzon (Mr. Bolduc) has told us that we will have to protect Mackenzie & Mann in their holding. Have you considered what that means? You will have to keep a standing army in that country to protect Mackenzie & Mann. Children yet unborn will be taxed for the protection of Mackenzie & Mann and to help them to hold their property. Is the Senate of Canada ready to do that? We have been told that there is politics in the opposition to this bill.

Hon. Mr. MILLS—Yes.

Hon. Mr. McCALLUM—I say no. The hon. gentleman boasted here that the other House carried the bill by 39 majority. Yes, they did so under the party whip. You forced them to do it. I am not a prophet, nor the son of a prophet, but I venture to to say that they will butt their heads against a stone wall next time they appeal to the country. But five of the government supporters in the House of Commons could not be whipped into line. It must be something hard that prevented the member from West Elgin swallowing this bill. I read his speech. He said the government were playing poker with the property of the country. The member for South Perth left the government; so did the member for Edmonton, the member for Vancouver, and the member for Frontenac. They say because the party in the Commons swallowed that bill we have a right to do the same thing. I think my hon. friend will find that in the Senate he has caught a tartar. The party whip is not swung here—we have no politics here. I have known a Conservative government try to pass a measure here and it was thrown out. The Senate of Canada is composed of gentlemen who want to do what is right in the interests of the people of this country irrespective of party—at least that is where I stand. I will not be driven by, I will not say a mechanical majority, but a confiding majority under the party whip. When the hon. gentleman tells me that there was a majority of 39 in the other House for the bill, I tell him that is no reason why we should pass it. I know, hon. gentlemen that when the Conservative government was in power, a bill was passed in the other House by 36 majority and sent to us, but this Conservative Senate, as it is called, threw out that bill. I feel satisfied that this measure will be thrown out. I have every confidence in this body that they want to do what is right by the people of this country. I am satisfied that the people are at our back. We are threatened, of course—we have been threatened for a long time, but the government have not threatened us lately; they are coaxing us now, but neither sugar nor salt will prevent the Senate doing what they believe to be their duty. Even many members of the House of Commons, who were driven under the party lash to vote for this measure, will be glad to see it defeated. I have talked with some of them, but I will not mention names. If the government are not satisfied with the action of the Senate, if they think the Senate is here simply to register the decisions of the House of Commons, and are dissatisfied with our actions and make it a question before the people of this country, the people will sustain the Senate. If not we will bow to the inevitable.

Hon. Mr. MILLS—Does the hon. gentleman know that the boards of trade all over the country have approved of the bill and are supporting it.

Hon. Mr. McCALLUM—No; I do not know that. I have not a very strong opinion

of boards of trade. I have said so before in this House. It does not cost much in many parts of the country to be a member of a board of trade. You can pay a dollar and a half in some places and become a member; in Toronto it may cost ten or twelve dollars. The boards of trade of this country are principally composed of bankers. Every banker belongs to a board of trade; I do not mean to say that every member of a board of trade is a banker, but the bankers influence them, and we know that they look after their own interests. This bill may suit the bankers; some of them are very anxious to have this bill passed and are making great preparations to take advantage of it, but the people of this country to-day, from Halifax to Vancouver, are expressing their thankfulness that we have a Senate in this country to protect their interests, and the sooner hon. gentlemen take note of that the better. The people of Canada are against the bill irrespective of party. It is not a question of politics, it is a question of this government neglecting their duty and giving away the inheritance of the people of Canada without a return. That is the question before us. Let us consider this bill. What are we giving away? I have spoken of the quantity of land that is granted to the contractors. I do not blame them, I blame the government who have failed in their duty. When I come to look at this bill it is a hard matter to discuss it quietly. It is an absurd bill, a monstrous bill, it is a give-away bill of the best interests of this country—giving away four million acres of what is considered the best and richest gold land in the world. There has been a good deal of discussion in this Senate about the routes to that country. I do not intend to say a word on that subject, because it not before the House; there is no route before the Senate except what is referred in to this contract with Mackenzie & Mann. When we get rid of this contract, and I think we will before long, then when any question of route comes up, whether it be this or another, we can consider it. I am not finding fault with this route, but with the monoply created and the amount of land we are giving away. For the next ten years no one but Mackenzie & Mann can do anything in that country, in the building of the railway the government cannot interfere at all. Mackenzie & Mann can do as they please. They do not need to file a book of reference, or a plan or anything else. They have the government fast. What could have induced the government to make such a contract as this in defiance of their pledges? When in opposition, they always advocated that public works should be let by tender to the lowest bidder. I say if they want to build a railway into that country they should advertise now for tenders and let the contract to the lowest tenderer. But they wanted to let this contract privately to their friends, but I think—I cannot say what I think about it, because my mind is a kingdom, I can think what I like as long as I do not think too loud and I do not like to think loud of all I suspect and think about this question. It looks fishy all the way through —it does not look clear. This bill was conceived in iniquity and has been brought forth in sin. That is my individual opinion. I formed it some time ago and I have seen nothing to change my mind since. Look at the arguments advanced in this House in support of this bill. Have we heard one argument yet that would make us think that the contract is right? I trow not. The argument of my hon. friend who spoke yesterday (Mr. King) was all against the bill. And I have to hear from others yet. What am I to do? I must act as I have made up my mind, because the sage of Bothwell——

Hon. Mr. MILLS—Oh, no—my hon. friend is the sage.

Hon. Mr. McCALLUM—No, you are known by that name in the country, and I say you are a wise one. The hon. gentleman may think I am not quoting him correctly. I will read what the hon. gentleman said:

> By the first of September and it will be in the power of the government to send in such men as may be necessary to maintain law and order with the large population which will be mostly foreigners, and to retain that country and to maintain the interests of Canada with it. In fact, there are many things which it would be most desirable to say in our defence which cannot be made public in the public interest but I am satisfied there is not one in this House——

That is talking big, loud talk.

> No matter how strong his feeling may be, no matter how anxious he might be a change of government——

Well, I am not anxious there should be a change of government.

Hon. Mr. MILLS—I think my hon. friend does not know his own mind in that regard.

Hon. Mr. McCALLUM—If the hon. gentleman understands himself and his position as well as I do, he will be all right, but that is a matter of opinion, and we disagree in that. With regard to this great disaster, which it is said will take place in this Yukon country if the railway is not built, the people that go into that country are good healthy people, or they should not go there. They know what is wanted. They must take a year's provision, and I do not see why they should suffer. My hon. friend told us there would be 100,000 people going there this year, and his colleague, the Secretary of State, said that 90 per cent of them would be United States citizens.

Hon. Mr. SCOTT—Foreigners, I said, not all of them from the United States.

Hon. Mr. McCALLUM—Well, possibly. There is nothing certain in this world but death and taxes. The hon. gentlemen say "Oh, what a great benefit it is going to be to this country. It is going to help immigration. It is going to help people to grow peaches and potatoes if we only pass this bill." I say now if people go into that country they take their lives in their hands because they have had fair warning. I have often gone to place where people told me I risked my life, but I went there to accomplish something. These people go there with their eyes open and will not suffer much. They will come out all right. I do not think the people of this country should be taxed, or their property given away to provide for these men in the way proposed. I say that as soon as we ascertain that we have any large amount of mineral wealth in that country, and as soon as we find it is necessary to build a road there, I am ready to consider it. I am ready to do all I can for my country, but I do not like a private contract. I would like every man to have a chance to compete. I understand an offer has been made to do this work for one quarter the amount of land we are giving under this contract. That is the Hamilton Smith offer. If you advertise for tenders, you will get it done for nothing.

Hon. Mr. PROWSE—Smith is not a Rothschild.

Hon. Mr. McCALLUM—Why have the government of the country the face to send in such a bill and expect that these honest gentlemen of the Senate are going to pass it? I am satisfied that they will not pass it, and I will not vote for it because I know it is against the best interests of the people of this country, and I am not going, with my eyes open, to do anything that I consider will militate against the interests of the country, no matter what it is or what inducement is held out. I must have hard facts, and will not be carried away by what the hon. Minister of Justice tells us he cannot disclose at the present time.

Hon. Mr. MILLS—My hon. friend spoke about the monopoly provisions of this contract. Will he tell me what they are?

Hon. Mr. McCALLUM—Yes, I will endeavour to. In the first place, I suppose the hon. Minister of Justice has read this bill.

Hon. Mr. MILLS—Oh, yes.

Hon. Mr. McCALLUM—If he has I think he ought to know what those provisions are, because he is looked upon as being a wise man. Clause four reads:

4. For five years from the 1st September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts, or from any point at or near the International boundary between Canada and Alaska into the Yukon district, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway.

They have got the government by the throat under that clause, and they will squeeze them, but not with my consent or I am satisfied, the consent of the Senate The hon. gentleman says he read the bill but I think if he had he would not ask me to point out these provisions.

Another provision reads:

5. The contractors and the contractors' company shall be entitled to receive in preference to any other person or company during ten years from the said 1st of September, 1898, such aid or assistance in land or money as the government may be authorized.

We will have to take what the government sees fit to grant, and we see what they are granting at present, which is 4,000,000 acres for 150 miles of tramway. The clause continues:

And may see fit to grant in aid of a line of railway from the Stikine River to an ocean port in British Columbia, provided that the contractors or contractors' company are willing to undertake the construction of the same at once and completion thereof within a reasonable time upon receiving notice thereof from the government.

There has been a good deal said about gambling. I do not object to the ministers gambling and playing poker with one another, but when they attempt to gamble away the best interests of the people, I strongly object. I am opposed to it altogether, and the people of the country are opposed to it, but to say that the Senate would allow this bill to pass as it is now, I think is absurd. The Minister of Justice tells us we cannot amend it. You cannot very well improve a rotten egg when the shell is cracked. It smells bad enough, and we do not want to touch it or amend it. If we throw it out entirely, the people of this country will say the Senate have done their duty ; no matter how much the government try to work up popular feeling against the Senate of this country, they are unable to to it. The Senate are going to save this country from a grasping monopoly which is attempted to be fastened upon it by this bill. I am satisfied the government will not be able to accomplish their object, because I have the same confidence in the Senate that I have in myself. I know it will do its duty. I can see the hand writing on the wall that the bill has got to go. I know the government are saying, "Well, we have hopes yet," but they had better make their peace with the people of the country and not try to force the bill through the House, because I know the Senate will reject it. I ask the House to throw it out, to bury it so that the people of this country will know nothing more about it, and I think we will bury it twenty-four feet under ground. They say the frost goes down very deep in the Klondike and I want to bury below the frost limit. I may be too anxious in the interests of my country that we should dispose of this bill. I know the sage from Bothwell feels proud to be in this House and I can assure hon. gentlemen I have the highest opinion of his ability in every respect, but I think he is half-hearted. I think he feels a good deal with me on this occasion.

Hon. Mr. MILLS—Unless my hon. friend is concealing his love.

Hon. Mr. McCALLUM—The hon. gentleman spoke half-heartedly on this question. His heart was not in it, or he would have given us a different speech. He may be trying a little harder now. Perhaps his colleagues have found fault with him and said he was a little squeamish about supporting the bill, and they did not approve of that.

Hon. Mr. MILLS—Not in the least.

Hon. Mr. McCALLUM—Do you approve of the bill?

Hon. Mr. MILLS—I do.

Hon. Mr. McCALLUM—You say you do accord with this bill?

Hon. Mr. MILLS—I tell my hon. friend I approve of the bill ; I believe it is in the public interest ; I believe it will be a calamity to reject it.

Hon. Mr. McCALLUM—I hope the hon. gentleman will explain what the calamity is. The hon. gentleman told us in the beginning that if we knew what he did we would pass the bill but when I ask him for the information he will not give it to us. What am I to do? If I do wrong the hon. gentleman is responsible, not I. As it is now six o'clock, and the House does not wish to sit to-night, I move the adjournment of the debate, and that it be made the first Order of the Day on Monday.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 28th March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

EQUIPMENT OF THE MILITIA.

MOTION.

Hon. Mr. LANDRY moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, all papers, letters, telegrams, reports, recommendations, contracts, payments and correspondence, between the Department of Militia and any person or persons whatsoever, and also, all reports and Orders in Council in connection with equipment of the militia force, referring to the Oliver, the Lewis and the Merrian patents.

The motion was agreed to.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government when, if at all, he may expect the papers to be brought down to the Senate, that he, by Address to His Excellency the Governor General, asked for on the 18th of February last.

He said: In asking this question, I may say that I do so with considerable reluctance. When I first asked for this information, the hon. leader of the House requested me to put a notice on the paper. I did so, but have never had the return brought down. To-day papers asked for on the 18th of March, have been furnished promptly while mine, moved for a month before, have not been produced yet. The delay is a gross insult to the Senate and to the House. I see it announced that since last summer the government have permitted 11,000 gallons of liquor to be taken into the Yukon, contrary to the policy they announced when appealing to the people. They advertised themselves far and near as a prohibition party and here they allow 11,000 gallons of liquor to be taken into the Yukon country, out of which 30,000 or 40,000 gallons will no doubt be made and sold. Everybody knows what the result is likely to be. Nothing incites to crime and debauchery like intoxicating liquor, yet the government permit this large quantity of liquor to be taken into the Yukon country where there is but a small police force to maintain law and order. I say it is a grievous wrong and outrage. I ask the minister am I to have these papers or am I not? Are my questions to be treated with contempt? If so, I shall address a letter to His Excellency to ascertain whether, when the Senate asks for papers, the government shall be permitted to refuse to bring them down.

Hon. Mr. MILLS—I can assure the hon. senator that if the return is not already in his hands, it has been through no fault of mine. The notice of the hon. member went through the Secretary of State's office to the department in which those papers are, and I received this memo. a few minutes ago:

The return moved for by the Hon. Mr. Perley and about which he has given notice he will inquire to-day will be brought down to-morrow.

The hon. gentleman must know that at this season of the year the number of returns moved for is very large. In the various departments they are being made out in the order in which they are carried, either in one House or the other, and although I would have been highly pleased if the hon. gentleman's request could have been complied with sooner, I can assure him the delay has not been due to any fault on my part or on the part of my hon. friend beside me (Mr. Scott), nor has there been any disposition to act discourteously towards any member of the House.

A QUESTION OF PRIVILEGE.

Hon. Sir MACKENZIE BOWELL—Before the Orders of the Day are called, I desire to direct the attention of the leader of the House to a paragraph which has been going the rounds of the papers to the effect that the reading of the second reading of the bill now before the House has been delayed to enable the government to correspond with the Imperial authorities in reference to increasing the number of members in this House. I should like to ask the hon. gentleman whether there is any truth in that statement. Of course, we know that many rumours of that kind appear in the newspapers without any authority.

Hon. Mr. MILLS—I do not think there is any authority for that statement.

Hon. Sir MACKENZIE BOWELL—We also know that very important questions and very important movements of the government are foreshadowed by newspaper paragraphs given at the instance of the ministers, and as this is a very important matter affecting this House, I thought it my duty to call attention to it and ask if there is really any authority for the statement which has been published.

Hon. Mr. MILLS—I can say to my hon. friend that there is no authority for the statement which has been made.

Hon. Sir MACKENZIE BOWELL—That is quite satisfactory.

SECOND READINGS.

Bill (C) "An Act for the relief of Edwin Heyward."—(Hon. Mr. Clemow.)

Bill (D) "An Act for the relief of James Pearson."—(Hon. Mr. Clemow.)

THE CANADIAN YUKON RAILWAY COMPANY'S BILL.

DEBATE CONTINUED.

The Order of the Day being called,—

Resuming the further adjourned debate on the Second Reading (Bill 6) "An Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company;" and the motion in amendment of the Honourable Mr. Macdonald (B.C.), that the said bill be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. McCALLUM said: I was dealing with this important bill last Friday when the House adjourned at six o'clock. In the first place, I take exception to the impression which the Minister of Justice wanted to convey to this House, that Sir Charles Tupper was to a certain extent in favour of this bill. The leader of the opposition in the other House has spoken in favour of the route, but has not said one word in favour of the bill. Can my hon. friend the Minister of Justice show where Sir Charles Tupper said that he was in favour of this contract? We may all be in favour of the route when we get more information, but I do not think you will find a majority in this House in favour of this contract. My hon. friend thinks that those who belonged to the Conservative party before they came into the Senate will be influenced to vote for this measure by stating that Sir Charles Tupper was in favour of the contract. In the first place Sir Charles Tupper did not make any statement that he was in favour of this bill; and in the second place, it would take a good deal of influence to have the hon. gentlemen here do anything but what is right, reasonable and proper, and what they believe to be in the interests of the people of this country. That is what we are here for, and that is what we are going to do, at least what I intend to do. I have always acted in this House irrespective of party, and why should I not do it now when I feel that the country is at our back? I feel that nine-tenths of the people of this country, irrespective of party, are against this bill. This contract before us, I see, is not the bill as originally presented to parliament. It has been amended. Let us see what the amendment is. My hon. friend the other day wanted me to point out what I objected to in the bill, and I asked him if he had read the bill. He said he had. I wonder if he read this:

No member of the House of Commons shall be admitted to any share or part in this contract or to any benefit arising therefrom.

That is what is said in the second arrangement. Why this? Probably my hon. friend the Minister of Justice can tell us. I suppose he will tell us, "On account of the Independence of Parliament Act." I often think, when I look across at my hon. friend, of the days when he used to be in the House of Commons, how he used to thunder forth with eloquence, his breast heaving with indignation, that members of parliament should not accept favours of the Crown. But why was not the Senate included in this amendment? What was it omitted for? It is an invitation to the Senate, "Come in, gentlemen; share with us in this contract, and take some of this gold; if it is not a land flowing with milk and honey, it is a land full of gold." For the life of me, I cannot tell who has a share in this contract or who has not. When the vote is taken, and gentlemen explain themselves, then I can probably form a better idea on the subject. I cannot do it now. But why should my hon. friends, the Minister of Justice and the Secretary of State, have preference in taking stock in this concern and putting it through parliament, and the rest of the government be excluded? It is only because they are in the Senate. When I think over the matter, what about the Minister of the Interior, who laboured so hard to have this brought before parliament? Why is he excluded, the man that concocted and conceived and brought forth this bill—this diabolical bill, I may say? Just look at the trouble he has had, to say nothing of the trouble he had to keep away from Hamilton Smith, so that he could not make him an offer. The Minister of the Interior is excluded from having any share in this contract, but my friends, the Minister of Justice and the Secretary of State, can each have a share. I do not say at all that Mackenzie & Mann have tried that game in this House, but you can read between the lines of this bill any way, and it is clear in my mind that it can be used in that way, and it is done for that intention, no doubt.

Hon. Mr. SCOTT—Oh, oh.

Hon. Mr. McCALLUM—The hon. gentleman says "Oh, oh;" if that was not the reason, why do they amend the bill in that way? I think they are excluded by the Independence of Parliament Act. It was to enable them to say to the Senate, you can come in and share with us—and I do

not know to-day whether they have a share in it or not. One wealthy man has pronounced in favour of this bill, and I do not know yet how many others there may be. Then look at this question : the government newspapers are down on what they call the Tory Senate. I say the Senate is not here to carry out the wishes of any government; they are here to do what they think is right and proper. When we had a Conservative government in the other House we opposed and defeated some of their measures. This bill before us is a thousand times—yes ten thousand times more iniquitous than the Short Line Railway was. That Short Line Bill came to the Senate from the other House endorsed by 36 of a majority. I remember well the attitude on that occasion of the *Globe* and other papers which now support the government. They endorsed the action of my hon. friend from Richmond when he moved the six months' hoist to that bill, and I was proud to be here to record my vote with him, as I am proud to be here to-day to record my vote against this bill. As I have said I am surprised at my friend the Minister of Justice who always stood up for the independence of parliament, now opening the door and almost inviting the Senate to come in and share a portion of this contract. But, sir, with all the blandishment and whatever they have used they have not succeeded, not very far yet. Why this change of the Minister of Justice? Why this change of my hon. friend, the Secretary of State? They are mum; they do not say anything about it. Is it because they are shackled with the chains of office and have given up their former professions, shackled with a chain of seven links, each link representing $1,000? That is the only way I can account for it. The hon. gentleman from Toronto (Sir Frank Smith) told us the other day he has plenty of money and did not want any from anybody. The government organs stated that Sir Frank Smith was coming to Ottawa and would fix the Senate—that he had influence and would be able to carry the bill, but when he came here he did not find that the Senate were going in with him. I do not say that Sir Frank Smith has any share in this matter, but the door is open for him. The government of the day invited him to come and share with them—in fact, they invited all the senators to go in with him. I ask my colleagues are you going in with the government and I say if you do, you will be marked men in this country—all who vote for this iniquitous bill will be regarded as having a share in this contract. I want to read to you what a eulogy the Toror to *Globe* pronounced on Sir Frank Smith when it found that he favoured the bill :

SIR FRANK SMITH AND THE BILL.

The people of Toronto know Sir Frank Smith well, and with all who are acquainted with him the approval of the Yukon Railway contract, which he has publicly expressed, will carry peculiar weight. What renders his opinion especially valuable is his immense and universally admitted executive ability and his wide experience in business matters. No better judge of a business proposition or of the terms of a contract could easily be named among Canadian public men. To his practical sagacity, his strong grasp of affairs, he adds a keen public spirit and conspicuous fairness of mind and independence. He has always been looked upon as a man who could be relied upon to come to his own conclusion upon a matter, and to stick to that conclusion with a tenacity which would be absolutely unshaken by the considerations which ordinarily move a partisan. He stands in public life to-day as a man who has nothing to hope for or to fear. He has won his place in the world of business and of politics, and occupies a position of complete independence, from which he can scrutinize any proposal untouched by the reasons which often appeal so forcibly to the politician who owes or hopes to owe some advantage to other politicians. The opinion of Sir Frank Smith and a few other senators of his calibre on a business arrangement is worth far more than that of all the other Conservative senators put together.

That is the Toronto *Globe* for you; the Hon. Sir Frank Smith knows it all and we know nothing. I do not think that our colleague from Toronto would go so far as that. I might go on reading from the government press eulogies that they have passed on this government, but I will not make what my hon. friend from Richmond described as a scrap-book speech. Let us look a little more at this tramway. Is there any such thing in the history of the world? They tell you it is an all-Canadian route. From Victoria to the mouth of the Stikine is 800 miles; from the mouth of the Stikine to Glenora, the port of commencement, is 130 miles; from Glenora to Teslin Lake is 165 miles. That is the railway the contractors agree to build. Some put it at 150 miles, but I question if we could get there with 150 miles. From Teslin Lake to Dawson is 450 miles, making in all 1,545 miles from Victoria, of which about 150 miles is this tramway for the construction of which the government give away more than four million acres of land. It is really 4,125,000 acres of land. Until a few days ago these contractors were going to carry this bill

through parliament. They thought they could influence the senators by saying to them "Come in and take a share of this. Take a share of all the good things with us," but I do not think the senators will respond to that. I am perfectly sure they will not. They would be committing treason against the people of this country if they passed this bill, and a celebrated British statesman says that treason to the people is more heinous than treason to the Crown. I say to my colleagues stand to your guns; let us throw this bill out. I am not opposed to a railway to the Yukon if they bring in a reasonable bill and give reasonable money or money's worth for it, but I want them in the first place to advertise for tenders over the world and give the contract to the lowest tenderer.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. McCALLUM—And I believe that we will get it done cheaply and we should have more information about this route before we adopted it. The gentlemen governing the country have been throwing the country into debt all over and they do not care what they do. Look what a grand corrupt on fund this would be if they passed this bill. Some people are uncharitable enough to say it has been used already. I do not say so but I expect to see some evidence of it brought out in the election cases in the province of Ontario. I am looking for it and think it will come. I fancy I could put my finger on the man that supplied a large amount of that money to corrupt the province of Ontario. I do not say so, as a fact, because, as I said the other day, I am afraid to say all I know, but of course I can think about it if I do not think about it too loudly. I have shown the House in my humble way, what the effect will be if we pass this bill, and I think I have shown why it should not be passed, and it is the most outrageous and diabolical bill ever presented to parliament. I ask the Minister of Justice if he could, with his extensive reading, point me out where there was any bill of this character introduced in any parliament in the world. He may be able to do it, but he has failed to do it so far. The press of the government are trying to make the Senate depart from the path of virtue, but from the letters I have been receiving from day to day, I believe that nine-tenths of the people of this country, irrespective of party, are at our back. We must bury this bill down as low as the frost goes in the Klondike. I said on Friday that I thought the Senate would bury it 24 feet deep but I think now it will go a little deeper.

Hon. Mr. POWER—As the hon. gentleman who has just resumed his seat has said, the question before the House is an important one, and the action of the Senate upon this measure is likely to be of very serious consequence to the vast number of persons who are interested directly and indirectly in the Canadian Yukon country; it is also such a measure that the way in which we deal with it will be a matter of very great consequence as to the estimation in which the Senate is held throughout Canada. To the government it is not of so much consequence. The government have embodied their policy, with respect to establishing better communication to the Yukon country for the season of 1898 and 1899, in the bill now before us. If the House rejects the bill the government are relieved from responsibility for what may happen between the present time and the summer of 1899, and that responsibility is assumed by this House. It stands to reason therefore that we should deal with the measure with a full sense of the responsibility which attaches to our actions. Whether we pass this bill or not is largely, chiefly, in fact, a business question, and the question should be dealt with from a business point of view.

Hon. Mr. ALMON—Business is business.

Hon. Mr. POWER—While I do not deny that the bill has been discussed in that way to a certain extent, I cannot say that it has been exclusively considered in that way. I cannot say that it has been considered with an entire absence of those prejudices and partial affections which we pray every day that our deliberations may be free from. Have we looked at the measure on its own merits alone? I do not think any hon. gentleman can truly say that we have.

Hon. Mr. MACDONALD (B.C.)—I can.

Hon. Mr. POWER—I am glad the hon. gentleman's conscience is so clear.

Several Hon. GENTLEMEN—I can, I can. So say we all.

Hon. Mr. POWER—My question is, have we all looked at the measure on its merits alone? The hon. gentleman from Monck illustrates the point which I am trying to make. That hon. gentleman tried to leave the impression on this House that there was, in a clause of the contract before us, an inducement held out to members of this House to be bribed, in fact, to support this measure. The hon. gentleman was not satisfied with making that broad, general statement, but he gave point to his remarks by referring to the action of the hon. senator from Toronto (Sir Frank Smith) who usually supports the opposition, but who has undertaken to support the government on this measure. Could anything show how far—I do not say party feeling, but how far prejudice will carry a member of this House than that—that an upright, honourable man like the hon. gentleman from Monck should dream of accusing the hon. gentleman from Toronto, a man whose character stands as high as that of any gentleman anywhere—

Hon. Mr. McCALLUM—I did not accuse anybody of anything of the kind. I read an article from the Toronto *Globe*, and that is all.

Hon. Mr. POWER—The hon. gentleman went further than that. Mackenzie & Mann and the government of Canada together have not money enough to bribe the hon. gentleman from Toronto to do what his conscience does not approve of. Look at the effect, if this kind of argument is to be tolerated? What will the effect be of the line of argument adopted by the hon. gentleman from Monck? It will simply be to deter any gentleman here from exercising his independent opinion if that opinion leads him to support this bill. The hon. gentleman tells him distinctly that the finger of scorn will be pointed at him as a man who has been bribed. Is that a proper argument to address to this House? I do not think any one who stops to think will say that it is. Now, what is this clause? I should look at it in a different light altogether from the hon. gentleman from Monck. It might be that the members of the House of Commons were susceptible of being influenced in an improper way, out the government thought the senators would be above that and did not make any provision for it. I wish to direct attention to the fact that in the Act respecting the Senate and House of Commons which contains provisions for the independence of parliament, are provisions made applicable to the House of Commons which are not made applicable to the Senate. For instance, section nine of that Act applies to the House of Commons altogether. There are a number of provisions which do not apply to the Senate. There is just one general section applying to the Senate and that is section 18, which applies to this contract as well as to any other contract. You cannot disqualify a senator except as he is disqualified by the British North America Act. My hon. friend from Monck illustrates the impartial and independent way in which this measure is regarded. Now, take the contractors, Mackenzie & Mann; they are admitted to be, and must be admitted to be, most capable and responsible and reputable contractors, who have carried out previous public contracts in a most satisfactory manner. The Minister of the Interior is a man of ability. I do not think any one denies that; and he is a man against whom no charge of corruption or malfeasance in office has ever been made. One would suppose, under these circumstances, that an agreement made between the government on the one part, and the contractors on the other, would be considered solely on its merits; but it has been far otherwise. We have been regaled here with stories as to the amount of money the contractors may have made on other business transactions, one in the city of Toronto and the other in connection with a railway built by them in the province of Manitoba. The hon. gentleman who referred to this latter matter spoke of it as a deal between the Manitoba government and the contractors, at a time when the present Minister of the Interior was a member of the Manitoba government. He was not the member of the government who had to deal most directly with the contractors. These things have no relevancy to the matter before the House at all. We have to assume, as all the evidence goes to show, that the contractors are reputable men, and that the action of the government is honest and *bona fide*. With respect to the Lake Dauphin Railway, the hon. gentleman from Brandon was in error. The fact is that this Lake Dauphin Railway received 6,400 acres a mile and a sub-

sidy of $40,000 a year from the late government of the Dominion, and all that the Manitoba government did in the matter, in order to secure the construction of the road, was to guarantee the interest on the bonds; and the probabilities are that the province will not be called upon to pay any of that interest at all. Then, the mining regulations made by the government for the Yukon country have been brought into the discussion. They have no relevance to the merits of this agreement at all. I take the speech made by another hon. gentleman as illustrating the point of view from which this measure is regarded. Take the hon. gentleman from Murray Harbour, as a general thing, a fair and earnest man. The hon. gentleman told us that there was urgency in the spring of 1897—that there was an urgent demand at that time for action by the government; but he wound up by saying there was no urgency for action now. There were a few hundreds of people in the Klondike region in the spring of 1897.

Hon. Mr. PROWSE—The hon. gentleman is astray in saying that I considered there was urgency in the spring of 1897. What I meant to say was this, that in the opinion of the government, by their advertisements and public regulations of that date, they must have considered it necessary at that time—there was urgency in their minds at that time.

Hon. Mr. POWER—The hon. gentleman took the ground that there was no urgency at the present time and that the people who had got in there, or would go in there, could get out again as best they could; but he maintained that the government should have known there was urgency in the spring of 1897. The hon. gentleman again said that a railway of three feet gauge could not begin to do work between the Klondike region and the outside world, and then he told us in the next breath that no railway at all was necessary. Hon. gentlemen can see that, without intending it, they are all more or less influenced by, shall I say, their party feelings? We are not supposed to have any party feelings in this House, and I shall say prejudices. I propose to look at this contract as a matter of business as far as my party feeling will allow me. This measure was discussed at considerable length during the debate on the address in reply to His Excellency's speech. It seems to me that nearly everything that was necessary to be told about it was stated then. It is a fact the government have introduced a measure, some measure being absolutely necessary. They selected a route which would be a portion of any route into Canada. The bulk of the railway which is proposed to be built under this agreement would be an essential portion of any railway built to connect the Klondike region with Canada, whether it is to connect it with Edmonton, with Ashcroft or with Port Simpson. The work is necessary. The route that has been selected is, on the face of it, the best Canadian route, the best in the interest of Canada, that could be selected, because with respect to the Edmonton route and the Ashcroft route, they could not be available for three years at any rate, and it is necessary there should be something that can be utilized next fall. The grant to the contractors is not an unreasonable consideration. No money is taken out of the pockets of the people of the country. It is true that a very small proportion of lands which are supposed to be mineral lands, of the Yukon country is to be administered and exploited by the contractors and not by the government. I might say here that the hon. gentleman from Murray Harbour (Mr. Prowse) proved to his own satisfaction, and I think to the satisfaction of the House, that a free miner would sooner deal with Mackenzie & Mann than with the government. If that is the case, the more land given to Mackenzie & Mann the better. It just shows how far our prejudices will carry us. The hon gentleman denounced the government for giving so much land to Mackenzie & Mann, and in a few moments he proved that it was better for the free miner that the contractors should exploit those lands.

Hon. Mr. BOULTON—Why? Because there is one per cent royalty to Mackenzie & Mann as against ten per cent to the government.

Hon. Mr. POWER—I am not saying why it was; we are dealing with the agreement as we have it. I do not think really that it ought to be necessary to say very much more, but this question has been enveloped and embarrassed by so many side issues and so many statements which are not

accurate, and so many objections have been taken, that it is necessary to deal with it at some little length. I do not think that any hon. gentleman who listened to the speech of the hon. the Minister of Justice when he moved the second reading of the bill can deny that it was the duty of the government, charged as they were with the administration of the public business of this country, to furnish better means of ingress and egress for passengers, and better means of transporting freight into that country, supplies chiefly, than exist at present. We know from the newspapers that there are, at the present time, thousands of people on the shore of the Lynn Canal, that there are at any rate hundreds and I believe thousands of people at Wrangel; and we know from the newspapers, and the best sources, that the trains on the railways going to the west are filled with persons going into the Klondike regions. It was only the other day that the vice-president of one of the largest railway corporations, said that his impression was that this season there would be 150,000 people in that Klondike region. It is all very well for hon. gentlemen to say, as the hon. gentleman from Murray Harbour (Mr. Prowse) said, let them come out as they got in, but we have to make allowances for the weakness of human nature. If people were all perfect, legislation would not be necessary, but we have to legislate with a view to human weakness, and the government would be blamed, and would be justly blamed, if famine and disorder, and possibly rebellion, prevailed next autumn and winter in that country. The government would be censured if they made no serious efforts to prevent that result; and there is another point, hon. gentlemen—supposing people do find gold in that country, the cost of everything, the cost of getting in supplies, the cost of living is so exorbitant at the present time, that unless a man finds a relatively immense quantity of gold, he makes nothing out of it; and it is the duty of the government of this country to take some steps to make the means of living cheaper in that region, to enable people to live there at some reasonable rate. Hon. gentlemen are aware, of course, that in the case of the Irish famine of 1846-47, great fault was found with the Imperial government because they had not made provision to deal with that calamity until the famine had become a fact. In the same way, in our own country, in the case of the North-west rebellion of 1885, fault was found, and justly found, with the government of that day, because they had not taken steps to guard against the result which followed. The old proverb is perfectly true, that "an ounce of prevention is better than a pound of cure;" and the government have here given us the ounce of prevention and, possibly, if this bill is rejected, next year we shall have to provide the pound of cure. To illustrate the danger which may arise in that country later on, it is only necessary to call attention to the fact that a boat loaded with supplies for our own police, going up the Yukon River, were held up on the United States territory and the supplies taken out of her. That was a case when there were probably only four or five thousand people in that region. How will it be when the number is increased to fifty or one hundred thousand? Some hon. gentlemen say that the government knew, or ought to have known, last summer that there was urgent need of action, and should have taken that action early enough to have time to advertise for tenders and to make the contract in the way in which such contracts are best made, after giving due advertisement for parties to come in and tender. We all recognize that, if practicable, that is the proper way to give contracts for public works; but we have to consider the circumstances, and I cannot see how any hon. gentleman who has carefully read the speech of the Minister of the Interior on the second reading of this bill in the other House, could fail to find the whole matter explained. The minister stated, in brief, that while it was known that gold was being found in large quantities in that region, and that a considerable number of men were going in, no one had any idea, until late in the summer, that there was going to be such a tremendous influx into the Klodike region as is actually taking place; and when, towards the latter part of the summer, it became clear that thousands of people were going in there, and that a good many more people would be in there this year, the government had to decide upon some line of action. Now, let us see whether the government acted in a business like way in the matter. The Minister of the Interior, the member of the government, perhaps, who was specially charged with the interests of the Yukon country, went out, at the same time Major Walsh went,

n the middle of September, and saw for himself the conditions of things on the Lynn Canal and its neighbourhood. Then the engineer employed by the government, Mr. Jennings, started from Glenora on the 25th September. I wish to point out that the government lost no time, once they were satisfied it was necessary to do something, and something out of the ordinary course of business.

Hon. Mr. MACDONALD (B.C.)—How about the delay from the 5th September up to December?

Hon. Mr. POWER—If the hon. gentleman will pay strict attention I shall satisfy him. Mr. Jennings started from Glenora on the 25th September. He was at Teslin Lake, making a survey of the country between Stikine and Teslin Lake, on the 13th of October. Then he sent Mr. Saint Cyr, one of his subordinate engineers, and Mr. Morley Ogilvie to survey Teslin Lake and Hootalinqua River. That was business like and absolutely necessary. It would have been a most foolish thing to have undertaken to build the railway from the Stikine River to Teslin Lake, if the lake itself, and the Hootalinqua and Lewes Rivers down to Dawson, were not navigable; and Mr. Saint Cyr's duty was to ascertain that fact. Saint Cyr and Ogilvie examined Teslin Lake and found it was navigable for steamers. Then they went down the Hootalinqua River and satisfied themselves that that river and the Lewes River were also navigable for steamers. Mr. Jennings having sent these gentlemen north, came back himself over the route between Teslin Lake and Stikine River, and reached Wrangel on the 25th October. There he was met by the Minister of the Interior. Mr. Saint Cyr's survey began on the 14th October and was completed on the 27th October. That survey was essential. The work could not be undertaken without that report. Mr. Saint Cyr naturally took some time to get from the Hootalinqua River to civilization again, and Mr. Saint Cyr's report was dated on the 6th January, 1898. This report of Mr. Saint Cyr was covered by a report of Mr. Jennings dated 11th January, 1898. The report of Mr. Jennings reached the government here I think on the 13th January, 1898. Hon. gentlemen will see there was not very much time left then to advertise for tenders. It will appear at any rate later on that there was not

Hon. Mr. MACDONALD (B.C.)—The government did not use Jennings's report at all.

Hon. Mr. POWER—The hon. gentleman is quite mistaken. Saint Cyr's report and Jennings's report were essential elements in the bargain; they could not have made a bargain without these reports, because they would have been doing a very foolish thing if they had. Just at this juncture, a very few days after the government had received the report of Mr. Jennings, covering the report of Mr. Saint Cyr, they were engaged, I believe, in negotiations with Mackenzie & Mann, who were on the ground and were capable contractors, and when it has been stated that the government were negotiating in the dark and that the secresy which characterized the transaction was intended to prevent competition. What are the facts? Maitland Kersey made an offer to the government on the 20th December, when he became acquainted with the facts—he was here and talked with the Minister of the Interior. There was no effort made to keep from him the fact that the government were negotiating with Mackenzie & Mann about this matter, and on the 22nd January he wrote to the Minister of the Interior, in which he proposed to consult his principals in England. He was allowed two days for the purpose of doing it, which he thought was ample. My hon. colleague from Halifax probably does not think so. He would probably take longer to deliberate over the matter, as he generally does to make his mind up; but the gentlemen in England, the principals with whom Kersey had been in correspondence did not need any more than that time, and Kersey did not ask any more. And on the 23rd January, Mr. Maitland Kersey declined to tender. His letter is as follows:

OTTAWA, 23rd January, 1898.

SIR,—With reference to the offer which I made to you on behalf of my syndicate in early December, and to the conversation which I had the pleasure of having with you on Friday last, in relation to the construction of a wagon road and railway from Glenora to Teslin Lake, I have to advise you, after consultation with London, that we deem it inadvisable to make a further offer to the government which would of necessity involve the guaranteed completion of the line by the first of September next, and which offer would have to be based on a land grant unaccompanied by any cash subsidy.

Here were people who were in the business of building railways in that country, and who were erecting mills on Teslin Lake and building steam boats on Teslin Lake, gentlemen with unlimited capital, and they were able, but not prepared, to undertake what Messrs. Mackenzie & Mann have undertaken to do. One reason for urgency which I may mention and which has not been referred to till the present time is, that it was deemed to be an essential thing that Mackenzie & Mann should get their plant and their men up the Stikine before the ice broke up in the spring. It has happened this year that the ice has broken up earlier than usual, and although Mackenzie & Mann put their men on the ground immediately, the ice had actually begun to break up in the river and the men had great difficulty indeed in getting up. So hon. gentlemen will see that, as it was essential that this road should be completed, and this new means of access to the Yukon should be opened by the 1st September in order to get supplies in to feed the people there during the winter, and in order that those who were anxious to get out should have an opportunity to get out—it was also essential that no time should be lost, and it was deemed essential that the contractors' men should get up the Stikine River before the ice broke up. So far as to the question of urgency. There is no doubt, if ever there was a clear case of urgency this is the case, and I think the government were perfectly justified in the action which they took. With respect to the offer made by Mr. Hamilton Smith, I do not propose to say very much, but I say this, hon. gentlemen—I may perhaps refer to the terms of the offer later on—but with respect to the dealings between Mr. Hamilton Smith and the government, I think it is perfectly —I do not like to use a word which may not be deemed complimentary to the views held by some of my hon. friends for whom I have great respect—but to suppose a gentleman who represented British capitalists should be here at the time these negotiations were going on and when offers were made by Maitland Kersey and a gentleman from Montreal, J. Wesley Allison, and when Mr. Hamilton Smith knew, as his correspondence and statements show he knew, that the government were considering the matter of making a contract for a railway into the Yukon country, to suppose that he should be here with the capital behind him anxious to construct that road, and that he should never communicate with the government is something that passes belief. It is alleged that he told some third party that he refers to, to tell the government that he was anxious to make an offer, but the third party says that Mr. Hamilton Smith never requested him to do that; but is it not perfectly ridiculous to suppose that a gentleman who was here, prepared to make an offer and anxious to make an offer, should not have done what every sensible man would do, gone to the government and made his offer. Would not that be the common sense line of action. Do hon. gentlemen think it is the duty of the Minister of the Interior, or any other minister, to go hunting around hotels in Ottawa to find a man who is prepared to make an offer? The thing is absurd. So far with respect to the question of urgency. I propose to say something now with reference to the question of route, and my hon. friend from Monck has made a suggestion with regard to this matter that I think it is well to act upon. He referred to the opinion of the leader of the opposition in the other House upon this bill. I am not dealing with the merits of the bill; I am dealing with the question of route; and let us see what Sir Charles Tupper said to the correspondent of the *Mail and Empire* in January:

> He stated that the route chosen is the best that could have been selected. "When I was in the west," he said, "I made inquiries and I reached the conclusion that Canada ought, at the earliest possible moment, to have communication with the Yukon. I impressed it upon the British Columbia government that it should co-operate with the Dominion government to insure the construction of a link between the Stikine River and Teslin Lake. At Winnipeg I declared that the undertaking was a necessity, and when I returned to Ottawa I went immediately to Mr. Sifton. I impressed upon him the absolute necessity of opening up the route to secure Canadian trade.
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> As to the arrangements made with Messrs. Mackenzie & Mann, Sir Charles Tupper said that they were men who had the capital, resources and energy to carry it out. They were, probably, the only men in Canada who could put the undertaking through in the time that was specified.
>
> Sir Charles considers that the government ought to have acted with more promptness. That much valuable time had been lost, and if his suggestions had been acted upon, the project would be in an advanced state by now.
>
> The fact that a trail was to be put through in six weeks, so that the distance between the Stikine River and Teslin Lake may be covered in three days, is in his judgment, of great importance. He thinks shelters should be erected at suitable places for the accommodation of the flood of traffic that will go in.
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> The completien of the road by September is slower work than might have been done had the question

been grappled with earlier. Still, it will be of the utmost importance to Canadian interests.

Sir Charles gives the government credit for acting with such vigour as it has shown, and asserts that the opening of the Canadian route was strongly urged by him upon both governments interested as the proper course to pursue. He does not anticipate any trouble with the United States in transferring cargoes from the ocean boats to river boats at Wrangel.

If, however, such should happen, Canada has Port Simpson to fall back upon, which will be equally serviceable.

Now, hon. gentlemen, whatever weight the hon. gentleman from Monck and other hon. gentlemen may give the opinion of the Minister of Justice or of the Secretary of State, they are bound to attach some considerable weight to the opinion of their own leader. His opinion was such that he endorsed the government policy completely as regards the route and the urgency. Sir Charles Tupper is not the only business man who has endorsed the route. I find that some two days ago, there was a meeting of the Montreal Board of Trade and that board passed a resolution urging the construction of a railway from Teslin Lake to Port Simpson, and the immediate construction—during the coming season—of the railway from Stikine to Teslin Lake. I understand that the Board of Trade of Toronto have adopted a similar resolution.

Hon. Mr. MACDONALD (B.C.)—Do they approve of the land grant?

Hon. Mr. POWER—They endorsed the route that has been adopted by the government. I am now dealing with the question of route. There have been different routes spoken of here as being preferable to the route adopted by the government. There is the Yukon River route. I do not rest on my own authority with respect to that. I quote from the speech of the Minister of the Interior:

> The Yukon River route involves an ocean passage from a Pacific coast port to St. Michael's at the mouth of the Yukon River, on the coast of Alaska. From St. Michael's by a river steamboat, the passenger goes to Dawson City through the United States territory of Alaska, a distance of about 1,600 miles. The Yukon is a river that, during the early portion of the season, contains sufficient water to float river steamboats carrying freight to the amount of about 500 tons. These steamboats make one trip, fully loaded, from St. Michael's to Dawson City and return. They generally are able to make a second trip, but very seldom fully loaded. That is the information we have from the transportation companies on that river. The boats go up and down twice in the season, and make no more than two trips in the course of the year, and on the second trip, on account of low water, they are not able to take a boat-laod.. There are two companies doing business on that river, the North American Transportation Company and the Alaska Commercial Company; and those are the only companies we can rely on actually to get freight up that river. Other people are building boats and intend to take them up the river next spring, but there is no certainty of those boats reaching Dawson City. The great difficulty arises from—and I need only mention the difficulty to realize the fact that a similar difficulty is met with in navigating all western rivers, and of course it applies to a river 1,600 miles long—the shoals and obstructions, which remove any certainty of boats getting up the river unless conducted by experienced men, knowing fully the navigation of the river. Some of the boats under construction may get up, but there is no assurance that they will get as far as Dawson City next season. There is also the danger connected with that route, as regards getting provisions and supplies up the river, that it may not be made available for Canadian use. There are gold developments on the American side of the line, and these may lead the Americans to use their transportation facilities for the benefit of their own people, and we are liable to be told that the supplies carried are needed for their own settlements, and thus left without any facilities. Now, the combined transportation facilities of the two companies upon the Yukon route, next year, will be about 40,000 tons for all purposes whatever.

Hon. gentlemen, if you do not think the Minister of the Interior is, for all purposes whatever, good authority, I shall quote another authority whom hon. gentlemen would apparently think higher of than one of Her Majesty's ministers for Canada. The work which I am now about to quote from is the little book entitled "An appeal of Yukon miners to the Dominion of Canada," which hon. gentlemen have, perhaps, seen, and I propose to quote what Mr. Livernash says on behalf of himself and his colleagues, on page 68, with respect to the Yukon River:

> Those companies which promise great things as a result of navigation on the Lower Yukon, should be considered in the light of that experience which has shown the Lower Yukon to have as many moods as a woman, and to present problems with which the most skilful river captains are often unable to cope. It may be worth while to remember that more than 800 passengers, whom the Alaska Commercial Company and the North American Trading and Transportation Company undertook to carry to Dawson by way of St. Micheal, fewer than fifty were landed at destination, and that nearly all the efforts of the latter company to get steamers as far up as Dawson signally failed, yet these corporations have for years been studying the Yukon.

Now, apart altogether, hon. gentlemen, from the objection to the Yukon River on the ground that it is an all-United States route there is the evidence given from a gentleman, who is himself a United States citizen, that it is quite unsuitable for the purposes for which it is required.

Hon. Sir MACKENZIE BOWELL—It is not an all-United States route.

Hon. Mr. POWER—As for the Dyea and Skagway routes, I do not propose to discuss those at any length. They have been discussed in the other House, and discussed here by the Minister of Justice, but I may say that there is one objection, an objection made by the hon. Secretary of State, which is still in force, that customs officials on the Dyea and Skagway routes are still collecting the nine dollars a day for conveying persons across the United States territory from Dyea and Skagway or exacting five per cent duty, but no charge is being made at Wrangel on the Stikine.

Hon. Mr. SCOTT—There is a telegram today from the officials of customs at Victoria. The United States authorities are insisting that we are on their territory at the Height and they are protesting against it and wont allow goods to go through unless they are still accompanied by an officer at the expense of the person and on the payment of five per cent—that is the latest advise we have. It is quite contrary to the arrangement made in January last.

Hon. Mr. MILLS—They have refused to recognize our officers at the Height and claim they are on United States territory, that is at the passes above Dyea and Skagway.

Hon. Sir MACKENZIE BOWELL—Five per cent must be in lieu of the nine dollars to which the hon. gentleman refers, because there is no tariff law that imposes a small duty of this kind.

Hon. Mr. SCOTT—No, it is an arbitrary charge.

Hon. Mr. POWER—Then there is the route by Edmonton which has been spoken of favourably by various hon. gentlemen here. If we live long enough we may get a route by Edmonton, but that route will not be got in time to do anything for the hundred thousand or so who will be in the neighbourhood of Dawson City next fall, and the urgency is simply a result of the necessity of doing something to relieve that region in the latter part of the coming season. With respect to the Stikine River, I think it is better to take the evidence of gentlemen who have on the ground than the evidence of gentlemen who have not been there. I turn to the report of Mr. Jennings with respect to the Stikine River. I am not going to trouble the House with many extracts, but I think it is important that we should have some authoritative statement with respect to the matter. At page five of this report I find the following :

> As Mr. Saint Cyr's survey of Teslin Lake and River and Mr. Ogilvie's work, as mentioned above, will form the subject of a later report, I will now only mention that Teslin Lake was found to be 60 miles long and from 2 to 4 wide, generally straight and with good depth of water and teeming with magnificent trout. The Teslin River, from north end of lake continues for 25 miles (to McClintock Portage) in a generally direct N. N. W. course ; it is wide and of ample depth throughout its whole length for passage of steamers to the Lewes River.

Then, at page 7, Mr. Jennings says :

> The Stikine River is usually navigable for powerful steamboats of suitable design to Glenora or Telegraph Creek, a distance of 150 miles, between the 1st of May and a date sometimes well on in October, dependent, of course, on the openness of the season and the amount of rain and snowfall. Its width varies from half a mile on the lower river to 500 feet above. The depth is generally good and the channel is remarkably free from snags, sunken rocks or boulders, but at Little and Klootchman Cañons respectively 96 and 106 miles from the sea, during high water periods when many drift trees are running, it is with considerable risk that the passage through these contracted reaches are made and delays are common, as drift-wood is liable to become foul of the rudders or wheel. The first 50 miles, or to the Great glacier, is very good water with a moderate current not exceeding three miles per hour, while from this point upwards the channel becomes somewhat more tortuous and contracted, with an increasing general rate of current varying from three to eight miles per hour ; however, the exceptionally swift sections are few and usually not over a half mile in length.

Then in his later report, on page 8 of the pamphlet, he said :

> In reporting on the result of my observations for a railway route between Stikine River and Teslin Lake, B.C., I would, however, first refer to the means of communication between the sea and a suggested point of debarkation on the river, by mentioning that the Stikine has been navigated.

And I wish to direct the attention of the hon. member from Victoria (Mr. Macdonald) to this fact, which he must have been familiar with :

> That the Stikine has been navigated by steamers to Glenora and Telegraph Creek, a distance of from 140 to 150 miles from the sea since the early seventies, when the Dease Lake and Cassiar mining excitement was at its height, but while so navigated during the open season, usually between May 1st and October 20th, the journey has almost invariably been considered slow, tedious and not without danger, partly owing to the inferior class of steamers used and partly to the fluctuating state of the water.

I believe no steamer has ever been lost in the Stikine River, and it must be a practicable route.

Hon. Mr. LOUGHEED—If it is not deep enough.

Hon. Mr. MACDONALD (B.C.)—That is quite true, but the 4,000,000 acres were not given for the purpose of going into that river.

Hon. Mr. POWER—If my hon. friend could keep his mind off the land grant it would be better. The hon. gentleman appears to have a hatred of the route.

Hon Mr. BOULTON—I should like to call attention to a cartoon in the Toronto *Globe*, which represents a punt being poled up the Stikine River, one man hauling from the shore and the other man in the boat poling it.

Hon. Mr. POWER—Hon. gentlemen all appear to be anxious to discredit the Canadian route, On page 13 I read a further extract :

From a miner who spent the winter of 1896-97 on its shores, I learned that Teslin Lake was frozen over on the 27th October, 1896, and opened on the 18th of May, 1897, also that the lake is well stocked with trout, white "Dagolly" pike, and "Aconu" fish, of which I had evidence when there. This is also reported as a good district for moose and cariboo, also for bears, foxes, beaver and other fur-bearing animals.

I think I have nearly done with Mr. Jennings. At page 14 Mr. Jennings says :

The Hootalinqua River which flows out of Teslin Lake is quite a large stream. It varies greatly in width at different parts of its course, expanding sometimes to half a mile, in which case it is partly obstructed by large bars which however leave a deep though sinuous channel; again in places it divides into several channels thus forming large islands where timber of good size and quality, is generally to be found; while in other parts it narrows down to a single channel a few chains in width.

Then on the next page Saint Cyr, talking about the length of time these rivers are open, says :

Up to November 10th, the day on which I left the river, ice had not formed along its margin, nor did I see any floating down, although the thermometer, for several days, registered as low as 44 below zero, but a steady falling of the water, averaging two inches a day, had, however, been observed..

I think there is not much doubt that the Stikine is a fair and good route, and the special feature about the Stikine route is, as I have said, that that is an essential part of any Canadian line, whether you go to Edmonton or to Ashcroft, or to Port Simpson, you must have the railway from Teslin Lake to the Stikine River; so that it is essential and the government cannot make any mistake in going on with it. I have already referred to some authorities in connection with this Stikine route, but I propose to refer to something which appeared in a Montreal paper on Friday.

Hon. Mr. PROWSE—What paper?

Hon. Mr. POWER—The Montreal *Gazette*. I hope the hon. gentleman will be satisfied with that authority. The article reads :

VANCOUVER, March 24.—Puget Sound merchants have stolen another march on Canadians in connection with the Yukon trade. Eight complete stocks for several supply stores have been landed at Wrangel for Glenora and Teslin Lake, consigned to Yankee traders, who will establish themselves at those points. It is remarkable that Canadian merchants did not foresee that all the travel would go by this route on the opening of navigation and forestall the Americans. If the Canadians do not awake to their opportunities in respect to the Yukon trade, the mercantile business of the region will soon be largely monopolized by United States citizens, just as Seattle has got the lion's share of the outfitting business from Vancouver to Victoria.

Probably the Canadian citizens had been reading the Conservative papers and had come to the conclusion that we were not going to have the railway. Another despatch the same day reads :

Vancouver, B.C., March 24.—Latest reports from Wrangel are that many people are returning from Dyea and Skagway to go up the Stikine River to the gold fields. At Wrangel all Canadian outfits are bonded through without delay or expense. It is expected the Stikine will open early this year, probably about the 20th of April. The reports of widespread sickness at Wrangel are utterly unfounded, the health of the town being good. The block at Sheep Camp, on the Dyea trail still continues. The transfer cable is not in operation as advertised in the east, and no work has been done towards its completion for some time. A conservative estimate is that two-thirds of the gold-seekers now there will be unable to get in. The Skagway route is becoming worse with the setting in of warm weather, and is almost impassable. There are 2,700 dead horses on the trail, and when uncovered by the snow, will emit a horrible stench.

I have not laid much stress on the fact that this Stikine route was a Canadian route, and that consideration I am surprised does not seem to weigh much with a number of hon. gentlemen. There are hon. gentlemen who are prepared to advocate a line to Pyramid Harbour, which will give the control of the railway and of the whole business to the United States for all time.

Hon. Mr. BOULTON—How many miles?

Hon. Mr. POWER—I think probably some thirty miles in United States territory, and the same way with Dyea and Skagway. But, hon. gentlemen, that has not been the attitude of the Conservative party in the

past. It is not very long since this country spent a very large sum, some three million dollars, in building a lock at Sault St. Marie, Now that was not nearly as necessary as the Canadian route in the present instance. Because if difficulties arose and Canadian troops or arms bound for the North-west were not allowed to go through the United States lock, it would be a very simple thing to land on the Canadian shore and march to Lake Superior, a very short distance; and still the government of hon. gentlemen opposite did not hesitate, at a time when the treasury was not particularly full to spend $3,000,000.

Hon. Mr. MACDONALD (B.C.)—That lock is open to United States trade the same as it is to our own, and the United States lock is open to us.

Hon. Mr. POWER—Does the hon. gentleman wish to claim for the government which he supported the credit of having spent those $3,000,000 for the purpose of improving United States facilities?

Hon. Mr. MACDONALD (B.C.)—Yes, I do, any traffic—the more traffic the better.

Hon. Mr. POWER—Then there are some hon. members here who supported the construction of the Canadian Pacific Railway in the way in which it was constructed, and hon. gentlemen know what care was taken at that time to prevent traffic going through the United States, and how Liberals who suggested that, for the time being at any rate, a route by Sault Ste. Marie might be made use of, were denounced as unpatriotic and as friends and sympathizers with the United States. Then we know that the Intercolonial Railway was built by a very long and comparatively round-about route, so that it would not go near the United States frontier; and now these same gentlemen want us to make a United States route the means of ingress and egress to what they say is a most valuable region, a region where difficulties are very likely to occur, and where it is very important that we should have independent means of access. They want to put that completely in the hands of our neighbours. The hon. gentleman groans. I do not wonder. I think when he looks back and considers what he is and what he used to be he must feel very sad. I had noticed a change on the part of the hon. gentlemen opposite in respect to our neighbours in the United States. I was surprised some little time ago to receive a summons to attend a meeting in a room in this Senate to listen to a United States citizen, a man whose interests were nearly all in the United States, a man who admitted himself that he was the correspondent of the New York *Journal*, one of the most tail-twisting newspapers in the United States, and of the San Francisco *Examiner*—we loyal senators were summoned there to listen to this man instructing us that we should vote against this bill.

Hon. Mr. CLEMOW—No harm in that.

Hon. Mr. POWER—And to listen to him telling us that the line indicated by the government was not the proper line to adopt.

Hon. Mr. LANDRY—Did you go and listen to him?

Hon. Mr. POWER—Yes. I like to hear what the other side have to say. I am a believer in free speech. It was a spectacle for gods and men, when we think that the hon. gentlemen opposite should have been a party to a transaction of that kind.

Hon. Mr. MACDONALD (B.C.)—Who asked that man to come?

Hon. Sir MACKENZIE BOWELL—You have quoted from his book.

Hon. Mr. POWER—I thought it was an authority hon. gentlemen opposite would pay some attention to. They would not listen to the Minister of the Interior, but they would to him. My hon. friend from Beauce (Mr. Bolduc) the other day favoured the House with a speeeh which makes us regret that he does not speak oftener, because he speaks well. He laid great stress on Livernash and his associates.

Hon. Mr. MACDONALD (B.C.)—As you are doing now.

Hon. Mr. POWER—What are the facts with respect to Livernash and his associates? The hon. gentleman told us a story which, I presume, he got from Livernash. Whether the correspondent of the New York *Journal* and San Francisco *Examiner* is a gentleman whose unsupported statements ought to be credited by loyal British subjects is a question, but I presume it was from him the

hon. gentleman got his information, and he told us the story of the shameful way in which those delegates had been treated by the government of the day.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. POWER—I am glad the hon. gentleman stands by his guns. I have taken pains to ascertain the facts about Livernash and his agent and the government. Those gentlemen arrived here some time in February, and they first went to see the Deputy Minister of the Interior. They said they wished to have an interview with either the minister or the government, I am not sure which. The Deputy Minister told them they could have an interview whenever they pleased—substantially—that they could arrange for it. They stated they were not in a great hurry, but he said to let him know and he would arrange. The interview was arranged for, and took place during a sitting of the House of Commons, in a room which is used occasionally by the Minister of Railways and Canals. The premier, the Minister of Railways and Canals and the Minister of the Interior were present. As soon as those gentlemen asked for the interview they got it. Those gentlemen set forth their case with respect to the mining regulations at considerable length. That is, Mr. Livernash spoke and the others stood by. The statements which they made were all with respect to the mining regulations; and the mining regulations were the only subject with which they had been authorized to deal. The ministers listened to this gentleman for an hour, and the hon. gentleman opposite (Sir Mackenzie Bowell), who has been a minister in the House of Commons, knows very well that an hour during the sitting of the House is a considerable period. The ministers listened to what Mr. Livernash had to say and the delegates were told, in a very friendly way, that they had better put the substance of what they had said in writing, and the premier assured them that he would see that another meeting should be arranged for. The ministers would have an opportunity to consider the memorial and would give them another interview. Would you believe it hon. gentlemen, that written representation was never sent to the premier, nor any other member of the government, and the first intimation, after that interview, which the government had that those gentleman were here at all, was when a notice appeared in the papers to the effect that those gentlemen were to address a meeting in room No. 8 in the Senate. On the same day on which that information appeared—I think it was on Friday—the premier received a letter from Mr. Livernash couched in very vigorous language, complaining of not having had an interview. The premier wrote at once saying that there was some misunderstanding, referring to the understanding on which they parted before, saying that he had received no communication from them and that he would be very happy to meet them at any time that would suit them, and suggested the following Monday. That letter was written either Friday or Saturday, and the following Monday those gentlemen had a meeting with a committee of the Privy Council. They did not then submit a written statement of the miners' grievances, but submitted this little book, which has been distributed to members of the House, a book which did not deal largely with the grievances of the miners, and did deal with the shortcomings of the Stikine route, a subject with which the delegates had nothing to do.

Hon. Mr. BOLDUC—On Friday last, when I stated what had passed between the three delegates and the government, I said this, that not only Mr. Livernash but the whole three delegates had tried to see the Minister of the Interior at his office several times, that an appointment was made there, that it was agreed they should meet the Minister of the Interior at such a date. They went there and would not be received. After having gone to the department several times, they were told they could meet the minister in the House of Commons here. They came to the House of Commons and were admitted to see three ministers only, when it was so late that it was impossible for them to lay their case before the ministers.

Hon. Mr. POWER—The hon. gentleman is abusing my indulgence. If he wants to make a speech he can reply when I sit down. I make the statements which I am making on the authority of the Minister of the Interior and the premier.

Hon. Mr. BOLDUC—What I stated was on the authority of the three delegates.

Hon. Mr. POWER—The hon. gentleman cannot make another speech now. I stated

that the hon. gentleman had probably got his information from Mr. Livernash.

Hon. Sir MACKENZIE BOWELL—He says he got it from the three.

Hon. Mr. POWER—The statement I make is on the authority of the premier and the Minister of the Interior.

Hon. Mr. LANDRY—That is two against three.

Hon. Mr. POWER—I wish to call attention to one fact which is important. This is the petition of the miners :

Whereas the government has so amended the mining regulations governing the placers of the Yukon district of the North-west Territories, that a heavy royalty is imposed, based on the gross output of the gold fields ; and that "creek" and "river" claims are limited in length to one hundred feet instead of five hundred feet as heretofore ; and that every alternate claim is reserved from location.

Now, therefore, we the undersigned miners of the Yukon district, do humbly petition as follows :

Their petition is all about mining regulations : there is nothing about a railway, because the railway was not dreamed of at that time. This was the 1st December, 1897. It was claimed that those delegates had an implied right to speak generally on behalf of the miners. It is clear that they had not, because this same petition, which deals altogether with the mining question, says :

In that we may have overlooked some points as to which we should have spoken, and in that we deem it best not to cumber this petition with masses of exact information supporting the general propositions advanced, and in that we are so isolated from Ottawa that we cannot as a body speedily communicate with Your Excellency, we send to you as the bearers of this petition, and as our spokesmen and representatives, three of our number, residents of this district, Messrs. M. Landreville, A. E. Wills, and Edward J. Livernash.

Wherefore, your petitioners humbly pray that until the difficulties which are unavoidable at present have been modified, no artificial burdens be added to the heavy load we Yukon miners are bearing ; and that Your Excellency send into this district a commission of inquiry to report fully on the character of the Yukon gold-fields ; and that, pending such report, Your Excellency restore the regulations displaced by those of which we have ventured to complain ; and that the three bearers of this petition be given an opportunity of making themselves serviceable to Your Excellency in the giving of information possessed by them with reference to the placers of this district. And your petitioners, as in duty bound, will ever pray.

Clearly these gentlemen have no mandate at all to speak about the railway matter. There was a good deal of laughter the other day at the authority quoted by the hon. gentleman from Chatham (Mr. Snowball) with respect to what was stated by Mr. Slavin.

Hon. Mr. PROWSE—Who is he ?

Hon. Mr. POWER—He is a man quite as respectable as the others.

Hon. Mr. PROWSE—Is it true he is the heavyweight boxer of the United States ?

Hon. Mr. POWER—Whatever he may be he was named as a delegate to come here, and declined to come.

Hon. Mr. PROWSE—You have only his own word for that.

Hon. Mr. POWER—It is quite clear that the question of transportation was not discussed, and nobody was authorized to speak for the miners on the subject.

Hon. Sir MACKENZIE BOWELL—So Livernash has said himself.

Hon. Mr. POWER—Mr. Slavin goes on to speak of the miners wishing to get better access to the country, as they naturally would. If his authority is not quite good—he is an Australian I believe—I have another authority here, from the Ottawa *Citizen*. It is headed "A Yukon Pioneer." The Ottawa *Citizen* will not be suspected of being considered disloyal to the interests of Canada or the interests of the Conservative party. What does the *Citizen* publish :

Mr. T. W. O'Brien, a Yukon pioneer, is in the city. Eleven years ago he went to Forty-mile from the North-west Territories and engaged in trading and mining. Less than a year ago Mr. O'Brien was in Ottawa in connection with certain concessions he was desirous of obtaining from the government, and his descriptions of the Yukon mining district, as contained in interviews published in *The Citizen*, did much to awaken interest in that country at the time.

Mr. O'Brien rather discounts the marvellous stories of fabulous finds which are being circulated by returned miners. He instances his own case, where it cost him $50,000 to take out $65,000 from a claim on Eldorado Creek.

He believes in the policy of getting early railway communication into the Klondike country, and says the miners at Dawson would not support Messrs. Livernash, Wills and Landreville's protest against the Stikine-Teslin railway project, because if the 5,000 square miles of land grant were given to the contractors, the miners would as soon deal with Messrs. Mackenzie & Mann as with the government, sooner, in fact, for the royalty would be only one per cent, as against ten per cent that must be paid to the government.

Hon. Mr. PROWSE—May I ask if that is the same gentleman who took 2,000 gallons of whisky into the Klondike ?

Hon. Mr. POWER—Yes, that is the same gentleman. I may say another gentleman arrived in Ottawa this morning, direct from the Yukon country, who said that the miners were most anxious for railway communication, and that in his opinion if the three gentlemen who were trying to influence the Senate against the Yukon Railway Bill were to return to Dawson City they would probably be treated to a dose of something that would be pretty hot.

Hon. Sir MACKENZIE BOWELL—He said they were anxious for railway communication, and did not care a rap about the expense.

Hon. Mr. POWER—So far for the Stikine route. I cannot understand the attitude of those members who claim that if any railway should be built it should be a line to the shores of the Lynn Canal—a road whose line for several miles, as well as its terminus, would be in territory occupied by the United States, and a railway which, instead of forming a link in the chain of communication with the Yukon country, would tend to prevent such a chain being built, and would place the trade of this country, even more than it is at present, in the hands of our United States neighbours. I do not find any fault with Mr. Livernash. He is a United States citizen and anxious to do the best he can for the business men of California, Oregon and Washington, and he is doing his duty as a true United States citizen in trying to induce this Senate to throw out a measure which might tend to bring that business to Canadian channels. But I do not think that that is the sort of person to whom Canadians should go for advice as to the route they should select. They did not do that when they were building the Canadian Pacific Railway.

Hon. Mr. OGILVIE—That is too ridiculous.

Hon. Sir MACKENZIE BOWELL—Do you apply those remarks to the other two gentlemen who accompanied him?

Hon. Mr. POWER—I really did not think that the other two gentlemen counted for very much in the delegation.

Hon. Sir MACKENZIE BOWELL—You are very much mistaken.

Hon. Mr. POWER—They did not say very much, but I am quite satisfied that neither of them wrote the pamphlet which has been distributed. That bears Mr. Livernash's imprint, you can see his turns of speech all through it. I think, possibly, the hon. leader of the opposition may know rather more about this matter than I do, because Dr. Wills, who was one of the party, I understand, is a very strong Conservative, and belongs to the hon. gentleman's town.

Hon. Sir MACKENZIE BOWELL—That is true.

Hon. Mr. POWER—And putting that fact together with the fact that the hon. gentleman secured the room for the speech made by Mr. Livernash, I think that probably the hon. gentleman had a good deal to do with it. Now, hon. gentlemen, I think it is clear that it was absolutely necessary that some action should be taken to enable people to get in and out, and enable supplies to be taken into the Yukon district, and that these steps should be taken at once. I think that the route adopted by the government is the best route. The hon. gentleman from Victoria said he was in favour of a line to Port Simpson. This railway from Stikine to Teslin Lake is a portion of the Port Simpson route, and it is indicated in the contract that, if necessary, the line will be extended to Port Simpson; and it is an essential part of any line coming into Canada, and we want, if that Yukon country is to continue, if the bottom, as they say, does not drop out of it, and if it continues a great gold producing country, we want the best communication possible with it. Now the hon. gentleman from Victoria (Mr. Macdonald) particularly, who is now not in his place, seems very anxious to know whether the contract commended itself to my approval—that is the whole contract. It has been contended, admitting the urgency and admitting that the best route has been selected, that the details of the agreement are such as to render the agreement unfair to Canada and more than fair to the contractors. Hon. gentleman, I do not propose to take up the time of the House discussing that at any length. There are certain points that have been dwelt on at great length here, and it may perhaps be well to refer to these. Something has been said about the character of the road. It is

supposed to be a rather smart thing to call it a tramway. That is supposed to condemn it immediately. It is to be of the same standard as the Kaslo and Slocan Railway. What is the Kaslo and Slocan Railway? It is a road it is true, with a gauge of only three feet; it is a road the rails of which weigh 45 pounds to the yard; and it is a road on which the heaviest grade is only about three per cent. That is a pretty good kind of road; the Minister of the Interior in the other House stated he had travelled over the road and made 31 miles inside an hour; and it is a road which carries the heaviest kind of freight; it carries minerals—

Hon. Mr. BOULTON—The Canadian Pacific Railway Company have pulled up the rails along the narrow gauge between Rossland and Trail, and substituted for it a heavier road.

Hon. Mr. MILLS—To suit their own cars.

Hon. Mr. POWER—This is for a temporary road—

Hon. Sir MACKENZIE BOWELL—The hon. minister just said, in reply to a question asked by the member from Shell River, that they changed the gauge in order to suit their own cars. I say there is no connection between the Canadian Pacific Railway and that road.

Hon. Mr. SCOTT—They bring the cars on a steamer down the lake. My hon. friend knows they are building a line from Robson to Nelson. They propose connecting the Crow's Nest road with Nelson. They carry their cars down on boats, down Arrow Lake, I think it is.

Hon. Sir MACKENZIE BOWELL I know they have a road from Revelstoke down to the head of Arrow Lake, and then they tranship on board the boat down to Trail. They will tranship now at Robson.

Hon. Mr. POWER—I discussed this agreement myself on the debate on the address, and it has been discussed by the Secretary of State and the Minister of Justice, and I do not propose to say very much about it. There is one point upon which some stress has been laid, that it is alleged on behalf of the government, and alleged very properly, that the advantage given to Mackenzie & Mann in the matter of selecting mining lands, is not very great. There are already thousands of men in the Yukon district; there are other thousands trying to get in, and these people will all have an opportunity to take up claims before Mackenzie & Mann are in a position to do so. Mackenzie & Mann will not be in a position to take up any claim until they have ten miles completed. They cannot possibly have that completed before the middle of June, at the earliest, and the free miners have all the intervening time to take up claims there everywhere, and when Messrs. Mackenzie & Mann have completed ten miles of road, they are allowed to select in the manner provided in the agreement, which is a very awkward manner for Mackenzie & Mann, because they have to take up a great deal of useless land and land with no minerals, with a small proportion which contains mineral. They will be in a position to take up, after finishing to the satisfaction of the government engineer ten miles of road, five or six square miles of mineral land. That does not seem to be a very serious matter; and they are allowed to take up altogether only about between five and six thousand square miles of land in that country when the whole road is completed, and there are 80,000 square miles of that land in that country, so that five or six thousand square miles are a very small fraction indeed of the whole mineral lands of that country. It is not necessary to elaborate this point, because the hon. gentleman from Murray Harbour (Mr. Prowse) showed us very conclusively the other day that the free miners will really be better off dealing with Mackenzie & Mann than dealing with the government. It all comes to this, that Mackenzie & Mann get three or four million acres of land out of about 100,000,000, and they exploit the minerals in place of having them exploited by the country.

Hon. Mr. BOULTON—And become the government of the country.

Hon. Mr. POWER—They do not become the government of the country.

Hon. Mr. MILLS—You prefer the United States.

Hon. Mr. POWER—I have read a letter from Mr. Kersey declining to tender for the

work, but there is something more in this little pamphlet. Here is an offer of J. Wesley Allison, representing a Canadian and British syndicate for the construction of a railway from Skagway to Dyea to a point on Lake Bennett and thence to Dawson city, a distance of about 540 miles. He says :

That your petitioners propose to immediately construct a wagon road from Glenora to the foot of Teslin Lake and to provide boats and barges for the navigation of Teslin Lake and the Hootalinqua, Lewes and Yukon Rivers, which your petitioners state is the only means of developing the country during the year 1898, and until such time as supplies necessary for the construction of heavier works can be introduced into that country.

He seemed to think that that Stikine route was rather a good one. And then these gentlemen who offered to build the road, as hon. gentlemen will see at page two, demanded that this company or syndicate should obtain patents of alternate sections of 24 miles square for each ten miles of the road constructed. Now instead of getting 25,000 acres a mile, Mr. Wesley Allison wanted 36,000 acres a mile.

Hon. Mr. OGILVIE—No.

Hon. Mr. POWER—If my hon. friend from Alma will make the calculation——

Hon. Mr. OGILVIE—I find it is not the case. I tell the hon. member for Halifax because I know perfectly well it is not.

Hon. Mr. SCOTT—It is 34,000.

Hon. Mr. OGILVIE—It is not 34,000 nor 30,000.

Hon. Mr. POWER—The hon. gentleman can make the calculation himself. The calculation has been made by other people, and in the Surveyor General's office, and it was found that Wesley Allison's people wanted about 10,000 acres more than Mackenzie & Mann.

Hon. Mr. OGILVIE—Per mile? I know that is wrong.

Hon. Mr. POWER—The hon. gentleman says he knows, and that settles it. It is no use discussing it further. Now, hon. gentlemen, I did propose to quote somewhat largely from Mr. Livernash. I like, as a rule, to appeal to the House on the authority of parties who would be recognized generally in Canada, but in the present instance, I think it well to quote to them parties who appear to be particularly pleasing to hon. gentlemen opposite. Now, with respect to the character of the country, it has been represented that it is all gold, and that we are giving away so much solid gold when we are giving those acres to Mackenzie & Mann. Now I read from this little book containing an appeal of the Yukon miners to the Dominion of Canada, as follows :

Grossly exaggerated reports have been published through the newspapers of this Dominion and the United States concerning the wealth of the Klondike and Indian divisions of the Yukon district. Men of this district have gone hence to the centres of the population in this country and the United States, are quoted by the press as authority for assertions either wholly false or grievously misleading. The impression has been given, apparently, that enormously rich claims are the rule, and that gold may be mined with profit, even now, almost anywhere in the vast region about the village of Dawson. That impression is not justified.

Of the three thousand claims reported in this district, not more than two score had been demonstrated to be remarkably rich. The others are either moderately rich, ruling conditions considered, or practically unknown quantities—most of them the latter. The indications are favourable for fair profit from a considerable percentage of these others if no royalty is imposed ; but there is no certainty that a substantial number of the claims will be profitable if heavily taxed. Indeed it is probable that many of them would not be worth working at all.

Then on page six :

In consequence of the costliness of labour and supplies not many of the mines of this district, even in the valleys of the Bonanza and its tributaries, yield much beyond expenses at present, and many that have been well prospected are not rich enough to justify the claim holders to employ miners to assist in working them. In many cases, accordingly, a royalty of ten or twenty per cent of output would be a medium of confiscation.

Then at the bottom of page 11 :

Consider how immense and well nigh inaccessible Alaska and the Yukon district are and that until last year only a few hundred miners were scattered in that great solitude, and that these few hundreds were nearly all new comers there, and that millions and millions of acres of the stream valleys so trippingly on the tongue of late have never been pressed by the foot of a white man and you can readily believe little dependence should be placed on stories pretending to set forth with much of certainty the extent and wealth of the gold fields of those silent lines.

That is Mr. Livernash ; you can read it there, and he is good authority according to some hon. gentlemen. And at page 28, it is stated :

That, excepting a district within a radius of twenty miles of Dawson scarcely anything has been proved except Klondike or Indian divisions of said Yukon district ; and nothing at all beyond a radius of fifty miles.

I could take up the time of the House by reading extracts from pages 34, 37, 53, and

so on, but I do not think I shall trouble the House by quoting much more. If hon. gentlemen will take the trouble to look through this valuable work themselves, they will find the information.

Hon. Mr. PERLEY—I have not read that book. What conclusion would I come to providing I do read it—that is, in your estimation?

Hon. Mr. POWER—I do not know what conclusion the hon. gentleman would come to. I can judge for myself.

Hon. Mr. PERLEY—What conclusion has the hon. gentleman come to from reading it?

Hon. Mr. POWER—There are a great many pearls in this little book, but I am afraid, as it is getting late, the House will have to excuse me from reading any more. I propose just to say a very few words on certain imperfections which have been found in this contract; and one upon which a great deal of stress has been laid, is that this contract involves a monopoly. Hon. gentlemen, what is the character of that monopoly? We should not be led away by words and names. What is the character of that monopoly? The agreement states that for five years after the making of this contract no company shall be incorporated to build a line of railway to the Lynn Canal, or thereabouts. Is not that a perfectly proper thing? Was not a similar stipulation contained in the Canadian Pacific Railway contract—that no person should be allowed to build a railway——

Hon. Mr. PERLEY—Did not every one of your party condemn it?

Hon. Mr. POWER—The case was very different. I think it is a perfectly proper thing. There is not a complete monopoly, because last session we chartered two companies—one to build to the Lynn Canal, and one to build to the Taku Inlet, and there is nothing at all to hinder the English company, which is supposed to be composed of very wealthy men from building a road now to the Lynn Canal. There is no monopoly, as far as roads in Canada are concerned. There is nothing to hinder any company from building a road which will have its terminus at Ashcroft, or the bend in the Fraser River or Edmonton.

Hon. Mr. BOULTON—Was there any clause in the Canadian Pacific Railway Company's charter which prevented the province of Manitoba from building a road?

Hon. Mr. POWER—Yes.

Hon. Mr. BOULTON—There is no law by which our parliament could put such a clause in a railway charter.

Hon. Mr. POWER—Yes, there is, and I am surprised my hon. friend does not understand the history of affairs in his own province better. There was nearly a rebellion at the time.

Hon. Mr. BOULTON—Yes, a rebellion against the Canadian Pacific Railway Company.

Hon. Mr. POWER—It is simply to prevent the business of the Yukon country going to the United States. There is nothing to hinder it going to British Columbia or the North-west Territories. Then there is the question of royalty, of course, and that has been discussed at length. That rate of 10 per cent royalty for the free miner is too high, and I hope to see it reduced. But that royalty begins only after the miner has got $2,500 out of a claim in one year. I think 5 per cent would be enough; and considering all that Canada has done for that country, there should be some consideration given by the miners. With respect to the Hamilton Smith offer, if the amount of the land grant was rather less than in the present agreement, hon. gentlemen must bear in mind that the road which they were to construct was not so favourable to the interests of Canada and was more favourable to the interest of the United States. In the case of the Canadian Pacific Railway there was a monopoly for twenty years. There was a grant of 25,000,000 acres of land; and the Company for some time allowed those lands to remain unsold until they had been made valuable by the settlement made on the Government sections. Nothing of that kind will happen here. The hon. gentleman from Victoria (Mr. Macdonald) rather complained that Mackenzie & Mann were employing a $25,000 engineer to have these mines developed at once. I say in conclusion that one should look at this thing not as a liberal or conservative, but from the point of view of a senator. I am not talking about our legal rights. We have a

legal right to throw out this bill. We have a legal right to reject any measure that comes from the other House, but it is not wise that one should do everything that one can do; and I look at it in this way: the government of this country have been charged by the people with the administration of the affairs of Canada for a certain term, whatever length of time the present parliament may last. If there is one thing which they are more especially charged with, it is the duty of dealing with unforeseen occurrences, anything which happens which could not be reasonably expected. This is a matter almost altogether of that kind. It is an act of administration; the only legislation we may say that is necessary is this authority to the government to grant a portion of the public domain, and that granting of a portion of the domain is not really a matter for this House in the ordinary sense of the term. An unexpected condition of things has arisen in this Yukon country, demanding prompt attention, and the government—I would say this, no matter which side of the House I was on—have given this unforeseen condition of things their attention, and they formulate a plan, the best plan they know for dealing with the existing conditions. This plan, formulated in the discharge of their duties as the administrators of the business of the country, has been endorsed by a majority of the House of Commons, the House which is directly responsible to the people. As far as I am concerned I believe the government plan is a better plan than any which has yet been propounded; yet if I did not think so, I should feel this House was going out of its proper sphere and assuming an uncalled for responsibility in absolutely rejecting the government measure. As I said at the begining, while this is a serious question for the people out in the Yukon country, it is perhaps quite as serious for us. It does not strike me that as far as the government is concerned, it is a serious question at all. The government have done their duty. They have formulated their plan to meet the present difficulty. It has been passed by the House of Commons. It comes here, and if we assume the responsibility of rejecting it, the government are relieved from responsibility. I do not think it is the duty of this House—and I do not think it is a wise policy for this House—to assume any such position as that. We are glad to claim that, in certain cases in the past, we had the people with us. I, myself, have very grave fears—and reports have just arrived from the Yukon country strengthening these fears—that in this case we shall find the people very strongly against us.

It being 6 o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. LOUGHEED—This matter has been so fully discussed by hon. gentlemen, that it would be presumption on my part to even assume for one moment that I should be able, in any way, to contribute anything new to the debate. I can only reiterate what has been said, and in doing so will endeavour to impress, as far as I possibly can, the views which I take upon this subject, relative to matters already touched upon. My hon. friend the leader of the Senate, in introducing this Bill, very properly appealed to the national sense of this House in regard to carrying out a project which certainly is nothing short of a public undertaking, and pointed out with no small degree of force the sacrifices which, at times, have to be made by a state in entering upon important projects of this kind, and very oftentimes submerging, so to speak, their own individual opinions relative to the wisdom of such a project. To impress upon the House this particular phase of argument which he addressed to the chamber, he alluded to public undertakings which in the past had been entered upon by this Dominion. I fully concur in all that was said by my hon. friend in regard to this phase of the subject. I quite concur—and I am sure that this House will concur—in the proposition that there are times when a State is called upon to carry out large public works, to assume undertakings which may not appeal with very great force to the judgment and to the sentiments of the people, and yet the few are called upon to submit their opinions and their judgment to the majority. So far as the carrying out of the public works of the Dominion of Canada is concerned, I will venture the opinion that there is no country in the civilized world with the same population and the same resources that has shown the enterprise and the energy and the national sacrifices, if you like to use the term, in entering

upon and carrying to a successful completion great public undertakings in this Dominion. It reflects a very great deal of credit upon the governments which have carried out those undertakings to know that in nearly all of them they have received the endorsation of public opinion but there were great underlying principles in regard to those undertakings which it is well for us to consider in regard to the one now under our consideration. There was never a public undertaking entered upon by the Dominion of Canada but two great underlying prinicples applied to that particular project. In the first place the government was called upon to satisfy itself that it was actually necessary, and, in the second place, to submit to the people of the Dominion such a measure of information upon the subject as would satisfy public demands and would secure that public approval which is so essential to the carrying out of such an enterprise. It has always been necessary to consider in regard to the expenditure of public money as to whether that expenditure is going to enure to the entire or almost entire advantage of the country making the expenditure. Such public work cannot be said to be a public work for the advantage of this Dominion if it is not going to enure almost entirely to the benefit of the people of the Dominion. I challenge my hon. friend to point out any public undertaking that has been entered upon by any former government of this Dominion upon which the fullest information was not secured and which, after being secured, was not submitted to parliament for the full and independent expression of parliament, and then submitted to public tender for the purpose of that contract being let in such a way as would appeal to the confidence of the people. I doubt if my hon. friend with his long parliamentary experience can refer to any particular enterprise coming within the class of cases which we are dealing with now in which steps of that particular character were not taken for the purpose of securing public confidence. There are two propositions which I would submit to this House, and to which I would invite the consideration of the House relative to this particular question. As I have said, in the first instance, we must satisfy ourselves before making a public expenditure, particularly one of the magnitude now before us for our consideration, that such an expenditure is going to result to our advantage, and, in the second place, it is necessary for us to satisfy ourselves that such a work necessitates public assistance, or, in other words, that such a work cannot possibly be carried out without the assistance of the state. The first proposition to which I have alluded was evidently fully recognized by the government, because they had no sooner introduced this particular bill that they labelled it "an all-Canadian route." The hon. gentleman, the leader of this House, at once recognized the importance of impressing this on the public mind, and if my hon. friend and his colleagues and the party to which he belongs, can succeed in impressing on the people of Canada that this is an all-Canadian route, that it is for the entire advantage of the people of Canada, he will certainly succeed in creating an impression on the subject which, I will venture to say up to the present time has not been impressed on the public mind. I say with the greatest degree of confidence that there was never a greater misnomer than to designate this road an all-Canadian route. I say never did any falsity masquerade more fully in false colours than in this route parading itself before the people of Canada as an all-Canadian route. Now, in connection with this particular phase of the subject my hon. friend and his associates, and particularly the Liberal press found it very necessary to raise a cry of loyalty on behalf of the present government, so that the warm and loyal sentiments of the people of this Dominion should be so exercised as to cause them to lose sight of their good judgment in this matter, and simply upon feelings of loyalty enter upon an undertaking of the magnitude calculated to alienate four million acres of land. While on the other hand we find the members of this chamber and the members of the other House who have exercised their free and independent judgment sufficiently frankly as to express themselves opposed to this bill at once attacked as being disloyal to the constitution, and disloyal to the empire. My hon. friend has pointed out in a very serious and in a very grave manner the possible absorption of this vast country by the United States in the event of our not acceding to the proposition which he has laid down that this is an all-Canadian route and absolutely necessary for the purpose of not only developing the Yukon country but of retaining it to the British Crown. Now in connection with this

view of the subject I would desire to point out to the House for a moment wherein this is not an all-Canadian route, wherein this is not a Canadian enterprise, wherein the carrying out of this enterprise will enure to the benefit of the United States in fact in the same ratio that their population exceeds ours. Have hon. gentlemen taken into consideration the disparity in population between the Dominion of Canada and the United States to the south of us? They have a population fourteen times as great as ours. Their merchant marine is the second in the world, representing about two and a quarter million tonnnage; their railway or transportation systems we know to be the greatest in the world. There is scarcely a section of country in the United States that is not honeycombed by railways and subject to all the powerful influences brought to bear upon it by various transportation companies. Their capital and enterprise for some years we know to have been forging steadily ahead from the eastern states to the western states, and very largely concentreing upon the Pacific coast; and I need not tell hon. gentlemen that the Pacific coast to-day is the basis for almost the greatest commercial operations that are being carried out upon this continent. We find there great cities, large manufacturing institutions, the railway terminals of every transcontinental system within the United States. We find all those influences, the aggregation, so to speak, of capital and enterprise, being brought to bear at one base. I say we find all those factors entering into and building up an immense trade in the Yukon country by the way, practically, of the very route which the government of to-day is thinking to build up at the expense of the people of Canada.

Hon. Mr. MILLS—If I understand my hon. friend's contention it is that any railway leading to the Yukon country constructed near the Pacific coast in British Columbia, is a route that would inure to the benefit of the United States rather than to Canada in proportion as the population exceeds ours?

Hon. Mr. MACDONALD (B.C.)—Yes, that is a fact.

Hon. Mr. LOUGHEED—Yes, that is the proposition which I lay down, and I lay this down, that such a road must not be built by the people of Canada to inure to the advantage of the people of the United States.

Hon. Mr. MILLS—And it must not be west of the Rocky Mountains then?

Hon. Mr. LOUGHEED—No, I do not take that position. I intend to lay down the proposition that that road will be built without the government of Canada spending a dollar or alienating an acre of land. I say the investment will appeal to capitalists as of such commercial value that there will be no hesitation on the part of capitalists in building that road. Now, returning for one moment to that phase of the subject with which I was dealing, namely, as to the aggregation of influences which we find brought to bear by the United States on the Pacific coast in regard to securing the trade of the Yukon country I would point out this very important fact that almost every mining field upon the continent of America, has been pioneered by United States miners. That my hon. friend freely concedes that fact is patent when he states that over 90 per cent of those who have already gone into that country are United States citizens. It is not an exaggeration to say also that 90 per cent of the trade which has gone into that country at the present time is United States trade. We very well know that when the Yukon district was discovered to be a paying gold mining field, almost every city upon the Pacific coast belched forth its population in filling up the district which already has received world wide notoriety and is so populated by citizens of the United States. In addition to that we find that every city on the Pacific coast is alive—a busy hive of commerce, outfitting goldseekers for the Yukon district. There is scarcely a boat obtainable on the Pacific coast or the interior that has not been commissioned by United States capital for the purpose of joining in the transportation trade between the United States and the Alaska coast during the coming season. I might almost safely say that 90 per cent of the supplies which leave Victoria, Vancouver and other Canadian cities on the Pacific coast are United States products. Now, all these will be unloaded at the United States port of Wrangel and go in via Teslin Lake notwithstanding the fact that you build that road from Observatory Inlet. I have been waiting vainly

for hon. gentlemen on the government benches to point out to this House—I have been waiting patently for the Liberal press to point out to the people of Canada wherein we can possibly prevent the people of the United States in doing their carrying trade over the very route which it is proposed to build and of taking advantage of the large expenditure about to be made by the people of Canada. I have not heard one suggestion made by the supporters of the government—I have not seen anything in the Liberal press, ingenious as the arguments have been to satisfy me or to even attempt to grapple with the proposition that that road must necessarily be as free to the carrying trade of the United States as to the carrying trade of the transportation companies of the Dominion of Canada.

Mon. Mr. MACDONALD (B.C.)—That is true.

Hon. Mr. LOUGHEED—So much for the consideration of the particular proposition which I have laid down, that it would be impolitic and unwise for the Dominion of Canada at an immense expenditure to alienate our resources in money or land for the purpose of building a route which of necessity must be taken advantage of by the transportation systems of the United States. The next proposition which I will submit to the House is this: Is this such an undertaking as would appeal to capitalists so as to warrant our concluding that it is a road which will be built without public assistance. I submit with the greatest confidence to this House that it is such an undertaking, and if the government to-morrow would pursue a wise policy in which they would invite the assistance of capital, numerous propositions would be received by the government whereby without any difficulty the government would secure the building of this road without, as I have stated before, the expenditure of a dollar in cash or the alienation of an acre of land. I might say from the very inception of this question the government has wilfully blundered or has egregiously erred. The people of Canada some time ago did congratulate themselves on having a government of all the business talents, of having, so to speak, a monopoly of the business ability, of statesmanship, in the government now governing the destinies of the Dominion. One would fancy that such a government, entering upon so important a project as this, would adopt the most elementary principles of dealing with a subject of such moment. One would have fancied that they would have secured information on the subject; one would have fancied they would have learned the existing conditions investing the subject, and that having obtained information and having considered the conditions, they would then consider as to whether this road should not be built with the greatest possible economy to the people of this Dominion. I want to say here that I don't for one moment take the position that a road will not be built from a port on the Alaska coast, or even from a port in the interior of British Columbia. I know this, that when conditions invest a certain state of facts, no matter what they may be, we always find, particularly in commercial life, a sufficient amount of capital to take advantage of those conditions, and if it can be shown that there will be a fair return for the capital, capital will immediately become enlisted in catering to the public and carrying out whatever demands trade and commerce make upon it. Now, what are the existing conditions we find surrounding this particular subject? Can any one deduce anything from what I have stated in regard to the immense trade which is about to go into this country other than the deduction which we must all certainly make that capital will be forthcoming to meet those conditions, which with the liberty of the House I should like now to enumerate. As I have said before there is not a steamboat, on the Pacific coast or within the interior if by any possibility it can be enlisted in the Yukon trade, which has not been either enlisted or will be commissioned. We find to-day even by the admissions made by my hon. friend the leader of the House fully 100,000 people, or will be within a very short time, upon the move for the purpose of going into the Yukon district. We find every wharf and dock on the Pacific coast practically laden with goods destined for the Yukon district. Mr. Mann, one of the contractors when interviewed a short time ago in either Victoria or Vancouver, stated that there would be at least 250,000 tons of freight shipped to the Yukon country this coming season and in fact that amount was already in sight. We find it stated by the *Globe* newspaper—the oracle of the Liberal

party, and hence we will not dispute for the purposes of this argument—the accuracy of the statement made by that paper—that if the Senate rejected this bill $100,000,000 of trade would be lost to the people of Canada. That one hundred million dollars of trade is destined to go into the Yukon district and I fancy gentlemen on the other side of the House will not dispute so excellent an authority as the *Globe* for so startling a statement. Now then let us again take into consideration what this vast volume of trade means. Every railway in the United States is to-day and I might say in the Dominion of Canada, pressed to its utmost capacity for the purpose of meeting the carrying demands of the Yukon trade. Every steamboat that can be pressed into Yukon trade upon the Pacific coast, every dockyard, every boat-building establishment upon the Pacific coast we find working 24 hours out of every 24, building boats for this particular trade; and we need not confine ourselves to the Pacific coast, we know that in the city of Toronto and the city of Montreal and the manufacturing centres throughout the Dominion of Canada the capacity of those manufactories are exercised to their utmost extent for the purpose of carrying out the great demands made upon them by transportation companies for the purpose of engaging in this trade. These being the existing conditions which present themselves to our mind in regard to this business does it not appear to hon. gentlemen a most extraordinary thing that the present government should not have taken into consideration this fact, that this immense aggregation of capital represented by transportation companies, by steamboat companies, represented by manufacturers, by merchants, by commercial life of all kinds, would not instantly come to a standstill by reason of 150 miles of land not being railed extending from the Stikine River to Teslin Lake, and yet that is the position taken by the government to-day. They say that one hundred millions of trade is to be lost to the people of Canada, and I will undertake to say that if the Dominion of Canada would supply one hundred millions of trade to the Yukon district the United States would supply ten times that; then is this trade to become paralyzed, to stand stockstill at port Wrangel or on the Stikine River because forsooth the government of Canada will not expend four million acres of land in building a tramway 150 miles long. Hon. gentlemen must certainly have a very limited idea of the business capacity not only of the people of the United States but of the people of the Dominion of Canada of the legislators in both branches of parliament if they think that conditions of this kind will not warrant us in concluding without any hesitation whatever that such a road would be at once built by capital which would be volunteered more quickly than my hon. friend and his colleagues could consider offers if the government had proceeded in a business like way to invite capital to make proposals for the building of this route. Now the answer doubtless of the government to this proposition is this. We received no propositions. The only people in view who could enter upon this vast undertaking were Mackenzie & Mann, and the urgency of the case and the emergency of the circumstances warranted us at once closing a contract with those gentlemen entirely irrespective of what capital on the outside might have been anxious to do. Now my answer to the answer of the government is simply this: the government immediately they determined on building this road determined upon giving it to Messrs. Mackenzie & Mann entirely, irrespective of what outside capital was prepared to do. I do not think there is an hon. gentleman in this House, or a thinking man in this Dominion of Canada, who has followed this discussion from its inception down to the present time, will believe that the government ever had any other intention than to close this contract out with the Messrs. Mackenzie & Mann, irrespective of all other capitalists and all other contractors who might desire to tender for it. I am forced to this belief from the circumstances which invest the case, and I think no other hon. gentleman can come to any other conclusion. What did the government do? Did they invite tenders? Did they adopt that wise and salutory principle which has become almost a constitutional right in this Dominion, that the public ought to be invited to tender for the carrying out of public works, especially public works of this description, which should be let in the light of noonday, and thus stamped with public confidence? No; these gentlemen did not do so; they at once closed their doors and shut up their departments, so that other contractors and capitalists could not possibly have access. They sent for Messrs. Mackenzie & Mann, and we

find them entering into a contract with Mackenzie & Mann entirely irrespective of what public opinion would say or what other contractors would do. I can remember when these same gentlemen lifted their voices upon high in the event of the fullest opportunity not having been given by the late government to contractors to tender for our public undertakings. Who will not remember the assaults which from time to time were made upon the late government by those same hon. gentlemen because as long a time as they thought desirable was not given to contractors when tenders were invited. But as I have said I have challenged my hon. friends to point to any public work that has been carried out by the Dominion of Canada of any magnitude in which every opportunity was not given to the public to tender and thus to inspire public confidence in the letting of those contracts. This is not an isolated case with those hon. gentlemen. At the risk of going out of my beaten path for a moment I would remind hon. gentlemen of a circumstance which took place last session of Parliament when the Minister of Public Works had appropriated to his department a very substantial sum for the purpose of purchasing an electric light for the parliament buildings. That gentleman from the floor of parliament assured the House over and over again because the House seemingly was a doubting House and the Minister of Public Works assured that House three or four times that he would invite tenders for the purchase of the plant. Notwithstanding the fact that my hon. friend who is not in his seat now but who sits to the left of the leader of the House (Mr. Cox) a supporter of the government is a director of one of the largest electric light plant manufacturers on the continent of America—I understand it is the fourth largest in the world and it is a Canadian institution—yet we find the Minister of Public Works entirely regardless of the promises which he had made to the House of Commons last session, regardless of the principles of the Liberal party in regard to the letting of contracts, regardless of the preservation of the public funds of the country, giving to a firm of American contractors a contract for the purpose of supplying an electric light plant made in the United States of America at the expense of our own institutions.

Hon. Mr. McMILLAN—Without tender?

Hon. Mr. LOUGHEED—Yes; without tender, and I might also say, as my hon. friend to my rignt can bear me out, that in the matter of much of the Indian supplies in the North-west the principle of tendering is entirely cast to the winds, and the friends of the government in open daylight are asked to put in their own price, regardless entirely that contracts could be let to other parties at a very much lower figure were tenders invited.

Hon. Mr. SCOTT—Those statements should be made in the presence of the hon. minister.

Hon. Mr. MILLS—They should be made in the House of Commons.

Hon. Mr. LOUGHEED—In connection with this view of the case, let us consider for a moment to what extent did those gentlemen do violence to that very salutory principle with which we have been dealing, namely, inviting the public to tender for public works. A great deal has been said in regard to Hamilton Smith—very much more, I fancy, than that gentleman would care to have said about him—but we find from the facts of the case that Mr. Hamilton Smith, representing well known capitalists, some of the largest capitalists in England, came purposely to Ottawa to discuss the proposal of building a road into this same Yukon district with the Government. He secured the services of Sir William Van Horne, who apparently, while he mentioned the matter to the hon. Minister of the Interior that Mr. Hamilton Smith was here for that purpose, yet did not make such a deep impression on the mind of the hon. minister as to induce that hon. gentleman to have sent for Mr. Smith. My impression is that it was not so much the fault of Sir William Van Horne as the position taken by the Minister of the Interior himself who was determined not to discuss this matter with others who were desirous of tendering for the carrying out of this work. I must express my belief that at the time Mr. Hamilton Smith was in Ottawa that contract was already in the pockets of Messrs. Mackenzie & Mann. True the contract does not bear date till the 25th of January. As a matter of precaution before making a statement as to my belief I asked my hon. friend to lay upon the table

of the House such correspondence and communications or other documentary evidence as might be in their possession so that we might be able to determine what really took place anterior to the 25th day of January between the government and Messrs. Mackenzie & Mann, I found a return to the address placed upon the table of the House today in which it is stated that there is no correspondence whatever—no documents. It seems incredible that the government who have not entirely dispensed with the red tapeism and the sealing wax and documents which characterize most governments, that this government should have entered into the largest contract with which they probably will have to deal during their term of office without having a scrap of paper without having a line to submit to parliament for the purpose of assuring parliament that everything was done that could reasonably have been done in the best interests of the country to secure a favourable contract. But hon. gentlemen we do not find as I say a scrap of paper, we do not find a line of correspondence why? Because as I have already said there could be little doubt about the subject that this contract was long since determined upon.

Hon. Mr. SCOTT—No.

Hon. Mr. LOUGHEED—And entered into by the Minister of the Interior and Mackenzie & Mann entirely irrespective of securing information in the best interests of the country.

Hon. Mr. MILLS—That is not so.

Hon. Mr. SCOTT—That is absolutely untrue.

Hon. Mr. LOUGHEED—I accept this statement of my hon. friend.

Hon. Sir MACKENZIE BOWELL—Why do you not produce the evidence?

Hon. Mr. LOUGHEED—Permit me to say that when the government of the country will enter into a contract so recklessly, a contract dealing with so large and momentous an undertaking as this without having upon the departmental files a document, a scrap of paper, a scintilla of evidence to show anything was done to protect the best interests of the country, then they certainly cannot find very great fault with the public and members of this House for forming an impression very unfavourable to the alleged *bona fides* of the transaction which they have submitted to the House.

Hon. Mr. DANDURAND—What does my hon. friend show on that letter of Mr. Kersey?

Hon Mr. LOUGHEED—As my hon. friend asks me what I have to say I will tell him. I find that on the 20th of December, 1897, the first letter in which a proposition was made by Mr. H. Maitland Kersey, for the building of this particular road. I find that there was no correspondence, no information no data by which Mr. Kersey or anybody else could possibly make an intelligent offer to the Dominion government for the purpose of carrying out that undertaking. I say the government was wilfully negligent when they determined on building this road in not having such information in their hands as would permit contractors to make an intelligent offer for the carrying out of this undertaking. I find letter No. 4 on page 5 in which these same gentlemen seem to get down to business somewhat closely, but in which Mr. Sifton positively refused more than two days to Mr. Kersey for the purpose of carrying on a most important matter of business with his principals in London, Eng. And why? Either it was determined to close that bargain with Mackenzie & Mann two days after that or it had been closed before and there had to be some semblance of giving to this gentleman an opportunity to make his offer. But as that hon. gentleman has asked me about it I will tell my hon. friends that the agent of Mr. Kersey has told me that he went over and over again to the Minister of the Interior for the purpose of getting such information as would permit him and his principals to make an intelligent offer for the carrying out of this undertaking, and the Minister of the Interior was not able to interview him, let alone give him the information which he required for the purpose of communicating to his principal in London. I hope that this will be satisfactory to my hon. friends. He possibly may say: Why, then, is Mr. Maitland Kersey's last letter couched in such very courteous terms? I think Mr. Kersey must have written letter No. 5, thanking the minister more by way of irony than seriousness, and by way of contrast to

the way in which Mr. Kersey and his agent had been treated by the Minister of the Interior and his government.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. LOUGHEED—I hear the Minister of Justice say hear, hear, he will be the first to designate as an outrage that a firm of financiers, representing capitalists as these gentlemen did, should be given only forty-eight hours to conclude an immense financial contract with their friends in London one of the days being Saturday, a day when we know in London it is impossible to do business. I was going on to deal with Hamilton Smith when my hon. friend asked me the question with regard to Mr. Kersey. Mr. Hamilton Smith was apparently extremely audacious. Mr. Hamilton Smith was so unfortunate as to make the proposition that he would build this road for 75 per cent less of land than Mackenzie & Mann, and to demonstrate his financial abilitiy to do it. Mr. Smith, upon making that offer, was regarded as an interloper.

Hon. Mr. SCOTT—That was after the contract had been let.

Hon. Mr. MILLS—After he knew it had been let.

Hon. Mr. LOUGHEED—Why did not my hon. friend leave Hamilton Smith alone at that time?

Hon. Mr. SCOTT—After the contract had been signed?

Hon. Mr. LOUGHEED—Yes, it pleased these gentlemen to pursue Mr. Hamilton Smith after he made a bona fide offer to the government.

Hon. Mr. MILLS—He knew the contract had been let.

Hon. Mr. LOUGHEED—Certainly he knew it, but did not regard it as a finality, nor do we regard it as a finality until it has passed parliament. Mr. Hamilton Smith no sooner made this proposition to the government than the government at once cabled to England to ascertain the truth of the statement which he himself made most plainly in the letter which he sent to the government. He stated he did not represent the Rothschilds. The premier at once cabled to England to know if he did represent the Rothschilds. He received word he did not represent the Rothschilds, as Hamilton Smith had already stated that he did not and then this is flaunted throughout the whole country for the purpose of discrediting Mr. Smith, because he himself had stated what they actually ascertained by cable from the high commissioner.

Hon. Mr. MILLS—From what all the press said he did represent Rothschilds. Where did they get the information?

Hon. Mr. LOUGHEED—And further, Hamilton Smith unfortunately imagined he was doing business with a government accustomed to business methods. Mr. Smith had been accustomed to dealing with colonial governments, large financiers, and with the English government, which the premier of the country assumes to copy even in all its details. But why Mr. Smith should have aroused the ire and the antagonism of the government because he made a bona fide offer even though perhaps it was late in the day to build the road for 75 per cent less than Mackenzie & Mann is certainly past my understanding and does violence to one's conceptions of what is in the interests of the conservation of public rights. Hence, in view of this fact we cannot think for one moment that the government were anxious to secure any tenders or any propositions from financiers or from capitalists or contractors no matter what their ability might be. Hence I say that under these circumstances the government has been culpably negligent of protecting the very best interests of the country in not endeavouring to secure a contract which they could easily have secured for the purpose of carrying out this undertaking to a successful consummation and without very much, if any, cost to the country.

Hon. Mr. SCOTT—The hon. gentleman ignores the fact that the correspondence with Kersey commenced on the 20th of December.

Hon. Sir MACKENZIE BOWELL—So much the worse for you.

Hon. Mr. SCOTT—He declined unless he got a money subsidy and he wanted also a subsidy from British Columbia.

Hon. Mr. LOUGHEED—Will my hon. friend not inform us why the other con-

tractors of the Dominion, the capitalists of Great Britain or of the United States as the case might be were not invited to tender for this undertaking? My hon. friend is silent, I fancy it would be rather difficult for the government to give an answer to such a question. Another proposition which I would desire to lay down is that if the government desires to establish an all-Canadian route it would not have required very great fertility of mind for them to have understood the way to have accomplished it. A very great deal has been said about buiding the Edmonton route, and as indicating the public desire for the building of that route I might point out the fact that various Boards of Trades of the Dominion, the Boards of Trade of Toronto, of Montreal, of Hamilton, of Ottawa, and I think of some other cities waited upon the government in the beginning of this session and impressed upon this government not only the desirability, but the absolute necessity of opening up this route for the purpose of securing the trade to Canada with the Yukon district for Canadian products. This was a question for statesmanship this was a question with which those gentlemen could have grappled with the very best results in the interest of the whole Dominion. Now a railway to carry the products and manufactures of Canada from the town of Edmonton would certainly have precluded trade from going into the Yukon coming from the United States. Assuming for a moment that a road was not built from the Pacific coast, and a road had been built from Edmonton running through that magnificent arable tract of country lying south of Peace River district—running through auriferous lands, skirting streams that are rich in placer diggings running through a district of country rich in mineral wealth; in forest, in mines, in stream, opening up a vast tract of country not only for the miners but for the settler, a tract of country which could have produced sufficient to keep a mining population of many thousands. This is, I say, such a question as could have been carried out to a very desirable consummation and one of the best schemes the Dominion of Canada could have entered upon for the purpose of opening up the Yukon district. I say this scheme could have been carried out almost as quickly as the project now under consideration. There are water stretches between Edmonton and the Pelly banks which could have been utilized for the purpose of transhipping and transporting all the products and food supplies necessary for that country for the next year. My hon. friend the leader of the House, as well as the Secretary of State has appealed to us upon the ground of starvation in the Yukon that it was necessary in the public interest that a road should be built into that country for the purpose of shipping food supplies into the Yukon. My recollection is that my hon. friend, the Secretary of State told us the other night that no less than $45,000,000, or $50,000,000 of goods were lying upon the wharfs and docks and in the warehouses waiting to be shipped into the Yukon district.

Hon. Mr. SCOTT—There must be some mistake.

Hon. Mr. LOUGHEED—That is what my hon. friend said.

Hon Mr. SCOTT—I think the figures must be excessive.

Hon. Mr. LOUGHEED—Will my hon. friend say now how much?

Hon. Mr. SCOTT—No one could tell.

Hon. Mr. LOUGHEED—My hon. friend did venture on a figure and that is the figure which I recollect.

Hon. Mr. SCOTT—I think that figure would be rather high myself. If I made the statement it would be exaggerated, I think.

Hon. Mr. LOUGHEED—My hon. friend will concede the fact that the government considered it would be necessary to send into that district at least 50,000 tons of supplies for the next season. I would direct his attention to the fact that this Teslin Lake road which is to be built at the enormous expense already mentioned by him has only a carrying capacity of 9,000 tons. If hon. gentlemen will look at Mr. Jennings's report on page 24, they will see that the estimate of Mr. Jennings as to the carrying capacity of that road during the coming season is limited to that quantity. We are told that it is absolutely necessary that at least 40,000 or 50,000 tons of food supplies should be shipped into that country during the coming season. Will my hon. friend the Secretary of State tell us how the

balance is to be shipped? My hon. friend has already appealed to the government and the government have appealed to the people of Canada that it is necessary to build and equip a railway for the purpose of carrying over 50,000 to 100,000 people to the Yukon district this coming season. I find on looking at Mr. Jennings's report upon which this whole scheme is based, and so far as I can understand it is the only guarantee that the government has that the scheme can be carried out, that Mr Jennings calculates that the outside carrying capacity of this road for the coming season will be 12,000 passengers. Will my hon. friend the Secretary of State tell us how the other 30,000 or 40,000 or, accepting the figures of the Minister of the Interior, the other 100,000 passengers would get into the Yukon district?

Hon. Mr. SCOTT—I think what I said was that the persons might go in and their food supplies could be sent in afterwards by rail. So long as it got to the waterway it could be easily got to Dawson.

Hon. Mr. LOUGHEED—I will take that statement. We have the statement that the minimum passenger traffic into the Yukon district this coming summer will be 50,000. My hon. friend the senior member for Halifax (Mr. Power) I think ventured the assertion this afternoon that at least 150,000 would go in there.

Hon. Mr. POWER—I gave my authority. My authority was the vice-president of the Canadian Pacific Railway Company.

Hon. Mr. LOUGHEED—That is an excellent authority. Well, take the authority of the vice-president of the Canadian Pacific Railway Company that 150,000 people will go in there this coming season. I am very sorry that my hon. friend the Minister of Justice is not in his place because I intend to submit for him a problem which I should like him to attempt to solve on this occasion. I find from Mr. Jennings's report that the carrying capacity of this road for the coming season will be only 12,000 passengers and I find from that report also that for each passenger it is necessary to take in three-quarters of a ton of freight. That being the case I would ask any hon. gentleman on the other side who is advocating this measure how they intend to get in the other 100,000 of passengers, and other 100,000 odd tons of freight.

Hon. Mr. DANDURAND—How many trains a day did Mr. Jennings count upon? The carrying capacity of a railroad all depends on the number of trains.

Hon. Mr. LOUGHEED—If the hon. gentleman will look at Mr. Jennings's report, page 24, he will find all the particulars necessary for him to arrive at that conclusion, and outside of that report I say most emphatically the government is not warranted in going. Mr. Jennings was sent out there for the purpose of reporting to the government on the building of the Stikine route. He drafted the report, and upon that report brought down to this House the government make this most exorbitant demand, viz., that we should alienate nearly 4,000,000 acres of public lands for the purpose of building this road. They have stated this publicly and given their authority as to the volume of the freight which it is necessary to carry into that country this coming season. They have given us their authority and their figures, the number of passengers and the tonnage of freight which will have to be provided for. Yet we find under this report—mind you, the only authentic information we have on the subject—provision for not one-tenth the volume of freight and passenger traffic which will go into the Yukon district during the coming season? I ask my hon. friend what his answer to that is. How he intends, if this road is only possessed of the capacity I have indicated, the government of the Dominion, to rise to the emergency of carrying nine-tenths more passengers and freight than apparently they are providing for by this bill? I was referring a moment ago to the desirability of the Edmonton route I charge the government with showing a gross indifference in regard to obtaining information upon this all-important route, upon a route which has received the endorsation of the commercial men of the Dominion through the Boards of Trade of the Dominion, of almost every man of common sense of the Dominion, because I say in no other way can you open up so large a tract of country suitable for settlement; in no other way can there be developed the varied resources which are to be found through that district of country—

one of the richest districts throughout the whole Dominion. In no other way can you secure for the people of Eastern Canada a market for their products and manufactures than by going through the route which I have indicated, namely, from Edmonton to Pelly banks, and then down the Yukon to Dawson City. I was about to say that such a road, if it had been entered upon in the early part of the season, would have received the endorsation of the people of the whole Dominion. It would have received the endorsation of both Houses of parliament. I say, with confidence, that the building of a route of that character would have been a national work of the highest importance, and would have received the strongest approval of the people of Canada irrespective of the districts in which they lived. It would have appealed to them as a national undertaking, as one that would have secured to that country the trade of Canada, and not one which was opened up at the expense of the people of the Dominion for the purpose of accommodating United States supplies and United States products bound for that far northern country.

Hon. Mr. SCOTT—The hon. gentleman is aware we sent an expedition ; that was in September. We have never heard of them since but once. That is six months ago.

Hon. Mr. LOUGHEED—I am glad my hon. friend reminded me of that expedition. As I took the liberty of expressing myself rather warmly the other night in controverting the statement made by my hon. friend, I must again do so to-night, but perhaps not with so much warmth. I say positively that the government did not send an exploration party into that district for the purpose of determining on a question of route ; I say that the government sent into that district a small party of police, and that the member for Alberta appealed to the Minister of the Interior that there should accompany that party a surveyor or engineer, a man capable of determining a route, of reporting upon the physical features of the country and giving such information to the government as would be of service ; but the government refused to make any appropriation or to permit any surveyor in the service of the government to enter upon that undertaking. I charge the government with endeavouring to handicap in every possible way the obtaining of information of that route. I charge the government with culpability——

Hon. Mr. POWER—Did not two engineers from the Military College go with that expedition ?

Hon. Mr. MILLS—Yes.

Hon. Mr. LOUGHEED—I am very well pleased that my hon. friend has suggested that to me, the question of sending these two young men. They were two young men graduates of the Kingston Military College, and I regret to say were not surveyors and not engineers.

Hon. Mr. MILLS—They would have to be both.

Hon. Mr. LOUGHEED—Upon the solicitation of their friends they secured a position with this small police detachment enjoying and receiving the magnificent remuneration of one dollar a day. Does my hon. friend from Halifax think he can secure surveyors and engineers at the rate of one dollar a day to proceed to the Klondike and endure the rigours of an Arctic winter ? I think the very fact that these two young men were willing to accept a dollar a day must indicate as the fact is that they are neither engineers nor surveyors.

Hon. Mr. POWER—I dare say there are engineers who would be glad to go with a party without pay at all.

Hon. Mr. LOUGHEED—My hon. friend has a very limited and restricted view of what engineers and surveyors are worth, if he thinks engineers would be only too glad to go into that country for the remuneration he mentions.

Hon. Mr. DANDURAND—Except when they go to the Yukon on account of the attraction the gold has for them.

Hon. Mr. LOUGHEED—Perhaps so, but these young gentlemen are not engineers and not surveyors. I was about to say that there are engineers and surveyors in the government employ, men who are not busily engaged, men, who in the present time, in the district in which I live are in the service of the government and drawing magnificent

salaries, who could have been easily spared to have gone on that expedition, men who have traversed almost every acre of that western country, and whose knowledge of climatic, geographic, physical, and all other conditions incidents to travel in that country, would be of the greatest advantage to the government. The member for Alberta importuned the government to send men of the character I have mentioned, but they refused to send such a man to make an exploration of that route, such a man as could furnish all information to the government, and which, if furnished, I am sure public opinion would demand action upon it. Now I am satisfied, hon gentlemen, that a road from Edmondton, opening up a vast expanse of country, could be built for the subsidy that is being given the contractors in the bill. I shall have something to say in a moment of the financial possibilities of the immense grant that has been made to those gentlemen, I say, with the greatest confidence that if the government had applied business principles and sagacious statesmanship to the handling of this question, a sufficient amount of money could have been raised upon the land grant which they proposed to alienate to Mann & Mackenzie, not only to build the Edmonton route but a satisfactory route from the coast to Dawson City, and thus to open up the Yukon district from both points. But we find the government entering upon an undertaking based upon the information which I read from this report and adopting the Teslin Lake route. I should like to know, hon. gentlemen, and I have no doubt the question has occurred to many, at whose instance was this Teslin route opened? I do not find that any information was in the possession of the government previous to Mr. Jennings having been sent out to Teslin Lake for the purpose of preparing his report. Can my hon. friend tell me who inspired the Teslin Lake route?

Hon. Mr. POWER—Geography.

Hon. Mr. LOUGHEED—If hon. gentlemen will look at the report of Mr. Jennings they will find that the first mention of going into that country by Teslin Lake is to be found in Mr. Jennings's report on page 31; and I would point out this peculiarity to my hon. friend, the Minister of Justice; it may not have occurred to him before; why did the government tie themselves down to the Teslin Lake route, a route upon which they had no information, a route of which they knew nothing because my hon friend, in introducing this bill, was sufficiently candid to say that the government obtained no information from Mr. Ogilvie, or Mr. Dawson, by which they could determine upon any line of action in regard to the route which was to be adopted by them. My hon. friend was candid enough to make that statement and yet we find on the 15th December Mr. Jennings writing as follows:—

> SIR,—In accordance with your desire for an interim report covering the examination of country made by me for a highway or railway route between the Stikine River and Teslin Lake, B.C., I have the honour to report——

We find Mr. Jennings reporting on the 15th December, 1897. Now then I say in conjunction with this fact that it was not until late in the fall that Mr. Jennings received instruction to go out to Teslin Lake for the purpose of making this survey, leads me to the conclusion that before Mr. Jennings went there the government had determined to enter into this contract of building the Teslin Lake road. Was it in pursuance of the report made by Mr. Jennings that this road was built? I believe my hon. friend would say that it would not be logical for him to state that it is in pursuance of that report, because no other alterative was giving to Mr. Jennings. The government tied themselves down to send in Mr. Jennings to report upon the route.

Hon. Mr. MILLS—What does the hon. gentleman think were the reasons that ought to govern in the choice of a route? He does not suppose that we wanted to build a route that would be controlled by the Americans through the United States. I indicated the other day when I introduced this bill the possible routes in Canadian territory and the governing consideration at the present time and at the time this contract was entered into was the expeditious construction of a railway into the country at the earliest possible moment and this route suggested advantages far beyond that of any other route that was possible.

Hon. Mr. LOUGHEED—I will point out to my hon. friend that the government at this time must have thought of building a road from Dyea or Skagway, so that the

building of the route from the Lynn Canal did not present the serious obstacles to my hon. friend at that time that it does now.

Hon. Mr. MILLS—No.

Hon. Mr. LOUGHEED—If my hon. friend will look at Mr. Jennings's report he will find Mr. Jennings apologizing for not visiting Dyea and Skagway, and the government finds it necessary to embody in this contract that no route should be built from the Lynn Canal within five years. The government must have had under consideration the building of a road from that point. If any hon. gentleman of this House will ask Messrs. Mackenzie & Mann their opinion of the route they will, in all probability, tell him the only practical route would be from Lynn Canal, and my hon. friend knows it, and the public know, that the only practical route which should be adopted is the route running from the Lynn Canal. If my hon. friend is so opposed to the adoption of the route from the Lynn Canal why has his government given power to Messrs. Mackenzie & Mann under this bill to build this road? My hon. friend has not prohibited the building of this road from the Lynn Canal?

Hon. Mr. SCOTT—They can only build by the permission of the government. They would have found it probably a much easier route, but they were prohibited from doing it except by Order in Council. If any other company did build then it would be only fair to them to be permitted to build, but in event of no other company building then they would not be permitted to build.

Hon. Mr. LOUGHEED—We will see what the contract says. Sections 1 and 2 provide that the company may, by the consent of the Governor in Council, build from the Lynn Canal. I ask if this is the meaning, and is it not intended that Mann & Mackenzie shall have the right to build from Lynn Canal, if not why has this provision been made——

Hon. Mr. SCOTT—There is as my hon. friend knows, a charter already in existence. If any other railway did build then there would be no object in excluding them from the right of building.

Hon. Mr. LOUGHEED—Why was the government last session not struck with the same alarm? Why was it not animated by the same patriotism so to speak, when it granted to two companies the right to build practically from the Lynn Canal? This is quite a sudden conversion of the government to the fact that the building of a road from the Lynn Canal would prove of very serious moment, but I would point out in this connection that the building of a road from Lynn Canal is the only road that can be built of advantage to the government of Canada and with advantage to the people of Canada as a practical railway enterprise if you are going to the enormous expense of building a road from an Alaskan port.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. LOUGHEED—My hon. friend says hear, hear. My hon. friend knows perfectly well that the opinion of all parties at least the opinion of the best experts who have gone over that country, is that the most feasible road is from the Lynn Canal, that in the interest of commerce the road should be built from the Lynn Canal that in the interest of the Dominion of Canada if a road is to be built the best road should be built. It is an argument that certainly should prevail without any amplification. If you are going to make a public expenditure of an immense sum such as is involved in this project the best possible route ought to be adopted, the greatest facilities possible should be given to the trade of our country.

Hon. Mr. MILLS—Not the trade of our country, the trade of the United States.

Hon. Mr. LOUGHEED—It is precisely the same trade that will go over the Teslin Lake route. Will my hon. friend say that the difficulties of securing bonding privileges at the Lynn Canal are more serious than the difficulties which threaten us at Wrangel.

Hon. Mr. MILLS—There are no embarrassments whatever at Wrangel. We have a treaty right to use the navigation of that river; as an incident to that right we have the right to tranship, load and unload. We have no such rights in the Lynn Inlet or any railway constructed from it. The United States government are under no obligation to concede to us any bonding

privilege, nor are they likely to do so in that country if the effect would be that we would take any steps to exclude United States trade from our own territories, or to confer any advantage upon our own people.

Hon. Mr. LOUGHEED — The political phases of this bill never apparently struck the government until they committed themselves to the bill now before us, and to the policy which has been initiated regarding this measure. The government found, upon introducing this bill, that the monopoly clause calculated to shut out outside transportation companies from reaching the Yukon district immediately aroused the hostility of the United States, resulting in the legislation which was introduced into the American Senate, and known as an amendment to the Homestead Laws, providing for the right of way for railroads in the district of Alaska. For this hostile legislation the government of Canada is directly responsible by reason of the monopoly clause in the bill. My hon. friend has over and over again gone over the rights which we enjoy under the Washington treaty. No one will question that certain rights have been given to us under that convention, but it is folly to say that the United States cannot impose hostile regulations, customs barriers and other difficulties, so as practically to prevent our having access to the Stikine River. My hon. friend will no sooner build this road and commence to operate it than he will find confronting him at Wrangel the very vexatious customs regulations which have already been indicated in the legislation which has lately been introduced into the American Senate, and this legislation is directed solely to the port of Wrangel. Hon. gentlemen will doubtless have observed that it does not extend to any other ports on the Alaska coast, but simply to Wrangel. My hon. friend may sail up there in Canadian vessels with Canadian goods, and at the port of Wrangel he may say to the collector of customs or those in charge at that point—possibly American soldiers—" My dear sirs, we come in here by right of treaty. The Washington convention has insured to us the right of navigation of this stream. It was passed in 1871, and we desire at once to go up Stikine regardless of all impediments which you may throw in our way." It may happen that those who approach the port of Wrangel may not be able to make as learned a desertation on the treaty rights of the convention of Washington as the Minister of Justice. But notwithstanding their protest the probabilities are they will remain at the port of Wrangel, and indulge simply in protestations without making any headway.

Hon. Mr. MILLS—That is a very unpatriotic suggestion.

Hon. Mr. LOUGHEED—That may be but we are dealing in commercial and business facts now and not in patriotism. We are dealing with the alienation of 4,000,000 acres of land for a railway which when built, unless you make your peace with the United States, whether by convention or otherwise, it will be impossible for you to use, except you submit to all the vexatious regulations which they may impose, I say the government were culpable in not having an understanding with the United States government in the first instance, or in drafting a bill which would not have excited the hostility which we find.

Hon. Mr. MILLS—We were culpable in not suggesting doubts where there is no room for doubts.

Hon. Mr. LOUGHEED—So far as there being no doubts, if my hon. friend will follow the trend of American legislation on this subject he may find the doubts very formidable. But the government is responsible for introducing the policy under which they have built up along the 141st meridian and on the Alaska coast a Chinese wall by which they have actually forbidden American transportation companies or even Canadian companies having access to the Yukon country by any other route than by the Teslin Lake route and then by the grace of this firm of contractors. While a policy of that kind is enunciated by the government—a policy not only injurious to the people of Canada, but a policy hostile to vested interests in the United States already having dealings with that country--then the Canadian government must take the consequences which naturally attach to such a policy. I do not for one moment disparage the desirability of our having access to that country by a route entirely free from American influences but certainly the govern-

ment of Canada is charged with the very important duty of introducing such a bill as will result in the building of a road by which we will have an assurance that that trade will be carried on without any of those difficulties confronting us which now threaten. I need not say very much about the physical difficulties which present themselves in regard to this same route, except that I might supplement what has been said by the senior member for Halifax in regard to the feasibility, so to speak, of those rivers by referring to page 15 of Mr. Jennings report in which I think it must be shown to the satisfaction of whoever reads it that it would be almost impossible to navigate the Hootalinqua River. On page 15 we find the following :—

> They further explain that they nearly made the same blunder mistaking the waters of the Hootalinqua River which are a dirty brown colour for those of a slough or marshy water.

If hon. gentlemen fancy that they can navigate a river which presents no other appearance than that of a slough or marshy water in conjunction with a line of steamboats such as anticipated in the contract I think they will find themselves very much mistaken in the physical difficulties they have calculated to grapple.

Hon. Mr. POWER—The Misscuri is a very muddy river.

Hon. Mr. LOUGHEED—It cannot be said to be a marsh or slough, and that seems to be about the designation properly applicable to the Hootalinqua. Hon. gentlemen I fancy have contemplated the serious aspect of alienating 4,000,000 acres of land to Mann & Mackenzie. My hon. friend put a very cheerful aspect upon it this afternoon when he told us that the miners of that country would in all probability prefer dealing with Mann & Mackenzie than the Dominion government. All I have to say to that statement is that it is not very flattering to the policy of this government regarding the administration of the Yukon country, not very flattering to the regulations passed by the Minister of the Interior and altered three or four times, when we find hon. gentlemen, supporters of the bill, using as an argument that the miners of that country would prefer dealing with strangers, that private parties would prefer dealing with Mackenzie & Mann than dealing with the government. I always thought the government of the country exercised a paternal influence over industries of this kind and usually passed such regulations as met with public approval. But when we find those public regulations of so undesirable a character that private parties can secure immense concessions and franchises in that country, and deal more generously with the miners than can the government themselves, then I cannot fancy any less flattering description of the policy of that government. Now, very few gentlemen may have considered that a tract of 4,000,000 acres means a mile belt 6,250 miles long, or in other words this government propose giving to Mackenzie & Mann a strip of land say two miles in width stretching along a tract as long the entire line of the Canadian Pacific Railway from the city of Vancouver to the city of Montreal. Hon. gentlemen who have travelled over the Canadian Pacific Railway, who have taken some five or six days to travel on a fairly fast running train from Montreal to Vancouver, through that immense tract of country, and viewing the country a mile on either side, extending between those two cities can then appreciate the magnitude of the grant which is about to be given to those gentlemen. In a speech recently made by Mr. Ogilvie at Victoria he made some reference to the richness and the wealth of those lands, so that hon. gentlemen may comprehend the illimitable wealth about to be alienated by the government and vested in the hands of a firm of contractors for building 150 miles of narrow gauge railway. Let me read to you a short statement made by Mr. Ogilvie at that time as to the enormous wealth of that country and as to its possibilities. He says :

> Bonanza and Eldorado Creeks afford between them 278 claims, the several affluences will yield as many more, and all of these claims are good. I have no hesitation in saying that about a hundred of those on Bonanza will yield upwards of $30,000,000. Claim 30 below, will yield a million in itself, and ten others will yield from $100,000 up. These two creeks will. I am quite confident, turn out from $60,000,000 to $75,000,000, and I can safely say that there is no other region in the world of the same extent that has afforded in the same length of time so many homestakes—fortunes enabling the owners to go home and enjoy the remainder of their days—considering that the work has had to be done with very limited facilities, the scarcity of provisions and of labour, and that the crudest appliances only are as yet available.

Considering, in connection with this grant, that the policy of the government up to the present time has been to reserve alternate

claims, these alternate claims are claims which have been reserved in the very richest portions of the Klondike district, but under this contract, will pass to Mann & Mackenzie.

Hon. Mr. SCOTT—No.

Hon. Mr. LOUGHEED—Those reserved claims which lie alongside of million dollar claims referred to by Mr. Ogilvie can be taken by Mann & Mackenzie, will my hon. friend point out anything in the contract or bill which will prevent those men from claiming those reserves. In addition to that we are giving four million acres of land to build what? The Minister of the Interior when interviewed on the subject said, with almost a tremor in his voice, that this was a superhuman undertaking—the greatest railway enterprise undertaken on this continent, and we were led to believe for a short time, until we got authentic information that this 150 miles of road would be hewn out of solid rock or driven through the most formidable physical difficulties with which it was possible for man to grapple. But let us see what Mr. Ogilvie says, the gentleman who seems to be responsible for the policy of the administration in that country. Mr. Ogilvie, when addressing the Victoria board of trade said as follows :

From the head of the Stikine ——

He is now speaking of the Teslin Lake route which we have before us.

From the head of the Stikine the road would follow through an undulating country which presents no obstacles to railway construction, and for the greater part of the distance of 150 miles is pretty well covered with timber.

Here we have the statement of Mr. Ogilvie, an authority upon the configuration of that country, and that it presents no obstacles whatever to railway building.

Hon. Mr. POWER—Is not the hon. gentleman reading Mr. Jennings's report.

Hon. Mr. LOUGHEED—I have read Mr. Jennings's report, and Mr. Jennings says very little about the physical difficulties, if any, which are to be overcome. I might say I had the pleasure coming down the other day on the train with an engineer who had gone over that route, and he informed me that the greater portion of the route was over table lands, involving very little difficulty or outlay in railway building. When you consider this same firm is receiving something like $375,000 from the British Columbia government as a cash subsidy for building the same road, one is almost led to the conclusion that the cash subsidy of the British Columbia government will contribute very largely towards the building of the road.

Hon. Mr. MACDONALD (B.C.)—And the land subsidy as well.

Hon. Mr. LOUGHEED—Surely these gentlemen must have hypnotized both governments. Receiving $375,000 and land grant from British Columbia, and 4,000,000 acres from the Dominion government, surely these gentlemen with their enterprise should be able to construct 150 miles of narrow gauge railway for these valuable grants, leaving out of consideration for the moment the fact——

Hon. Mr. McMILLAN—I should like to remind the hon. gentleman that they have bonding privileges as well on the main line and its tributaries.

Hon. Mr. LOUGHEED—Yes, bonding powers for $10,000,000. With these bonding powers, a British Columbia franchise, a Dominion franchise and an ample bank account these gentlemen have, I fancy with close application will succeed in building the road. Have hon. gentlemen considered for a moment the possible returns of the revenue of this road? I am not now dealing with Mr. Jennings's report as to the carrying capacity, but I am dealing with the argument advanced by the government why this bill should be passed. This government does not seem to take into consideration that there will be any difficulty whatsoever about the carrying over that road of 150,000 passengers, estimated at this number by the hon. member from Halifax. A 100,000 passengers at 15 cents a mile one way only would mean $2,250,000. I am only calculating one way; 100,000 tons of freight at $50 a ton—and $50 a ton is the amount fixed in Mr. Jennings's report—would come to $5,000,000; 100,000 passengers at 15 cents a mile and 100,000 tons of freight at $50 a ton would yield a gross revenue, not including return carriage and freight, of

$7,250,000. Now these are the figures to be deduced from facts urged by the government in behalf of the passage of the bill. My hon. friend may say that I am drawing on my imagination or calculating upon a volume of trade which will never take place but I am taking the government figures and knocking off 25 per cent therefrom. I am taking the freight rates as fixed by Mr. Jennings and I say the revenue thus deducible would amount to $7,250,000. Now, I am opposed to the alienation of this quantity of land for another reason than that which I have already stated. If the public resources are thus squandered then we may abandon all idea of securing other routes from other points. Cold comfort was given to those advocating the Edmonton route and urging the building of a line through the interior—and possibly a grant might be brought down during this present session but if these extraordinary and extravagent grants are to be made there will be certainly such an exhaustion of the public resources as to render it impossible for us to consider for a moment the building of the Edmonton road. I would further point out to my hon. friend that this blanket donation which they make to Mackenzie & Mann includes the timber and coal. So impressed was my hon. friend from Miramachi the other morning when he heard Mr. Livernash that he conceded the fact that it would be detrimental to the best interest of the country that the timber should go with those lands to Messrs Mackenzie & Mann. It does justice to his common sense and good judgment, and I would not have expected my hon. friend to come to any other conclusion. When hon. gentlemen consider that the only means a miner has of thawing out the immense depth of frost found in that country is by securing the timber on the public lands, you can then conceive of the calamity, because it would be nothing short of a calamity, that the government should alienate all its timber resources in the Yukon. Fire wood in that country, for the purpose of carrying on operations, is worth $25 a cord at the mouth of the shaft. When you take into consideration that a cord of wood will only thaw ten cubic feet of earth, and when you further take into consideration that from present operations the frost is known to extend at least fifty or sixty feet into the earth, you can realize the amount of cord wood that will be necessary for carrying on the rude and crude operations of placer mining in that country. You alienate to this firm of contractors this immense tract of land, taking with it not only the minerals but the timber, and you render the miner powerless and unable to carry on his operations, and you place in the pockets of these men a fortune which might possibly exceed even the value of the lands themselves. The same may be said of the coal deposits. I find in the statement made by Mr. Ogilvie, in the same speech that I referred to some minutes ago, that the coal deposits in that country are very large indeed. I will read a short extract:

> We have coal in abundance. It is to be found in the Rocky Mountains, or, rather, the ridge of high mountains running parallel to them in the interior. A deposit of coal in this range runs right through our territory. At two points near Forty-mile it also crops out, in one place only about 40 feet from the River Yukon. Further up the Yukon on one of its many smaller feeders, at Fifteen-mile Creek and on the head of the Thronda, there are also out-croppings of coal. On the branches of the Stewart and on some of the Five Fingers of the Yukon, coal is also exposed. In fact, there is any amount of coal in the country with which to work our minerals when we can get in the necessary facilities.

You hand over to these people all the coal deposits of this immense country—and you manacle the miner in placing the whole of that country in the hands of a corporation or firm of contractors, who very naturally will take the greatest amount of money out of it. Another point to which I should like to make reference and which has often been repeated here by the Secretary of State, and also the Minister of Justice, viz., that this in fact is a gamble—that very little value is to be attached to these lands. In speaking of the immense tract of land to be alienated it has been the policy of the government to disparage the value of those lands and speak of them as entirely worthless and impoverished. It reminds me of the late Bill Nye's description of some lands in Ireland which were so poor that they could not raise a row on them. Mr. Ogilvie who seems to be an authority on their richness, in his lectures in England, speaks of the inexhaustible wealth of that country and states positively that for generations to come untold millions of gold would be extracted from them. But my hon. friend says it is a gamble. The Minister of Justice is the minister to whom the people of Canada would look to suppress anything of a gambling transaction. If there is any-

thing which peculiarly comes within his department it is the protection of the public from gambling and swindling combinations of all descriptions. But we know very well who will be the sufferers from the floating of this transaction. It is not a gamble so far as the contractors are concerned. We know very well that this bill will no sooner receive the assent of parliament than the news will be cabled to England and the land will be floated on the English market before we have the news in Canada of the negotiations. Will any hon. gentleman doubt that it would be even an improbable thing for these contractors to divide those 4,000,000 acres of land into 40,000 parcels of 100 acres each, and unload them upon the English, the American, and the Canadian markets at $5 an acre. Mr. Osler, member for West Toronto and a director of the Canadian Pacific Railway Company said very truly that this land grant, if put on the London market, would realize to-day more than the twenty-five million acres of arable lands given to the Canadian Pacific Railway Company, and there is not an hon. gentleman familiar with stock operations in London and elsewhere but knows only too well the vast possibilities that this immense grant of land is capable of realizing in cash. The people who would put their money into this enterprise are those who could least afford to lose the money with which they would speculate at this time of feverish excitement on Klondike speculations. We know very well that those large amounts of money raised for schemes of this kind are contributed by widows and orphans and curates and others who can least afford to lose the money invested in them. I say it is the duty not only of the Minister of Justice but of the Canadian parliament to prevent schemes of this kind being unloaded upon the credulous people of Great Britain. There has been already too much exploitation of schemes of this kind in Great Britain. As my hon. friend to my right said the other night he could point out in different parts of the North-west large tracts of land tied up by foreign corporations which are not available for settlers which remain unimproved which are held waiting until settlers improve the contiguous lands so as to bring them into value. So in the district of the country in which I lived could I point out to you hundreds of thousands of acres lying enshrouded in silence from the morning of creation down to the present time not paying taxes, unimproved, waiting until the settlement of neighbouring lands improves their value or waiting until the municipality or local government carries out improvements—awaiting local enterprises to bring their lands into value. I say that exploitation of this kind has been carried to such an extent as to prove ruinous to the credit of Canada, and no higher duty can devolve on the government of this Dominion than to prohibit in every possible way every scheme of this kind so far as it can possibly be done. Now, in conclusion, gentlemen, let me say that we have heard a great deal in regard to the responsibility of the Senate upon this question. Many threats have been made as to what the Senate should do and what will be done if it should not pursue a certain course. It is not necessary for me to say anything in regard to the functions of the Senate. My hon. friend from Richmond delivered so admirable a speech the other night upon the functions of the Senate upon the offices which it has to perform under the constitution that it would be superflous and presumptuous for me to attempt to amplify them. Suffice it to say that there is nothing clearer than the fact that those who designed our constitution, those who erected this superstructure of confederation, built it upon principles deep and firm, principles which underlie the British system of government, and they clearly designed that this Senate, while co-ordinate with the Commons, should exercise its functions freely and independently of that body. They designed that it should be a check upon all hasty legislation, and I am free to say and hon. gentlemen know right well that in the thirty years history of this Dominion there was never in the annals of that history an opportunity in which the Senate has been called upon to exercise that check to the extent as upon this occasion. We hear very much said of the independence and also of the partisanship of this body. My hon. friend the Secretary of State stated the other night that we had prejudged this bill, that we had shown a partisanship unworthy of this body, yet I appeal to hon. gentlemen present as to who are the independent members, who in both Houses of parliament have voted or are about to vote upon this bill? Are they those members who, at the

crack of the party whip, have marshalled themselves into line and recorded their votes in favour of the bill, which, in their inmost conscience they know to be one of the most vicious and one of the most flagrant acts ever attempted to be put through this parliament of Canada. I say, with every degree of confidence, that as a flagrant violation of the rights of the people of this Dominion, as a flagrant alienation of those public resources which we own, there has been no parallel to this bill in the annals of the Canadian parliament. I therefore ask who are the independent members who have taken their stand upon this particular bill? Are they those whom I have indicated as obeying the party call, or are they not those who have resisted lobbying influences more powerful than any others which have been brought to bear upon the passage of any former bill? Are they not those who have laughed at the threats which have been made by a hireling section of the government press to compel the Senate to pass this measure by threatening our abolition? I say the latter class of men are the men who have pursued an independent course upon this bill and who have exercised free and independent action and who will continue to do so. It has been well said that a heavy responsibility is cast upon us, a high and important duty is to be performed. We all recognize that; we all realize too, that we are prepared to discharge that responsibility, and I say that that responsibility and that high and important duty cannot be better and more clearly discharged, consistant with the conservention of our public interests than by voting for the motion of my hon. friend from Victoria that this bill be given a siz months' hoist.

Hon. Mr. DANDURAND—I hope my hon. colleagues will give me their indulgent hearing to my attempt to speak in a language which is not mine. I would ask permission to answer some remarks which fell from the lips of the hon. member for Hastings (Sir Mackenzie Bowell) when he answered the speech I had the honour of delivering in the debate on the address in reply to the speech from the Throne. The hon. gentleman, after some complimentary words to my address—for which I thank him—declared:

My limited knowledge of French is not such as to enable me to form such a correct opinion of his remarks as will his own countrymen and those who do understand the language. However, I understand sufficient to find that he, like many others who have entered this chamber, materially change their opinion and views upon the existence of a second chamber. We have observed during the past few years that this chamber has been threatened with annihilation, or at least reformation, by politicians and by newspapers.

I wish to simply remark that there had been no phrase of mine containing any such declaration as would warrant the hon. gentleman in thinking that I had altered my opinion as to the matter of reforming the Senate. Like all the members of the Liberal party, in 1893, in this very city of Ottawa, I subscribed to the programme of the Liberal party which was submitted to the people and endorsed by them on the 23rd of June, 1896. In that platform appeared one article calling for a modification of the Senate as at present constituted. That verdict means that the people of Canada consider that a second chamber should be elected direct by the people, or according to the French system, or according to the United States system by the local legislatures, and the only part of my speech which could, perhaps, have been construed as showing a change of opinion in that respect is the following which has been translated:

I have searched the reports of your debates for the past 20 years to find lessons and examples, and I have found the sound traditions and the customs which appear to have had for their foundation a constant respect for the popular will. I intend faithfully to follow the road which you have so well marked out, and in which I am certain we shall not cease to touch elbows.

These records of the Senate of Canada, from the year 1878 to 1896, I had examined, and found to my liking. I had nowhere found that this chamber had been remiss in its duties, yet at no time had I noticed a conflict between this House and the popular chamber. Full sway had been given by the Senate of Canada to the House of Commons. I noticed that the debt of $77,000,000 or thereabouts, with which we started in 1867, had increased by leaps and bounds to the enormous sum of about $300,000,000, and not once had this chamber thought proper to arrest the growing indebtedness. Land grants to the tune of 67,000,000 acres in the North-west and Manitoba to railways and ministerial favourites, covering the best part of the fertile land, have been from year to year bestowed, and not once, as I say, had the Senate of Canada thought proper to intervene and prevent the popular chamber, or

the government of the day, from bestowing these grants. The effect has been what the hon. member from Calgary has just mentioned; those enormous grants are paralysing the North-west and Manitoba. Neither did I find, during those 18 years, in a single page of the history of this chamber, any check, any probing or any sifting into the way public moneys had been expended. I would recall, as a typical case, the farcical comedy which was enacted in the House of Commons when the Hon. Mr. Edgar, from his seat, accused Sir Adolphe Caron of receiving subsidies from the Temiscouata and Lake St. Johns Railways. The government of the day, with its solid majority at its back, took the accusation from the hands of the Hon. Mr. Edgar and modified it to suit itself, so that Sir Adolphe might stand his trial upon the accusation as the then government wished to submit it. And what was the consequence? Not a murmur from this House protesting against such a course when a minister of the Crown was accused of receiving, directly or indirectly, subsidies from a railway company. This serves to emphasize the fact that complete sway was given the government of the day in the administration of public affairs.

Hon. Mr. BELLEROSE—May I ask the hon. gentleman whether he recollects in 1886 or 1887, when the Liberals were in opposition, the motion for the six months' hoist in the case of the Pacific Railway Bill.

Hon. Mr. DANDURAND—I do not thoroughly catch the meaning of the interruption of my hon. colleague but I shall endeavour to answer him if I can understand him.

Hon. Mr. BELLEROSE—I ask the hon. gentleman whether he remembers the case of the Canadian Pacific Railway in 1886 or 1887, when the Liberals were in opposition in this House, when the present hon. Secretary of State, as leader of the opposition, moved the six months' hoist?

Hon. Mr. DANDURAND—This is quite possible, but was not this exceptional motion on the part of a member of this chamber squelched by an immense majority? I have no doubt whatever that this vote forms part of the traditions of this House. The hon. gentleman from Calgary (Mr. Lougheed) defied any one in this House to find a contract of such magnitude as the one under discussion to-day given without tender; I will mention one. When I say of equal magnitude I am saying very little, it was a contract not to be compared with the present contract in regard to the amount involved. In 1878, after the elections of the 17th September of that year, a majority of the people had pronounced specially upon the tariff question. Generally the railway policy of the government had been discussed, but I have seen nowhere such declarations from the then leaders of the opposition as would make the people of Canada believe that within a year, or a year and a half, without tenders being called for, without the public being notified, a contract would be entered into with a syndicate, chosen specially by the government of the day, giving them the work which had already cost the country millions in the construction of the Canadian Pacific Railway in addition to 25 million acres of land, 25 million dollars in money, exemption from taxation for their lands for all time and a binding monoply. All this startled the Dominion of Canada, and yet this chamber did not feel justified in arresting the progress of the government in this undertaking. The government of Canada, at the time, found docile supporters in this House who thought, rightly, that the responsibility should rest where the people had put it, upon the shoulders of those who would have to render an account of their stewardship. The Senate of Canada, at the time, endorsed that contract, which represents 20 times, if not 50 times, the amount of the contract which is under discussion here, without a murmur and without protest. It will be remembered that after that contract was signed, other parties deposited $1,300,000 of money and made a far better offer to the government of Canada, but the contract had been closed; it was useless to try to go back on what had been decided; the new syndicate had to take back its $1,300,000, and the Canadian Pacific Railway contract was ratified. I find, in connection with this railway company to which I have been referring, that, later on, when the government came down and asked that $30,000,000 should be loaned them—quite an amount—this chamber again decided not to thwart the government in its desires to make that loan to the Canadian Pacific Railway.

Hon. Mr. MASSON—Is it not probable that the majority of the Senate thought it was right?

Hon. Mr. DANDURAND—I am examining the record of this chamber to see if, in the present contract, there are such things as would warrant the Senate in breaking away from its traditions and coming in conflict with the popular branch of parliament, a thing it was not wont to do between 1878 and 1896.

I would not want to be accused of seeing the Senate in a different light from that in which it is seen by others. Here is a good Conservative paper, the Montreal *Star*, which, as all who live in the province of Quebec will admit, is a most violent Tory paper. In former times, when it wished to ingratiate itself with the public, it used to be Tory at election times and independent between election times. Since it has become solidly established, with a large circulation, it has thrown off the mask and is Tory now all the time. I prefer that; I prefer to know where people stand, although I must say the conduct of that paper in former times did not surprise, nor did it succeed in deluding the people of the province of Quebec.

Hon. Mr. PERLEY—It has got its eyes opened now.

Hon. Mr. DANDURAND—It does not seem to enjoy being in opposition; they are so eager to return to power that they have no more time to simulate independence. That paper says:

> Every assailant of the Senate for years past has charged it with being nothing more than a costly contrivance for saying "ditto" to the Commons. This has been its great sin. This weakness has been the cause of practically all the feeling against the Upper House which may exist in the country. When the government was conservative and the Senate was conservative, this charge amounted to party subserviency—grave enough, but by no means the gravest possible. So many people are tarred with the same party brush that they do not feel free to attack the Senate too strongly for the common sin.

Naturally that paper goes on to say that it is time the Senate should make a break and, after having said for 20 years yea, yea all the time, it should stand now and say nay, nay all the time.

The hon. member for Richmond (Mr. Miller), and the hon. member for Calgary (Mr. Lougheed) recalled the numerous occasions when the Liberal opposition protested against money being paid out by Orders in Council without the assent of parliament. I will take that declaration to be true, without applying it to this present case, but can we not turn the argument against these hon. gentlemen, and ask them if on all those occasions, or on any of those occasions when the Liberal party protested against contracts being given without tender, or money being voted by Order in Council, these gentlemen sided with the Liberal opposition? I think I have found the uniform desire of this House to antagonize as little as possible the government of the day which has the confidence of the people, while at the same time fully doing its duty. This House, as the hon. member from Calgary has said, has for its first essential duty to check hasty or unmatured legislation. It considers the legislation which is submitted to it, and when exorbitant privileges are granted, curtails those privileges. It has in its committees closely investigated legislation, and I am sure that the Senate has not been remiss in its duty during those thirty years. It has done its duty as the framers of the constitution thought it should. I think the Senate, by leaving the responsibility of important measures to the government of the day, since 1878 and before that time, has done its duty. That the framers of our constitution thought this House should remain in harmony with the House of Commons is clear from the speeches made at the time of confederation. I will cite from the confederation debate what the Hon. Sir Hector Langevin said:

> I shall reply to the observation of the hon. member for Hochelaga on that subject. That hon. gentleman objects to the appointment of the legislative councillors by the central government, and adds that those councillors will be appointed by a Tory government, and will necessarily be re-elected from among the Tories. In making that assertion the hon. member did not act with that frankness which we are entitled to expect from him. (Hear, hear.) He hardly alluded, if he did so at all, to the clause in the resolutions by which the opposition in the different parts of the confederation are protected. In that clause it is provided that the central parliament in making the appointment in question, shall be careful to watch over the interests of the opposition as well as over those of the ministerial party. Now, Mr. Speaker, when a government binds itself in this way, is it reasonable and fair to believe or to suppose that it will break its word which has been so solemnly pledged? For my part I am convinced that the members of the present government, should they form part of the central government, would fulfil what has been promised, and would watch over the rights of the opposition as over those of the other party.

And Sir John Macdonald clearly explains the meaning of those words, when he says :—

So it is quite clear that should there be, on any question, a difference of opinion between the Upper and Lower Houses, the government of the day being obliged to have the confidence of the majority in the popular branch—would, for the purpose of bringing the former into accord and sympathy with the latter, fill up any vacancies that might occur with men of the same political feelings and sympathies with the government, and, consequently, with those of the majority in the popular branch ; and all the appointments of the administration would be made with the object of maintaining the sympathy and harmony between the two Houses.

This is what Sir John Macdonald said in 1867, and this has been the condition of the Senate from 1878 to 1896, during which time I have closely watched the conduct of this House. If my hon. colleagues are not to be actuated by prejudice, what is there in this contract which would lead them to change their minds and enter with a light heart into a conflict with a government which has to-day the confidence of the people of Canada from the Atlantic to the Pacific ? Why should the present chamber deviate from its traditions ?

I will examine a few of the objections, which appear to me to be most serious, which have been raised by my hon. colleagues to this bill. These objections are as to the form and as to the matter of the contract. Some of my hon. colleagues have said that undue delay had taken place before this contract was entered into by the government, and that the government should have acted upon the report of Mr. Ogilvie and asked for an appropriation before the close of last session of this parliament. This would mean that the government were supposed to be sufficiently well informed before May and June last. As a matter of fact Mr. Ogilvie's report gave but a cursory statement of the situation, and the government was aware that Mr. Ogilvie had been shut up in that part of the country for two years without knowing what had taken place in the outside world. It would have been dire folly on the part of the government to act upon the report of Mr. Ogilvie, who did not know what Europe or America would think of the discoveries made in the Yukon, and it was only during the latter part of last summer that the government realized that there was to be a rush to that region. Some hon. gentlemen have said that the government neglected its duty to obtain the necessary information as to the route to be followed. Now, I would ask in the experience of the hon. gentlemen who surround me how often have we noticed that ministers of the Crown have taken the trouble that the hon. Minister of the Interior took in travelling from Ottawa to Victoria and from Victoria to the passes and going up a certain portion of the Stikine River ?

Hon. Mr. BOLDUC—How far up ?

Hon. Mr. DANDURAND—He went certainly past Wrangel, and as the Minister of the Interior said in the other House, how could we decide upon a route before inquiring as to the depth of water in the rivers flowing into the Pacific, or the depth of Teslin Lake and the Hootalinqua River ? How could he decide as to which was the best route without having an engineer's report ? It was only when Mr. Jennings's report was handed in on the 13th and 14th of January last that the government could safely decide upon the best route to adopt. The hon. member for Calgary (Mr. Lougheed) has asked why did the government jump at the Stikine route rather than take any other. Every one will admit that the farther north we go on the Pacific coast the nearer we are to Dawson City, but the government laid down, and very properly so, the principle that we should not have to cross United States territory to reach our own land. They discarded Pyramid Harbour, Dyea, Skagway, and the passes leading from them, because then we would have been in the hands of the United States government, and when Mr. Jennings's report came to hand, they found that they had a cheap and safe route that they could use in connection with the water courses and decided upon that route. The accusation has been launched against the government that not only was there undue delay, but that there was indecent haste when they decided to act, that there was no excuse for the government failing to ask for tenders. What was the situation in January last ? The government realized that there would be a rush to these gold fields, that the bonding exactions at Dyea and Skagway were intolerable. The government were convinced that the manufacturers and traders of this country wanted to have the way clear for that trade which was going into their own country, and they quite properly decided that in this case of emergency there was no use waiting. Some of my hon. colleagues say "but why rush

into the contract ten days before parliament met?" If no contract had been made, if no mandate had been given to the contractors to open up a wagon or sleigh road, if no such undertaking had been agreed upon at that moment, where would we be to-day? We know very well that the two branches of parliament—I would more especially mention the popular branch—could have blocked the way of the government so that that wagon road, or sleigh road, which serves to-day for people going into the Klondike with their Canadian goods via Stikine River and Teslin Lake—as is stated in reports which are reliable — this sleigh road would not be open at this moment. The supplies and materials for the construction of this road, which must be finished by the first of September, needed to be forwarded to the Pacific coast and taken up past Wrangel, yet they would still have to be purchased and forwarded if the contract had not been signed. My hon. colleagues will say "how could all these things take place before the contract is ratified?" When the contractors took their chances, relying upon the good faith of the government of the day, and the traditions of this House, I have no doubt they were fully justified in purchasing their supplies and even forwarding them to the Pacific coast. The hon. gentleman from Calgary has repeated the statement made by some of my colleagues, that this contract had been entered into with closed doors, that the public had not been told the fact that there was such a contract to be entered into. I have heard many times statements in reference to this matter, of people who have been met in the trains and elsewhere, but I may inform my hon. colleagues who might be ignorant of it, that in the city of Montreal every contractor knew that the government of the day was about to construct a railway in order to give access to that country. Mr. Kersey had been for a month in the city of Montreal interviewing capitalists, seeing men with reference to the formation of companies; and very many railway contractors, some of whom I know, and with whom I conversed on that subject, absolutely knew of the desire of the government to construct a railway into that region. My hon. colleague from Calgary (Mr. Lougheed) has spoken of the course of Mr. Hamilton Smith in making a bold offer to the government at a far lower figure than the one accepted by the government from Mackenzie & Mann. It was extraordinary that such courage should have come upon this man after such an exhibition of timidity. Before the contract was signed a citizen of Canada whispered, or mentioned *en passant*, to the Minister of the Interior that there was a Mr. Hamilton Smith who was to call on the minister. Mr. Hamilton Smith did not materialize; he was seen nowhere, did not approach the public buildings, sent his card to no one, and I wonder if my hon. colleagues would have expected the Minister of the Interior to advertise in the papers for that gentleman. There is no doubt that Messrs. Mackenzie & Mann are first class contractors. I do not need, I suppose, to cite the opinion of Sir Charles Tupper, who has declared in press and repeated in parliament his confidence in the capacity of these men. There is no doubt, judging from the language which has fallen from the lips of the hon. gentleman from Calgary, that Messrs. Mackenzie & Mann are fully able to carry out that contract and are perfectly solvent to fulfil the engagements they have entered into. I would like to ask, outside of Mr. Hamilton Smith, who made an offer to the government when he knew there was no danger of it being accepted, and who went away from this country as soon as he had affixed his signature to that document—outside of Mr. Hamilton Smith, who in Canada declared or showed any willingness to enter into an undertaking?

Hon. Mr. MACDONALD (B.C.)—There was no chance of doing so. There was no advertisement for tenders.

Hon. Mr. DANDURAND—As I have stated, a number of railway contractors, rich men that I knew personally in Montreal, were aware of the desire of the government to build that road. Mr. Kersey, who represented a number of millionaires from Great Britain, from Belgium, from Germany and France, who was backed by powerful capitalists declined to go into that undertaking, and when the hon. gentleman from Calgary (Mr. Lougheed) says that he was only given two days for a decision, that it was taking that man by the throat, it does not look so when we read his letter of the 29th January, 1898:

DEAR MR. SIFTON,—With reference to our conversation of last evening, I communicated fully by cable

last night both to Devonshire House and Chatsworth the ideas of the government, as I understand them, with regard to the construction of the railway between Glenora and Teslin.

Saturday, as you are aware, is a difficult day to transact business in London, but as I had already prepared my friends for the message which was sent last night, I have every hope of receiving an answer at any moment, and that I shall be able to lay before you a definite and favourable proposition for the construction of the work within a few hours.

And then follows the other letter through which he informs the government that his principals are not ready to undertake the building of that road within the time specified. It has been stated quite often before this House that the Stikine was not an all-Canadian route. At the same time, some preference has been shown for a route starting from Pyramid Harbour through the passes. The government has been asked if the bonding regulations made at Dyea and Skagway were not satisfactory, and why not construct a line of railway from Pyramid Harbour up to Teslin Lake? It is very clear that some hon. gentlemen in this room would see no objection to building from a terminus in United States territory. If we start from the United States territory we do so by tolerance. The tolerance which is exercised to-day are we sure that it will be continued to-morrow? That tolerance seems to satisfy some hon. gentlemen in this House, who, at the same time, are afraid of the Stikine route which is guaranteed by treaty. But there is more than the treaty; there is this guarantee we have against any interference by the United States government; we can always extend our railway down to Observatory Inlet and fall back on our own undisputed territory. The Americans would not be slow, I am quite sure, in helping themselves if we built from Pyramid Harbour, but they will be much slower in doing so when we use the Stikine River, because we have simply to extend that railway down to the coast in British Columbia territory. Not only has it the advantage of being an all-Canadian route—and all the miners who are to-day on the Chilkoot Pass or the White Pass will bear witness to my declaration—but it is by far the best route. We all know the situation that prevails in the passes, and the number of people who are turning their backs on the passes and going straight to Wrangel to ascend the Stikine. It simply shows that we have the easiest route, undoubtedly; because, when those 150 miles are crossed, either by sleigh road, as it is to-day, or by railroad, as it will be next September, we follow the river without having to climb the hills and risk life and limb in those terrible passes. It is all the more important that we should build that road which will bring the people of all countries to pay us tribute. The hon. member for Calgary asked a moment ago if the whole world would not be able to use the Stikine River and the railway. Undoubtedly the whole world will have the advantage of using this railway, but those who prefer, instead of paying 25 or 30 per cent duty to our customs, to purchase goods in Canada and save that duty, will enrich our country by so much. There is no doubt that when it will go to the world, through the advertisements that our transportation companies will publish, that gold seekers can reach the Klondike, there is no duty to be paid, that without being subject to any customs regulations, and by an all-through route, they will purchase their supplies in our country and our commerce will thereby be increased considerably. In fact, to-day I know of orders amounting to hundreds of thousands of dollars that have been placed in Montreal because the people who have come there are convinced that it is cheapest to purchase their goods in Canada and the easiest way to reach the Klondike.

There seemed to remain, when the debate on this bill closed in the other House, but one serious objection urged against it. The other objections the discussion had cleared, and there remained practically when this discussion closed in the House of Commons, that is, but the land grant. It is admitted on all sides that those lands are solely valuable as gold-bearing lands. The first object of the company, if this contract is ratified, will be to prospect and find gold, so as to stake its claims; but when it has found gold, will it be able to choose the area it pleases; will it be able to ask for a few acres of land or a few hundred of feet? No; if the company want to secure the gold they have found they must lay down a line for 24 miles and take alternate sections of that land; they must stake it on a length of 24 miles with a width of six miles, three miles on each side of the line. There may be no gold in the second block; there may be no gold in the third, or the fourth or the fifth blocks, yet that company, in order to secure the gold it has found, will have to lay down a line 24 miles and take its chances.

Hon. Mr. MACDONALD (B.C.)—That is no hardship.

Hon. Mr. DANDURAND—But it cannot be said for a certainty that gold will be found throughout the whole length of the 24 miles, neither can it be said for a certainty,—if gold is found in a creek, or in the bed of a river, — that there will be gold in the breadth of three miles—quite the contrary. It is admitted that gold has only been found within 300 feet of the shore of those rivers, so that you have not only valueless lands in the depth of the blocks of land given those people, but you have the risk that if gold is found in one block, it will not be found in the other 21 miles. There is another difficulty which these contractors will encounter; it is the fact that in a number of cases they will find that claims have been staked already, for we all know that the contractors will take no land and can take no land before the 15th June. Now, we will have many thousands of miners roaming about that land staking claims wherever they can find gold, and the company will have to meet this difficulty of having claims already taken in a number of the blocks which they will choose. It is true that the company may commence operations in quartz mining, but we all know that it takes about 90 per cent of the gold taken out in developing lodes and ledges; a powerful company will be able to develop such lodes and ledges and make the industry pay when prospectors will pass by without giving a thought to the chances; and I think that this company, instead of doing an injury to the prospector will simply help a great number of men who, after losing their all in the attempt to find placer gold will fall back upon that company for employment in quartz mining. I think it is admitted that it is not the gold that will be dug out of the Klondike that will enrich Canada; it is the trade that will be done by Canada; it is the commerce that will receive an impulse quite commensurate with the number of people that will be working there. The gold will go to 90 per cent of strangers that are flocking into this land, but the materials which they will buy and the food which they will need in order to live there and which will be drawn from this country will be the source of prosperity to the country.

Hon. Mr. MACDONALD (B.C.)—That is right.

Hon. Mr. DANDURAND—We have no doubt, from what has been said, that the commerce of Canada will be considerably increased, and will profit immensely by the discoveries that have been made. It is for the government to give a chance to the commerce of Canada, to give them the proportionate aid necessary for the purpose of taking the larger part of the commerce that will be done with this part of Canada and with the people who will go into that country. It seems to me that we have not had in the past sufficient opportunities of congratulating the government on the fact that they have made a contract for the building of a railway without spending a cent of the money of this country. Our debt, as I have said, is in the neighbourhood of three hundred million dollars, and it seems to me when the government say: "Here we will build a hundred and fifty miles of railway that will benefit the commerce of Canada and will not cost the country one cent, but will be simply built by lands which are covered with snow which are only valuable to those who will bring their own money to work it," it seems to me the parliament of Canada should hasten to congratulate the government in making such a contract, and congratulate themselves that the debt of Canada is not increased one cent by the transaction.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. MACDONALD (B.C.)—Why should you ruin the contractors by giving them land of that kind, if they are to be of no use to them?

Hon. Mr. DANDURAND—The hon. member from Marquette (Mr. Boulton) has said that the contractors will hasten to put their stock on the British market. The hon. gentleman calls issuing stock and bonds taxing the people. Well, apparently, it will not be taxing the people of Canada if that stock is to be unloaded in the London markets, but supposing those contractors obtain sufficient money to build that railway by issuing bonds and stock which would be taken up in the old country, they are doing so at their own risk, it is true, but I ask could the government build that railway on the same terms itself? It has been mentioned that it was a gamble. It is not a gamble on the part of the government. The

government risks nothing and gets its railway. What does it want? 150 or 175 miles of road. It gets that without any risk, and the gamble is on the part of the contractors who may build that road with their own money, or with the proceeds of stock subscribed by European investors. Those European capitalists are already taking stock in those numerous companies presided over by some of the members of parliament of Canada. The stock of Messrs. Mackenzie & Mann will, I am quite sure, be as good and, according to the statements made by some hon. gentlemen, much better than the stock of other companies. I am not alarmed at all at the prospect of the people in Europe gambling over the Klondike; if they do not gamble in the stocks of the Klondike, they will do so in mines or elsewhere. With the boom that has been given the contractors, Mackenzie & Mann, by some hon. gentlemen who have spoken, I have no doubt that the faith of those intended investors would be greater, but as a matter of fact those investors will simply have to do what other companies are doing. What are these companies to do? Send engineers and prospectors. I suppose that Mackenzie & Mann, when they will have secured a certain area of land, will send their laborers to dig for gold. The risk will be with the investors, as it has been with other investors who have taken the stock of the numerous companies that we all know of, but I do not see that the government is a party to the gamble. Everybody knows what the government gives. It gives those people 25,000 acres of land per mile.

An Hon. MEMBER—Who puts up the stake?

Hon. Mr. DANDURAND—The government is giving land which to-day is covered with snow, which will have to be worked if goldis to be found, for gold will not be found everywhere. We all know that the people have not simply to cross to the Klondike, take their pick and shovel and work two or three days and find gold. Hundreds and thousands of them have been working in the Klondike to try and find gold for months, and some have even lost their lives in the attempt. We all know it is not an easy task. The few will succeed; the majority will fail. But it does not mean because of that that the government is deceiving any one. The government is giving those people land about which the government knows nothing, except, generally that there is gold in that region. People who would invest their money in the bonds of that company would simply take the risk they would be ready to take with any other company, and I repeat the government could not itself (its dignity would prevent it) build a road under such conditions. The contractors will do so, and there is nothing immoral about it. We have Sir Charles Tupper and the Hon. Mr. Foster and a number of gentlemen in the other House who are promoters of such companies offering their chances to investors, chances based upon the light of their prospecting, and the public will know exactly where they are when they take the bonds and stocks of Messrs. Mackenzie & Mann, just as much as they will when they take the bonds and stocks of the other companies in which Sir Charles Tupper and other members of parliament are interested. The hon. member from Westmoreland stated in connection with the question which I am now discussing that there was but one party to the game who held all the winning cards. The party, I am quite sure, is the government, because the winning card, the whole end to be obtained, is the building of this railroad, and it is to be built whether there be gold or no gold in the thousands of acres of land given to Mackenzie & Mann. But land will still be plentiful for the prospectors; in fact it goes without saying that, inasmuch as the alternate blocks are given to these contractors, at least as much land will remain to the government. We all know that hundreds of thousands of men can overrun that country and stake their claims for the next ten years and there would still remain enough land to deliver over to Mackenzie & Mann under their contract. I would mention in this connection the fact which has been put before this House by the hon. member for Lauzon (Mr. Bolduc) of the Beauce district suffering from the monopoly given to a gentleman in that region. He has, never theless, neglected to mention that the monopoly which paralyzed the development of the gold mines there covered tll the known gold regions of that part of Beauce; consequently, it is not a parallel case, because in the Beauce district the difficulties they encountered came from the fact that all the gold bearing lands were in one hand, while in the Klondike there will remain millions and millions acres of land

when Mackenzie & Mann have served themselves. I would mention one other objection which has been urged against this contract. I simply mention it because I think it has been fully explained. There is no monopoly given to these contractors. The only end in view by the limitation put in that contract by the government is to prevent the building of lines from the United States territory. The government reserves to itself to say when such a line can be constructed, and I say nowhere is there a monopoly in favour of Mackenzie & Mann. I will admit that it is declared that Mackenzie & Mann will have the preference in the extension of the line from Telegraph Creek down to the Pacific coast, but that preference will be given under the terms that the government will fix. If Mackenzie & Mann refuse to build the road on the conditions that will be mentioned by the government, then the government can address itself to other contractors. It is simply giving a preference when the terms are fixed by the government itself, and there is no monopoly in the clause mentioned. There cannot be any monopoly in that clause. There cannot be any monopoly, because British Columbia could, of its own accord, give a charter to a railway company, so this parliament has no power to give a monopoly to Mackenzie & Mann, even if there were one in the contract, because the province of British Columbia could thwart the will of this parliament by granting charters to other companies if it saw fit.

Hon. Mr. MACDONALD (B.C.)—The monopoly is from the Alaska boundary into the Yukon district. There is a monopoly in clause 4 of the contract. It is not in British Columbia at all; it is in the North-west Territories.

Hon. Mr. DANDURAND—It is the monopoly I have spoken of—the reservation by the government of the right to allow another road to be built.

Hon. Mr. POWER—Is not the Stikine River in British Columbia?

Hon. Mr. MACDONALD (B.C.)—Part of it.

Hon. Mr. DANDURAND—So that the only monopoly the government could create would be from the United States line. I quite understand that the government should reserve to itself the right to say at what date it would allow the construction of a line from the United States frontier, because this contract has been made and the route has been chosen specially to avoid the United States territory so as not to be under their dictation.

Hon. Mr. MACDONALD (B.C.)—If clause 4 does not give a monopoly, then there is no clause in any Act that does give a monopoly.

Hon. Mr. DANDURAND—It is a monopoly hard and fast in the government's hands. Clause 4 is the one I have just referred to, which gives no monopoly to the present contractors.

Hon. Mr. MACDONALD (B.C.)—What is the use of it?

Hon. Mr. DANDURAND—To protect the government from Mackenzie & Mann building such a line to the passes, and as the undertaking is based upon the necessity of obtaining an all-Canadian route, I quite understand that the government should take these precautions against a branch line being built from the trunk line into the United States territory. If that clause was not there the contractors might defeat the object the government had in view by building such a line, and I quite understand that the government should protect themselves by putting in such a stipulation.

Hon. Mr. MACDONALD (B.C.)—It is put in by the contractors.

Hon. Mr. DANDURAND—Whenever the government chooses to build, it can do so under that clause.

Hon. Mr. MACDONALD (B.C.)—The contractors told me they would not take the contract with that clause left out.

Hon. Mr. DANDURAND—When any one tries to make a monopoly out of that clause, it must appear in black and white. If, as I have said, prejudice and partisanship do not obscure the better judgment of some members of this House, I have no doubt the measure will pass. Yet, if I judge by remarks made during this debate by some of my hon. colleagues, I would be somewhat diffident as to the decision to be given. It has struck me that there were prejudices against the present government in the minds of some of

my colleagues, and I will say that these prejudices appear more pointedly in a remark made by the hon. gentleman from De Salaberry in answer to the hon. member from Toronto. Everybody in this part of the chamber heard the remark that was made. The hon. gentleman from Toronto was just declaring: "I have been a Conservative, and I am not a deserter," and the hon. member for De Salaberry said, "It would look like it."

Hon. Mr. VILLENEUVE—When did that conversation take place?

Hon. Mr. DANDURAND—It was a remark made by the hon. gentleman when the hon. member from Toronto said, "I am not a deserter," and the hon. senator from De Salaberry said, "It would look like it."

Hon. Mr. VILLENEUVE—I do not remember saying it.

Hon. Mr. DANDURAND—I heard the remark, and I think the hon. gentleman, who sits generally to the right of the hon. gentleman from de Salaberry, heard it very well, but it strikes me in these remarks, as well as in other remarks that have fallen from the lips of my hon. colleague, that there are some prejudices against the present government. I can cite the case of the hon. gentleman from Richmond (Mr. Miller), who declared that when he read the first article of the *Globe* which explained the contract in its details, he was at once seized with prejudice against the measure. It is very peculiar that at the same time that the hon. gentleman from Richmond was seized with prejudice against the measure after reading this article, the Hon. Sir Charles Tupper should be seized with prejudices in favour of the measure. The very same article produced those two different results.

Hon. Mr. MACDONALD (B.C.)—Is there not one member without prejudice in this House? The hon. gentleman who is speaking has no prejudice of this kind.

Hon. Mr. DANDURAND—I cannot catch the gist of the remark by the hon. gentleman from Victoria.

Hon. Mr. POWER—It has not any gist.

Hon. Mr. DANDURAND—Perhaps some members of this House are under the impression that the Conservative press of this country reflects the public opinion of the country to-day. I know that when people are in the habit of reading certain papers they think that the declarations of those papers represent the trend of public opinion. I will remind them that quite a change has happened in the last two years in this country, and that to-day, instead of the people being against the government, with a vast majority the government stands as popular as ever. I have stated that for 18 years this chamber has given full sway to the government of the day.

Hon. Mr. PRIMROSE—That statement is not correct. It is only a session or two ago when a very important measure was brought before this House and had to be thrown out.

Hon. Mr. DANDURAND—This simply confirms what I have just said, that perhaps the present government was not as well treated in this matter as the other administrations that held power from 1878 to 1896. I was speaking of the 18 years of Conservative rule that we have had in this country, and I was referring to the constant sympathy that seemed to have existed in this chamber in favour of the government of the day, in regard to giving fair play to those administrations that were entrusted by the people with the management of public affairs. I have not a word to say against such traditions: on the contrary, the first time I spoke in this chamber, I declared that I accepted these conditions and intended to follow them, because they seemed to be based on a constant respect for public opinion. One must not forget that the present government ought to have that same measure of sympathy from this chamber that preceding administrations have had. The hon. member for Marquette (Mr. Boulton) mentioned the other day that the present government seemed to have lost some of its prestige if we judged by the last Ontario elections. Well, I would remind him that this side of the Rocky Mountains there is not one government to-day that is under Conservative rule. This shows pretty well the trend of ideas in this country, and the desire of the people to have a change once in a while. Eighteen years of Conservative rule, or Liberal rule, it seems to me, is quite long enough. We see in Great Britain governments changing nearly every five years, and

yet it would appear by some statements which have fallen from the lips of the hon. member from Richmond (Mr. Miller) that his greatest desire to-day would be that those 18 years should have continued. Well, the people of Canada are free to choose their own governments. They have, after bestowing their confidence completely upon the Conservative party for 18 years, decided to entrust their destinies to a Liberal ministry, and to-day as I have said, there is but one House on this side of the Rocky Mountains which has a majority of Conservatives —the Senate of Canada. I am under the impression if it was elective it would not perhaps be of the same complexion. But I simply mention this fact in order that hon. gentlemen of this House should give the same measure of fair play, the same measure of sympathy, the same measure of help and good will to the present ministry that they gave former governments during 18 years of Conservative rule in Canada.

Hon. Mr. BOULTON—As the hon. gentleman has referred to me, I should like to ask him if he is carrying out the policy which the Liberal party advocated when in opposition.

Hon. Mr. DANDURAND—The present government has thought that in a case of dire emergency it could deviate from the true principles laid down and advocated by them during eighteen years in opposition, but even if they did deviate from the policy which they had themselves propounded when in opposition would it justify this chamber in contradicting itself and going back upon its constant policy pursued towards governments that were thus being assailed by the Liberals for acting at variance with this principle, and when this House, for eighteen years, had endorsed a policy adverse to the views of the Liberals.

Hon. Mr. PROWSE—Not always.

Hon. Mr. DANDURAND—I say always. The exception was so infinitesimally small, and the measure was of such little consequence that I could be allowed to say always. Never has this House, since 1867, under Conservative rule, said nay to any ministerial measure of sufficient importance to be mentioned in the speech from the Throne. Does this measure compare, for instance, with the Canadian Pacific Railway project, and contain such objectionable features that this chamber should depart from its traditions and join issue with the popular House and create friction between the two chambers?

Hon. Mr. BOULTON—I want to ask the hon. gentleman if the Conservative party ever brought in a measure that gave away so much of the public resources and received so little for it?

Hon. Mr. DANDURAND—I suppose that the hon. member for Marquette was absent, for I mentioned the fact of 25 millions of money and 25 million acres of land being given to the Canadian Pacific Railway and millions of money spent on railway monopolies, and a land monopoly that the hon. gentleman condemns every day as existing in the North-west.

Hon. Mr. MASSON—Was there not a majority of about 70 in the House of Commons at the time of the Canadian Pacific Railway measure? And did not the hon. the Secretary of State and his honour the Speaker move and second the six months' hoist to that bill which had been carried in the House of Commons by 70 majority.

Hon. Mr. MACDONALD (B.C.)—They had no prejudice!

Hon. Mr. DANDURAND—Are not the opposition majority in this House bound by the policy they laid down at that time? They were the majority and laid down a principle. What is good for the goose should be good for the gander.

Hon. Mr. MASSON—What principle do you refer to?

Hon. Mr. DANDURAND—The principle of approving of a contract of such magnitude, given without tender, without any notification to the public, in spite of the fact that $1,300,000 had been deposited by another syndicate, after the signing of the contract, binding the country to such an expenditure of money and such an immense land grant.

Hon. Mr. MASSON—The Canadian Pacific Railway measure was passed in the House of Commons by a majority of 70, and in that case the hon. gentleman from Ottawa (Mr. Scott) and the hon. member from Grandville

(Mr. Pelletier) did all they could to kill the bill.

Hon. Mr. SCOTT—The Senate stood by the majority in the Commons.

Hon. Mr. MASSON—But you think the Senate should not upset the decision of the majority in the House of Commons.

Hon. Mr. DANDURAND—Apparently the only difference between the hon. gentleman and myself is the fact that Sir John Macdonald had at his back 70 of a majority in a House that had been elected not upon that question but upon the tariff question—protection or free trade. What difference does it make, when the government is backed by a sufficient majority, whether it be 40 or 70? The hon gentleman knows full well that a majority of 70 does not assist the government at the following election, and a majority of 70 or 80 may be as quickly wiped out as a majority of 20 or 30. We are governed to-day by the system of majorities, and when a majority is sufficient for the government to go on and administrate the affairs of the country without being embarrassed, the will of the people should be respected. I could quite understand that if simply the ministers holding office formed that majority by their number, the Senate might say that there was not a sufficient majority in the Commons: but it seems to me that 39 of a majority must represent the expression of the will of the people quite as much as though the majority were seventy.

Hon. Mr. MASSON—But no more.

Hon. Mr. DANDURAND—No more. If the hon. gentleman aid down the principle that the people of this country, governed through those they elected, and the ministers to whom they confided their affairs, are not to be traversed in their desires and that in all ministerial affairs of importance this chamber should leave the responsibility where the people had placed it, I wonder if to-day, in a case of emergency, when millions of dollars of trade from the Atlantic to the Pacific can be deviated from its true channel, and sent over to a United States line—I wonder if this chamber would be justified, in view of the parallel cases I have mentioned, in thwarting the will of the present government. This is a case of very great importance, when we consider the fact that the Board of Trade of Montreal, the Corn Exchange, the Chambre de Commerce of Montreal, the Board of Trade of Victoria and Board of Trade of Vancouver have just passed resolutions asking parliament to accept this bill in order to open up an access to the Yukon district without delay. It seems to me that when the business community favours this bill, and when a majority of 40 in the popular House support the measure the Upper Chamber would be perfectly justified in supporting—more, it would be its duty to support—the bill before the House. I will read the telegram which comes from the Vancouver and Victoria Boards of Trade and which reads as follows :

Vancouver Board of Trade wired resolution to Minister of Railways to-day. The Victoria Board of Trade has also sent similar telegram reading as follows : " The British Columbia Board of Trade begs to draw your attention to the fact that unless the Lake Teslin road is built this year, untold loss will be entailed upon the merchants and shippers in this province and that if the northern trade is not directed immediately into purely Canadian channels a permanent and irretrievable loss will be sustained by the Dominion and we must enter our earnest and emphatic protest against any legislation that may retard the works now going on.

Signed, G. A. KIRK,
President.

Hon. Mr. BOULTON—Will the hon. gentleman read the resolution of the Edmonton Board of Trade?

Hon. Mr. DANDURAND—I felt, while reading this telegram, that I should have said a word as to the stand taken by the hon. member for Marquette, as well as other hon. gentlemen who hail from the Northwest. I quite understand that these gentlemen are interested in their own country; I quite understand that they should strive to their utmost to open up the Edmonton route, but as the Right Hon. Wilfrid Laurier said in the Lower House, we will meet this emergency before us, and if that boom lasts, if there is gold in that region as plentifully as it appears to be, if the influx continues and there appears to be a necessity of opening up permanent communication with that country, then, undoubtedly the Edmonton route should be opened, if at all possible, through to the Klondike. This has been the ministerial declaration. I quite sympathize with my hon. friend from Marquette, who is working for his own market, for his own county, for his own district; but has not this chamber to face the present issue and say that in this emergency we must rush along and build 150 miles of railway

which will connect water stretches from the Pacific up to the Yukon district more specially when it does not cost one cent to this country.

Several hon. MEMBERS—Hear, hear.

Hon. Mr. DANDURAND—Some hon. gentlemen laugh at this declaration. I would just like to say that I wish all contracts had been given out in this way, and the heavy weight of the interest we pay yearly to lenders could be wiped out from our budget. Unfortunately, subsidies have been given in immense amounts in aid of railway enterprises, and to-day we are burdened with a debt of about $300,000,000. It seems to me that we should call a halt. The government pays nothing for this road; it forces the Yukon country to build its own road. If it is a temporary structure, then the government will not be the losers of the eight or ten million dollars it would have to expend on that road. I wonder what will be the responsibility of this chamber if this contract is thrown out? Suppose the government, feeling its own responsibility and the duty it owes to the country, decides to come down to the House and ask for four or five million dollars to build that road. We do not know if the government would have to stop there. We do not know how far this four or five millions would carry them, and you would have perhaps as large a bill to meet the following session as you would this present session. I wonder what the people of Canada would say of such results brought about by this chamber, this irresponsible chamber, which the people of Canada cannot reach; while if you leave the responsibility where it properly rests, the people of Canada can always call the government to account for its conduct.

In closing I simply say this, that the people of Canada, without seeing from day to day what work the Senate has been doing since its inception—because the people of Canada cannot sit around the committee tables here and see our work—the majority of the people of Canada will come to this conclusion, that the Conservative majority—there may be one in this House for all I know, it has been stated that there is one—a Conservative majority always said aye to a Conservative government, and always nay to a Liberal government. It seems to me that the agitation which culminated in 1893 by that article of the Liberal programme being adopted, will continue more and more. I will cite what an eminent man of Great Britain said as to the possibilities which would develop under the present constitution. John Bright, speaking of the wisdom of making a life membership of this House, in answer to the argument that the representatives of Canada wished that there should be a body irresponsible to the people; he said:

> Still, if they wish it I should not interfere and try to prevent it, but I venture to say that the clause enabling the Governor General and his cabinet to put seventy members in that council for life, inserts into the whole scheme the germ of a malady which will spread, and which before very long will require an alteration of this Act and of the constitution of this new confederation.

Now, the question presents itself: has the germ of that malady really developed, and is there to be a divorce between the Lower and the Upper House.

Hon. Mr. BOULTON—I would like to ask the hon. gentleman if the Hon. John Bright did not support the action of the House of Lords on the Home Rule Bill, and leave his party to give strength to that action. Circumstances intervened to change the Right Hon. John Bright's opinions and cause him to welcome the power of the Upper House independently exercised.

Hon. Mr. DANDURAND—I will answer the hon. member for Marquette (Mr. Boulton) that when he speaks of the Home Rule Bill, he speaks of a bill that affected the constitution of the whole country, the whole fabric of British institutions, and I quite understand that John Bright should be so respectful of public opinion in England, Scotland and Ireland as to ask that the question be deferred until the full majority in England who voted against the measure should be got to support that scheme. I quite understand that in a case like that Mr. John Bright and others should be slow to vote for such a measure which seriously modified the real foundation of the institutions as they existed—without leaving to Great Britain a certainty that British interests would not be injuriously affected thereby. But I will not compare the case mentioned by my hon. colleague with the present emergency, the building of 150 miles of road into the Yukon district. I was told by one of my hon. colleagues,

with whom I was talking a few days ago of the prejudices which were perhaps permeating the minds of some members of this House: "well if you were in our place would you not do likewise?" I answered that, knowing the fallibility of our poor human nature, I hoped that if the principles I lay down and my own dignity were not strong enough to prevent me from obstructing a government having the confidence of the people, should the opportunity offer itself to me, I would wish the present constitution of this chamber to be so altered as to render me powerless to do any wrong.

Hon. Mr. BELLEROSE—I rose in my place a few days ago intending to place my views before the House, but at the same time the hon. member for Richmond (Mr. Miller) rose also, and I thought that I ought to give way, convinced as I was that the hon. gentleman would favour us with one of these telling speeches which he is accustomed to make. I was not deceived. The hon. senator from Richmond on that occasion gave to this House the best speech which had been made on this question of the Yukon Railway. He was applauded to such an extent that even the Secretary of State was dissatisfied with those expressions of approbations and undertook to critize the members of this House for so applauding the speech. I was one of those who joined in the applause, and I must tell the hon. Secretary of State that the reason I did so was that the speech was a capital one, reviewing as the hon. gentleman did, the whole history of the Yukon Railway, and he deserved praise for so doing. For 5 or 6 months past I have looked into this question of the proposed Yukon Railway. I used all means at my command when I went home to make myself acquainted with that railway, to ascertain the best route to the mines, and later on, when the press made known this arrangement with Mackenzie & Mann, I studied the matter again in order to make up my mind as to whether that contract with the government was a good one. I made some notes in order to be prepared for the discussion of this question when we met after the adjourment. I observe in my notes that I had six reasons why I could not vote for the bill:

First, it was not an all-Canadian route;

Second, it was a badly located road;

Third, it was not the shortest route;

Fourth, the contract had been made in secret;

Fifth, the great wealth of Canada was given for a short road;

Sixth, it was a monopoly.

It happened that I had to give way in favour of the hon. member from Richmond, who gave us seven reasons why we should not ratify the contract. Those reasons were not given in the same words in which I have now put mine before this House, but they cover the same ground. That hon. senator has argued his case at such length that I could hardly add any more arguments to his plea, therefore I have kept silent since then, believing it would be wasting the time of the House if I were to repeat, though in other words, the arguments of that hon. member I endorse his arguments, and I am happy to do so, because they were better given than I could have given them myself, and they were more numerous than those I could have given. At present I rise for another object. I could not let the speech of the hon. gentleman from de Lorimier (Mr. Dandurand) pass without saying a few words in contradiction of his utterances. This I propose to do in a very few words, satisfied that it is only necessary for me to indicate the fallacy of his statements or the lameness of his arguments. The hon. gentleman began by denying that the contract had been given in secrecy. I am surprised that the hon. gentleman should have made such an assertion. He said, in support of his assertion, that over all the country—in Montreal particularly—right and left, people were speaking of the Yukon Railway, and consequently that it could not be said that the building of this road was kept secret. This is quite true, but has the government ever asked for tenders, did they ever make known that they were prepared to negotiate for the building of this road? No, they did nothing of the kind. On the contrary, they did the very reverse. They did what they had for 25 years been accusing Conservative governments of having failed to do what they ought to have done in that respect. When asked I invariably answered that tenders would certainly be asked for. That the Liberal government of the day could not do otherwise. They surely would call for tenders. Then the hon. senator spoke of Mr. Hamilton Smith. Surely if the hon. gentleman had read the speech of Mr. Sifton, in the other House, he would

have learned what he seems not to know to-day, that Mr. Sifton acknowledged that before signing the contract he had been made aware of the fact that Mr. Hamilton Smith was desirous of entering into negotiations with the government in order to take the contract. Had Mr. Sifton at that time been another man than the hon. gentleman from Brandon (Mr. Kirchhoffer) has described him, in the interests of Canada he would have met Mr. Smith, or notified him to call at his office and enter into negotiations, and this he would have done, even if he had determined not to give him the contract, but in order to be informed of what Mr. Smith knew of those surveys and of the road to be built. He must have known that Mr. Smith had passed the whole of last summer in that Yukon district looking at the mines and exploring the country in order to give a price for the building of the road. This, therefore shows, not only neglect of duty on the part of Mr. Sifton, but it even creates a strong presumption that there is something wrong underneath. If there is nothing wrong, I say he followed a course which opened the doors to suspicion. Now, the hon. gentleman for de Lorimier (Mr. Dandurand) says it is an all-Canadian route. I say that when the government gave this contract they knew it was not an all-Canadian route, because it extends from Port Wrangel, in United States territory, to Dawson City, and that surely is not an all-Canadian route. It was later on, after the discussion on the address, that the government announced that the road would be extended to Fort Simpson on Canadian territory in order to divert the attack which was being made at that time. According to the present contract, it is not even to-day an all-Canadian route. It may be made later on an all-Canadian route, but before it is so the country will have to pay in cash for its extension to Fort Simpson, a distance of some 250 miles. The hon. senator for de Lorimier (Mr. Dandurand) has stated that it was the best route. If the hon. senator thinks it is so, I must say, either he does not understand the question, or he is not exactly the sort of public man he claimed to be, always ready to endorse what was right and oppose what was wrong. I should think that every patriotic man will consider this road is one of the worst that the government could choose? Why, the ministers themselves acknowledge the fact. Did not they say the other day that there might be another better road, but that this was the best route for immediate use? So the hon. gentleman is not even in accord with his friends. Even if this road was extended to Fort Simpson, even then it would be a very bad road, a road which would give the whole of the enormous trade of the Yukon mines to the United States, and Canada while paying for the road could not be able to compete with the States for the trade in the Yukon district. How could it compete? Is not Vancouver a few miles from Washington territory? Down below Washington is Oregon and below that California. In a word, the whole of the Pacific coast belonging to the United States are in part quite near to Vancouver, the terminus of the road now under discussion, and the whole coast on the other side of the mountains with water communications with Vancouver, where they have 1,542 miles to run through to reach the mines on the other side. Canada, except British Columbia, lies on the eastern side of the Rockies, so that Calgary, the nearest town to Vancouver, on the eastern side of the mountains will have to cross the Rocky Mountains and so travel 700 miles, before they reach Vancouver, which the Americans can reach without difficulty in more or less time, while even Calgary cannot compete. It is objected that Americans would have to pay customs duties. The customs duties which the Americans will pay will be a very small compensation to us for the great trade that we will lose. It will not compensate us even for the railway freight charges on freight from Calgary over the mountains to Vancouver.

Hon. Mr. MILLS—The Yukon is north of British Columbia and even further west.

Hon. Mr. BELLEROSE—I know; I will come to that. Let us take a common point from the Canadian Pacific Railway from the foot of the Rockies there being no other road on Canadian territory from Halifax, Montreal, St. John or Winnipeg to the Canadian west, say Calgary. What is the distance from Calgary to the mines or Dawson City by way of Vancouver? It is 2,200 miles. What is the distance from Calgary to Dawson City or the mines via Edmonton? It is 1,500 miles.

Hon. Mr. TEMPLEMAN—No.

Hon. Mr. SCOTT—No.

Hon. Mr. BELLEROSE—Hon. gentlemen may say no: I defy contradiction. From Calgary to Edmonton is 199 miles, and from Edmonton to Dawson is 1,341 miles, making 1,542 in all. From Edmonton you go to Peace River, and from Peace River to Nelson River and from Nelson River to Pelly River, and then on by Pelly River you reach Dawson. The hon. gentleman (the Secretary of State) is laughing. Is not that the route described in the report of the engineers? I say it is. I defy contradiction.

Hon. Mr. DANDURAND—Can the hon. gentleman tell us how long it would take to build such a road from Edmonton to the Klondike?

Hon. Mr. BELLEROSE—I will come to that. I say by the Edmonton route it is 1,500 miles, and by way of Vancouver it is 2,200 miles, or a difference of 700 miles in favour of the Edmonton route. Add to that those 700 miles are mountains some 4,000 or 5,000 feet high. Again in making their choice, the government selected a road where there is no cultivation. The land cannot be cultivated. But it is well known that from Edmonton to Peace River, a distance of over 300 miles, there are some of the finest arable lands in the North-west. It would be a first-class place to construct a railway, while on the other route it is money lost. That is an argument which must be a very strong one. The hon. gentleman stated that the premier said a road would be constructed on that route by and bye. Will he construct it with his own money, or will he ask the country to pay for the error the government have made? Because it is a great error. Can this House endorse that error? I say no.

Hon. Mr. DANDURAND—It would cost the country no money.

Hon. Mr. BELLEROSE—It is not money, but it is money's worth, and it would be robbing the public chest. The hon. leader of the House the other day in speaking of the powers of this House, said that though the present bill contained no grant of money, land grant should be considered as a grant of money. I have seen a report made by Mr. Saunders, of the Experimental Farm in Ottawa, who says that on the Edmonton route good crops have been grown in several places. Fort Providence is one of those places, it lies near Slave Lake, some 700 miles north of Winnipeg, and yet good crops have been raised there. Fort Francis, on the Edmonton route, is about on the same latitude as Slave Lake, and, therefore, I argue that good crops may be found there later. What a great advantage it would be if, at a place so near to the mines —I suppose five or six hundred miles south from Dawson—good crops could be raised. Another reason why I am greatly in favour of the Edmonton road is that a number of the labouring men who would be called to build that road, would settle there and so the desire of the hon. member for Toronto, and of all Canadian patriots, would be accomplished. They would see that part of the North-west colonized in a short time. The hon. gentleman also said that he hoped the government would favour the trade in the Yukon district. I am sorry to say that the bill which he approves of is diametrically opposed to the wishes he expressed: it would be absurd to pretend that we can compete with the United States, if the situation is as I have described it to be, and I defy contradiction. There will be over 700 miles difference between the Edmonton route and the Vancouver route for any part of Canada that is east of Calgary. The hon. gentleman said that the government ought to be congratulated on this measure. To-day the Senate is charged with opposing this project on party grounds. I should think I have been long enough in parliament to defy contradiction when I state that I have always shown that I acted with the greatest independence—so much so, that I am often called "an impossible man." In principles I am a staunch Conservative.

An Hon. MEMBER—A Tory.

Hon. Mr. BELLEROSE—No, not a Tory, but a true French Conservative. There is a great difference between the two. In opposing the present project, I do so without considering either party, but only as to which is the best interest of this country. I have always tried to rise above party vote, so much so that prior to the last general election, if the leader of the government had done honestly, faithfully and conscientiously his duty, I would have helped him. Some thirty years ago I severed from the Conservative party because I had

been, and the province of Quebec had been, deceived by Sir John Macdonald. Two years ago I found that Mr. Laurier, now Sir Wilfrid Laurier, was doing wrong, and consequently I had to refuse him my support, and stand by my own party. Determined, as I have always been, to do in this House what was right, and oppose what was wrong. In this instance I cannot congratulate the government. They have done a grave error, and I have always thought so since I have looked into this project of theirs. The hon. gentleman said that it is not the government who is gambling ; it is the contractors. Well, I beg the hon. gentleman's pardon. According to the Minister of Justice, according to the Secretary of State the government are the gamblers.

Hon. Mr. MILLS—How ?

Hon. Mr. BELLEROSE—Both ministers in this House have declared ten or twelve times during this discussion that they knew not if the lands granted to the contractors are good or bad. If they do not know the value of those golden lands, then they do not know whether they are paying too much or too little for the construction of the road. They are then gambling just as much as, if not more than the contractors. But both the government and the contractors know full well that those mines are of great value. Have they not dozens of reports of explorers and gold seekers, establishing the fact ? Have they not the report of Mr. Smith, who, after he had explored the country last summer, was ready to build the road for one-fourth of the land grant they give to Messrs. Mackenzie & Mann ? Have they not the report of Dr. Dawson, and, above all, have they not sent out one of their explorers, who, after having spent in the Yukon district, nearly two years, states in his report that, taking as a comparison the creeks of Bonanza and Eldorado, which he estimates will give some 70 millions of dollars, the Yukon district is of great value. Let me quote one page of this valuable report. Mr. Ogilvie writes :

Thus we may conclude with reason that all that portion of the North-east Territory westward from the easterly limit of the Yukon water system of the 141st meridian, will prove more or less gold bearing.

The westerly boundary of this region—the 141st meridian, or international boundary—is upwards of 300 miles in length ; the southern boundary—the 60th parallel of latitude—is about 500 miles long, and the north-east boundary, an irregular line from the 60th parallel to the 141st meridian, in latitude 65 degrees approximately, is upwards of 600 miles long. These three lines bound an area of about 125,000 square miles, over which gold is scattered more or less profusely.

At many of the points mentioned it will pay well for working, even under present conditions, and at many others it will pay well when we have such facilities as we expect to have during the next year for entering and developing that region. Attention may be directed to the fact that the whole of that vast district owes its now world-wide reputation to the richness of 140 claims in the Klondike divisions. One hundred of these are on Bonanza Creek, and about 40 on Eldorado. To use a mining term, many of those claims are "world-beaters," and if the indications now known are worth anything at all they are worth from 60 to 70 millions of dollars in those two creeks.

Taking this division as a whole, including the three creeks named affluent to Indian Creek, a district some 35 miles in length and 25 or more miles in width, if the indications can be relied on, there are one hundred million dollars in sight in that area. No one can guarantee this amount, but the prospects so far developed point to that sum pretty conclusively. This district is exceptionally rich. Nothing has ever been found like it heretofore in that country, in fact, in very few countries has anything been found like it, and while we cannot confidently assert that other finds as valuable as it will be made, it is altogether improbable that gold is scattered over such a vast extent, and only rich at a point which is less than the 140th part of the total area. If we add to this part of the northern area of British Columbia we increase it nearly two-fold and the comparative area of the Klondike district is much lessened.

Taken altogether we have a vast field with fair prospects, as fair it may be claimed as any other equally extensive region in the world. The natural conditions are not as favourable as in many other parts, but time and enterprise will no doubt agreeably modify many of them, and the reward may be great.

Then hon. gentlemen, it is only to-day that, reading a newspaper, I found the following despatch from Vancouver :

Vancouver, B.C., March 26.—Klondike has yielded the largest nugget ever found. Such is the report brought from Dawson by Klondikers who reached Vancouver this morning.

Mr. Goodwin went into the Klondike last July. Speaking generally of the prospects he stated that a very conservative estimate at least twenty tons of gold would be brought out in June when navigation opens.

Goodwin is returning to Los Angelos to see his wife and will then go back to Dawson early in June. He stated that claims were frequently changing hands. He himself had several and had disposed of some just before he left. Quite recently the Healy company had paid "Nigger Jim" $225,000 for three claims on Bonanza. Claims on Bear and Dominion Creeks, on Indian and Klondike River respectively had been sold as high as $20,000. On Hunker Creek $22,500 had been paid for a half interest by a man named Elliott and $40,000 for a whole claim. Mitchell, owner of No. 1 Eldorado, was buying several claims on Hunker when they left at a high figure.

Speaking of Bear Creek, Goodwin said that Dutch Kitt took out $10,000 last winter. This was from the mouth of the creek. In Dawson $60 per cord was the price of wood on the average that represented a day's work. Lasalle went to Klondike with the first rush last year from Leadville, in which district he owns several mines. He has now come out from Dawson

in the interest of Alex. McDonald, the King of Bonanza Creek. McDonald is reported at Dawson to be worth several million dollars.

With all this information, is it possible for a sane man to say we have doubts. Hon. gentlemen, certainly we have such doubts as men have always in matters of this kind. It is the general rule in all matters or affairs of this world to act without a certainty, and go on relying on probable success. Any man in business, undertaking anything, is he sure of success? No. Most probably he will succeed; but there is no certainty. Nevertheless, he will go on expecting to make a fortune. Then why ask in reference to this question more certainty than you would ask on any other occasion? The hon. gentleman says the present government is popular yet; this I know not; the hon. gentleman knows more than I do as to that. What I know is this: I go home almost every week and meet a great number of people in different parts of the country whom I know, and they speak to me about what is passing here and especially upon this Yukon question. I have heard Liberals stating how proud they were to have a Senate which could give justice to the country at large. I heard Conservatives who had voted the wrong way, stating that they would never do so again. If this shows that the popularity of the government continues very well; I have no objection to it, but I hope there will be a change, I mean in the ideas of those gentlemen when they see that the Senate is decided to have sound legislation and show their vigilance in keeping down the expenses of this country. The hon. gentleman from Delorimier (Mr. Dandurand) did not deny the powers of this House; on the contrary, he seems to admit that it is the prerogative of this House to refuse its assent to any legislation, and not only legislation, but any acts of the government. They may vote against any measure; whether it is a question of money or not, makes no difference. They cannot amend money bills, but they can reject them, and that is what we are about to do. Believing that this question would come up for discussion, I have looked into some of the authorities and it is just as well to refer to them. As to the powers of the Senate I shall quote May, who is one of the best authorities on constitutional law. He says:

> The legal right of the Lord's as a co-ordinate branch of the legislature, to withhold their assent from any bill whatever to which their concurrence is desired, is unquestionable.

Then the next is Bagehot, who is a very good authority. Bagehot, in *The English Constitution*, has the following:

> Since the Reform Act, the House of Lords has become a revising and suspending House. It can alter bills. It can reject bills.....their veto is a sort of hypothetical veto. They say: "We reject your bill for this once, or these twice, or even these thrice, but if you keep on sending it up, at last we wont reject it."

I quote also from Todd It is well known that Todd's constitutional works are most valuable. They are the most complete resume of all the best English authorities on constitutional questions. He says:

> The province of the House of Lords appears more properly to be that of controlling, revising and amending the projects of legislation which emanate from the House of Commons. To balance and regulate the political movement of the nation—to test, by temporary resistance, the sincerity and strength of the will which demands a change, to make legislation take its stand on the good sense and ultimate judgment instead of the momentary desire of the country; and to give continuity and stability to the general policy of the nation.

Now this literature is clear and most intelligible. But in order to make it still clearer, more unobjectionable, those very same authors have cited a few cases to exemplify the whole doctrine and prevent all objections. They quote:

> 1st. The successful defence by the House of Lords in 1835 of the revenues of the Irish church.
>
> 2nd. Their valuable amendment to the Corporations Bill, the effect of which was the non-passing of the bill for four successive years, when the Commons accepted the amendments.
>
> 3rd. The Irish Electoral Act, which was rejected by the House of Lords four times.
>
> 4th. The protracted resistance to the introduction of Jews into parliament. It was sent seven times from the Commons and seven times the Lords rejected it.
>
> 5th. The steadfast maintenance of the principle of church rates, which was rejected more than seven times.

I do not know the number, but the author says more than seven times rejected after having been passed each time by the Lower House.

> 6th. Their vigorous opposition to the repeal of the paper duty.

Now, I think that such cases as those clearly establish the powers of the Upper House, that it has not only the power to revise and approve all legislation sent to them for their concurrence, but that it has also the legal and constitutional power to reject all legislation and refuse to give it their

assent. But besides the constitutional law, which provides as I have just shown, could I not, if necessary, refer Your Honour to the practice in Canada for years past? Has not this Senate very often rejected, or attempted, by taking the vote, to reject government bills adopted by the Commons by large majorities? I remember some 10 or 12 years ago the leader of the then opposition, now the Secretary of State (Mr. Scott) moved the six months' hoist in the case of the Franchise Bill, a bill particularly relating to the other branch of parliament. Surely if there was a bill with which the Senate should not interfere, it was this very measure. About the same time, a few years before, the then also Liberal opposition did the same thing when the redistribution bill was moved in the Senate. This also was a bill affecting only members of the Commons, yet the six months' hoist was moved by the then Liberal opposition. Could I not also refer your honours to the Canadian Pacific Railway Bill, which met in this House the same opposition from the then leader of the opposition and his friends. It never occurred before to those gentlemen that a doubt could exist as to the power of this House to reject any legislation sent up for its assent. These are cases in point, and there were no scruples on the opposition side. They at once used their power and were right in doing so. The only difference is the Conservatives had a majority then in the Commons and the Liberals have a majority now. But the Liberals did more. The third reading was moved, and generally at the third reading members keep their seats because it is useless to make any objection. But in that case they voted against the third reading. I can remember a great many years back, a great many cases occurred where bills sent up from the other House were rejected here. And if I am not mistaken, during the time of the Mackenzie administration, between 1873 and 1878, a bill was objected to by the Senate, and it was stated that the government had appealed to the authorities in England to appoint new senators, but the request was flatly refused.

Hon. Mr. DANDURAND—Under what administration was it that there was a bill rejected?

Hon. Mr. BELLEROSE—Mackenzie's. I have given enough evidence, I think.

Hon. Mr. DANDURAND—Cold justice is meted out to Liberal governments.

Hon. Mr. MILLS—They are in a judicial mood when there is a Liberal government in.

Hon. Mr. BELLEROSE—Since there is a discussion going on and since it appears that the majority in this House will reject the bill, I heard it often stated, not in this House but outside, by friends of the present cabinet, that the government were decided to have new senators appointed, so that I beg of the House to allow me to go on with that subject and see what their power is as far as that goes. I cannot deny that the Crown has, theoretically, such a power, with this difference that in England the Crown is not limited as to the number it may appoint, while in Canada the number is limited by the British North America Act. But while I admit that such power exists theoretically, I am bound to deny that the Crown can use such a remedy except probably in most extreme cases. I find in Todd:

> The creation of additional peers to facilitate the passing of a particular measure is an extreme proceeding which could not be approved under any circumstance. Although the right of the Crown in the exercise of this prerogative can only be restrained by consideration of public policy.

Hearn says:

> The swamping of the peers is a process which the thoughtless and ignorant speak and write with great complacency. Wise men regard it as a very dangerous but very useful instrument. I think that our constitution does not afford this assumed means for obtaining the desired object and that it does afford different means.
>
> This constitutional equivalent in the Lords for a dissolution of the Commons does not derive much support from precedents since such a creation of peers, for the purpose of securing a majority in the House of peers on a question on which the peers had already expressed their opinion, was seriously contemplated only on three occasions. Still less can it be justified on general principles. It is the function of the House of Lords to advise the Crown in all affairs of state. It is in times of great and perilous necessity that the wholesome councils of the peers are most needed. Yet it is in these very times that according to its supporters, this extraordinary creation of peers may be made. If the Crown could in this way, silence or prevent the House of Lords, it would remove at the very moment when the restraint was required, one of the checks which the constitution has provided against the rash or improvident action of the Crown or of the Commons. The King would no longer act by the advice and with the consent of the Lords, but with his own advice, and his own consent, or at least with an advice and consent which the law deems for the purpose insufficient, and the irresponsible action would be all the more dangerous, because it retained the pretence of responsibility. In short, if it be wrong to pack a House of Commons, it cannot be right to swamp a House of Lords.

If after full opportunity for consideration, the deliberate opinion not merely of the existing House of Commons, but of the country, be in favour of a particular measure, the peers are accustomed to follow the example which the Crown sets in the appointment of its ministers, and acquiesce, however reluctantly, in legislation which they do not approve. They are not under any legal obligation to do so, but in the exercise of a wise discretion, they are content with securing full and mature consideration of the plan.

It has been said by friends of the government, outside this chamber that should the Senate reject this bill, the government would appoint new senators in order to pass it. The government could not do such a thing. The Crown would object to take such a course except in an extreme case. The present one is not such a case. Had this project the support of the people of this country, and should the Senate persistently refuse to give its assent to the government measure, then I should think that the government might do so. Let the government dissolve parliament and submit the question to the electorate. If the government are sustained, then this House should give way and pass the bill—reluctantly no doubt, but in a country ruled by constitutional law, such as ours is, the people is supreme and I should think that as a general rule an Upper House ought to submit to the popular will clearly expressed. That is the constitutional law, which I thought I might advert to in the present instance when so much has been said inside and outside this House as to the powers of the Senate.

Hon. Mr. CLEMOW moved the adjournment of the debate.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 29th March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE CANADIAN YUKON RAILWAY COMPANY'S BILL.

DEBATE CONTINUED.

The Order of the Day being,—

Resuming the further adjourned debate on the second reading (Bill 6) "An Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company;" and the motion in amendment of the Hon. Mr. Macdonald (B.C.), that the said bill be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. CLEMOW said: I am giving way now to the hon. Mr. Reesor, on the understanding that I will not lose my opportunity of speaking afterwards.

Hon. Mr. REESOR—I was not able to be here last night. It is very difficult for me to be out after dark, and I thank the hon. gentleman very much for allowing me to speak now. During a part of the debate, both in this House and in the other House, while reading the newspaper reports, I was inclined to think unfavourably of the contract, and unfavourably perhaps of the manner in which the government were making such large grants of land, the value of which there is no means of knowing. I have since come, however, to the conclusion that it ought to be accepted. I think if accepted and carried out in good faith, it will be beneficial for the country. It has been said in this House and elsewhere that a large swindle is being perpetrated by this deal entered into between the government and Mackenzie & Mann, and that it will enable the contractors to do a great deal of harm under the privileges given to them. My hon. friend from Shell River has given the House a great many figures, and a great deal has been said in the press about irregularities in connection with this transaction. The impression left upon the minds of the public was that the opposition might have some very strong arguments to back up their assertion. But nothing has been said to indicate that anything wrong or dishonest was being done. And now, after the matter has been discussed for several days, I do not think a single charge can be urged against the contractors, and nothing has been shown to lead any one to think that they were men who should not be trusted. On the other hand, I may tell the House that I have been in Toronto for the last few years and was there at the time the contract was made by the city of Toronto with Mackenzie & Mann to have their street railway reconstructed and extended, and to-day there is not, as far as I know, a single city on the American continent, or upon any other continent in the civilized world, that is better served for the amount of money obtained

than the city of Toronto. I have lived in that city for the last 20 years, and I have noticed a remarkable improvement. The people of Toronto can obtain six tickets for four cents each, and are permitted to travel five or six miles. In the case of the working man, tickets are sold for three cents each good during certain hours. But that is not all. In addition to that, the company pay to the city about $1,000 a week out of their gross earnings—eight per cent of all they earn. There is no city in Canada, and no city in the United States, that has an equal return or better cars or better employees in charge of their cars, or better accommodation for the travelling public than the city of Toronto. That is a well known fact. So far as the railway contract is concerned, there were many privileges given to other companies, on a pretty large scale too, that have not been given to this company. This company has to submit to the government regulations of the tolls they shall charge for passengers on the road from the very start, and the government have to be satisfied that the accommodation is commensurate with the bargain. The government have the power not only of regulating the charges and tolls upon the road from the very start, but that continues for four or five years and then they have the power of reducing the fares a considerable percentage, and after six or seven years to reduce it still further, and by ten years to put it under the law of the statute which regulates railways and all the restrictions of that law. Then it has been said that that country is covered with gold, that there is a great deal of gold to be found there in placer mining. We do not know how much is to be found where rock has to be mined, and there has been a great deal of exaggeration as to what has been found in the placers. Men have been there eight or nine years mining and have come away poor. They did not all make money even at the first find, and when there was no one to interfere with them and they could pick out their claims where they choose, and many have come home poorer than when they went away. It has been, as in all other gold producing countries, the rule that it cost a dollar to make a dollar. The intrinsic value of gold to-day, for instance is the standard above all others that seems to continue in the same position. A gold dollar is a gold dollar. We do not get more value or much less value, and the gold produced in various countries has been just about sufficient to keep up with the demand for commercial purposes, and yet the dollar would buy as much to-day as it would a great many years ago, and so it will continue for a long time. Experts who have studied this question, and who have written a good deal upon the subject, say that in all countries a great deal more money is spent by individuals, on an average, in gold mining, than has been taken out. It will generally be found that the accumulation of gold in all these countries has been in a comparatively few hands, and they are generally speculators who have made money by the misfortune of others. It is not likely that this gold country will be so far an exception above all others that it should be valued very much higher than others. The chances are that hundreds and hundreds of acres are to be found there which would be of no use for men to dig at all, and the contractors are running chances, because they can only expect that a small quantity of that land will pay. It will only be a small percentage of the land that will pay more than it will cost to take out the gold. Then, as to the choosing and opening up of them, you must bear in mind that the company will have to wait some time before they can select. They have to build the whole road before they can select the whole of the land, and it will take a long time afterwards to tell just where the gold lies; in the meantime, all the placer lands or a great part of them, may be taken up by men who get in there first with licenses to mine. When all is said and done, there is only about three or three and a half per cent of land being granted, and the balance is there still. If that three and a half per cent is worth a great deal, it is worth a great deal to the people of that country to be able to get in and out of it without risking their lives, as they are doing now, and get provisions to keep them from starving without having to pay extortionate prices. A man with a few dollars will have a chance to save more of his earnings when he is not obliged to pay the immense prices prevailing there now. The company is bound to build that road in a short time to have it running in a fair and good shape by the 1st September, not to have it absolutely all ballasted, but so as to be able to take in freight and large quantities of it beyond doubt, and thus save people in that remote region from the risk

of starvation. The fact that they have to prepare to do that means that they will take in thousands of tons of freight where they now take in ten, and they will take in just as large a proportion of persons, and a large amount of money will be expended there. Men will come from all parts of the earth; you will find people there from Germany, France, England, the United States and other parts of the world as soon as they can get in by railroad. If we cannot maintain a proper force there to keep them in order and to have the law respected, what will be the effect? So much immigration will take place from all parts of the world, as occurred in California, that there may be a little rebellion. The foreign element may take the authority of the law themselves and do anything they pleased. The difficulty is to get a force in there, and if we have that railway we will be able to maintain our authority. There is no time to be lost and this is the only short line by which we can get in. This railway, in connection with Teslin Lake and Hootalinqua River, on which there is open navigation for four or five months of the year for boats of considerable size, will render it possible to take in an immense amount of freight and a great many people. Now, is it justifiable to let the matter drop? No. The government should get the bill passed, or something similar to it, to open up that country and within the time limited as near as possible. Thus we might avoid a little war or the expense of putting down a rebellion. We cannot tell what we may expect from the large number of foreigners congregating in that country, in a place so difficult of access. We have had two rebellions in the North-west already, and they certainly cost us six or seven million dollars. That ought to be a warning to us not by any neglect to permit a repetition of those occurrences. We should also consider the demand that the manufacturers of this country make upon us to get a market for their products. All these things demand that it should be treated as an emergency bill. I believe that the citizens of Montreal through their Board of Trade, and of Toronto through their Board of Trade, and I do not know but others in Canada also are now backing up the government and calling on parliament to pass the bill for the general interests of the country. It cannot be expected that men who take a contract like this in a new country will not be paid something extra. They require some extra inducements. It would be a different thing if the company could take their time. They might do it under the circumstances without a subsidy of any kind. It is very possible—it is one of the contingencies that might arise—that we might lose that territory for all time, or require to wage a war to recover it. Taking these circumstances into account, I think it is necessary, in the emergency, that the government should be allowed to go on and carry out that contract with the parties who have taken it in good faith subject to the ratification of parliament and hold the government responsible for the effect. There need be no suspicion of corruption. We have seen enough of the ill-doings of politicians, and in that way have learned that those who have mixed jobbery with politics are worse off in the end. We are assured that Mackenzie & Mann will carry out the contract and make it a success. We can rely on the good judgment of Mackenzie & Mann, because we know that they are enterprising, and they would injure themselves by playing false in this contract. If this railway is constructed the country will reap the benefit of it. Of course, we know that politicians are predicting that certain things will happen, but predictions have been made in certain cases which we know have turned out not to be correct. We were assured that before 1890 the output of wheat and other grains from Manitoba and the North-west was something like 240,000,000 bushels. The predictions that were made in respect of that matter were very far from being correct and the predictions made with reference to this contract may be just as far astray. The peculiar position in which the Senate is placed to some extent should make it very cautious in dealing with this bill, and we should consider the matter carefully before throwing it out. The Senate have no control of the finances of the country, but if we reject this bill we are destroying the chances that the government have of making money shortly to pay for the building of that road. If this road is constructed it will furnish ingress and egress to the Klondike region to such an extent as to shut out completely all possible chance of any one suffering or starving by being locked up in there. Those are two points. And another thing, these men cannot open up that country without at the same time benefiting the trade

of Canada, it will bring a great amount of trade to Canada from which we ought to reap some benefit. It is said that too much land is being given to these contractors, but it must be remembered that nearly 80,000,000 acres of good land will be left. The government can let this contract and obtain a great advantage, as well as make money out of it, and if we refuse to pass this measure we deprive them of the power of making money in that way. It would take too much time to go fully into the matter so I will close.

Hon. Mr. FISET (in French)—Being unfamiliar with the English language, I ask permission to address the House in French. After all the remarkable speeches which have been delivered in this chamber, as well as in the House of Commons, there remains very few points to be raised on this important measure which has been submitted to us. I shall endeavour briefly to reply to the principal objections which have been raised to this bill :

First.—The government should have undertaken the construction of the road itself.

Second.—The land grant is larger than should be given for the construction of the road.

Third.—The privileges accorded to the company constitute a dangerous monopoly.

Fourth.—Finally the government should have called for tenders before letting the contract.

Other objections have been raised, but I believe that these are the principal ones, and I shall confine my remarks to them. It is held that the government should have constructed the road itself rather than give the mineral lands for its construction. It is generally admitted that all work, all enterprises undertaken by the government are always more costly than when constructed by a private company. Now, supposing we were to give to the contractors for the construction of a road running from Glenora to Teslin Lake four or five million of dollars, the government, if undertaking to construct the road itself, would be obliged to expend seven or eight millions. Now, the eastern provinces after having spent enormous sums already for the development of the west, are tired of seeing new demands for contributions in the same direction from day to day —everything is for the west, they say, and nothing for the east, and there is reason in this view to a certain extent. Quebec has asked for a number of years for a bridge over the St. Lawrence. A company has contributed towards the construction of that bridge, but notwithstanding promises of aid from the Dominion, nothing has yet been done. In the division which I have the honour to represent, all the trans-Atlantic steamship companies, the Chambers of Commerce, the Pilots' Corporation, have demanded and still demand that a deep water wharf be constructed at Pointe au Père, in the interest of navigation, but in vain. In the same district again, a petition has been presented to the three branches of the legislature to obtain the construction of a branch railway from a point on the Intercolonial Railway to extend towards Gaspé, which would bring us considerably nearer to England, a work much needed in the interest of local trade. Again in this case our demands have not been granted. On the contrary, the government are exerting themselves to diminish the distance which separates us from British Columbia, and millions have been voted for the construction of the Crow's Nest Pass Railway. They exert themselves to extend the extreme limits of the Dominion to the west by a railroad in these unknown regions. Happily this time the government are expending no money, and are merely granting lands. This manner of building a railway is opposed by the hon. members of the opposition, but I repeat the eastern provinces prefer to see lands given rather than to pay money. I am also under the impression, and say without wishing to wound the feelings of hon. members who oppose the project, that if the government had brought down a proposition to construct the road by an expenditure of money, these hon. gentlemen would have opposed still more violently that proposition than they now oppose the bill which has been submitted to us. The government has preferred to give lands, and the hon. gentlemen opposite forget that for eighteen years that was the policy of their friends, with this difference, that the present administration does not add money to the grant. It is contended that the government are giving a monopoly to this company in prohibiting the construction of any other road for five years, and that the company will thus make considerable profits from the traffic—sufficient, according to some hon. members, to pay the cost of its construction.

It should be remembered that it is the Governor in Council who has the right to fix the maximum tariff for the transport of passengers and freight, and that these rates are to be modified after some years. Further, in order to show that it is not to be a monopoly that is accorded this company, in not authorizing the construction of any other road for five years, I cannot do better than read clause 4 of the contract, and the explanation given of it by the hon. Minister of the Interior :

4. For five years from the first of September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal or thereabouts or from any point at or near the international boundary between Canada and Alaska into the Yukon district, and for five years from said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company to assist in building any such railway.

The House will see that this clause does not say that any aid in land or money shall be granted to the contractors or the contractors' company ; but it says that nobody else shall be permitted to build there. Now, the reading of that clause will at once dissipate the idea that there has been any monopoly granted to this company. There is no monopoly whatever. This company gets a charter to build from the Stikine River to Teslin Lake. There is no monopoly in that charter. The legislature of British Columbia can give another charter to-morrow, or this House could give another charter. We do not bind ourselves not to give another charter ; we do not say anything about it, and, by the way, there is another charter in existence at the present time, namely, the Cassiar Central. This latter charter does not specifically name this route, but it is wide enough, as any lawyer in this House who reads the charter will agree with me, to justify any one else taking that charter, and going on, and building over the same route. There is nothing in this clause which, by any possible stretch of imagination, can be called a monopoly.

As will be seen, this was a patriotic idea which inspired the insertion of this clause in the contract. The interests of Canadians are given the preference over those of our United States neighbours. Further, by clause 20 it is stipulated that the contractors shall sell to settlers in good faith, and at prices fixed by the Governor in Council, all arable lands which they may be able to find in the lands granted to them. Can that be termed a monopoly ? It is pretended further that the government are giving to the contractors a larger area of land than the contract warrants. There are many things to be considered in this connection. Common sense should tell us that the more collosal the enterprise the larger should be the expenditure for its construction. Here is a collosal enterprise surrounded by many difficulties which have to be surmounted before it is completed. We have first of all an enormous distance to traverse to reach the place where the line is to be built and by most difficult and dangerous routes. The cost of transporting materials will be considerable, and, as some one has said, the cost of transport of a ton of merchandise will cost $50. How much in that case will it cost to transport the rails alone and all the materials necessary for the construction of the road ? The labourers and workingmen must also be transported to the works at great cost, and must be paid higher wages in consequence of the rigorous climate which they will have to endure and the hardships that they will have to encounter. If the government should decide to double the military forces which they are sending to that region, it is quite natural to suppose that the contractors will also be obliged to do the same for their workingmen. It should also be borne in mind, and that is a very important fact, that the time for the completion of the work is actually limited. The contractors are required to have the road ready for operation by the first of September, and, as a security for the execution of their contract, they are obliged to deposit $250,000. If the road is not built by that time they expose themselves to a confiscation of their deposit. Now, will this Klondike boom last ? Is it not to be feared that the boom may collapse as the Winnipeg land boom collapsed, with disastrous effects to speculators ? Where then will be the profits from the traffic on this railway ? The contractors run, then, a great risk and expose themselves to serious loss. In consideration of these risks, and of the difficulties of transport of materials and men, and of the high wages for the workingmen, and knowing the enormous expenses which the contractors will be obliged to pay before they can get a solitary penny, the government have given them 3,750,000 acres of land in blocks of three miles by six, alternately with these which are reserved by the government. " But," say some, " these lands are of incalculable value." Now, we know nothing of this except from whatever speculative estimates we may form. They may be worth a great deal, but again they may be worth little. On paper 3,750,000 acres appears to us a fabulous amount, but the space which they occupy compared on the map with the entire surface of the Yukon region is but a small part of that mountainous territory. These

lands, it is true, may be taken by different parties in that country and in the Northwest to extend from the Mackenzie River in the east to the Liard River in the south, but we must not forget that the contractors are obliged to choose a piece of land in each base line to take at least four blocks of three miles each which alternate with the blocks reserved by the government. The length of each base line is 24 miles. That is the least which they have the right to take when they make any selection. The contractors are not at liberty to choose indifferently a mile here and a mile there. A fact which will considerably diminish the value of these lands given to the contractors in this sense, that if the block contains gold and the contractors wish to take it they are also obliged to take three others which may not contain gold or possess any value. I doubt not that we shall find hereafter, in consequence of this provision, that more than three-fourths of that stretch of land will possess no value for the contractors. Further we should not forget here that the first ten miles of road must be completed before they have the right to take any lands in that part of the country, and from the moment that they conform to the rules and this thing above all others, the gold seekers in that country will be many and the best places will be located. For these different considerations it will be seen that the contractors have assumed considerable risks, and that the area of land which has been given them is not greater in proportion than the risks which they run. Further, if those lands should prove to be valuable, the blocks reserved by the government will also possess a corresponding value. Contractors will be interested in exploring and advertising these lands, and as the government reserve each alternate block for every block that enriches the company, the neighbouring block will enrich the nation. The government are also reproached for not having called for tenders. Conservatives reproached us for that though during all the years that they were in power, they had not themselves called for tenders when aiding in the construction of railways by subsidies of land. In the case before us there was the plea of urgency, the object being to give our own people the benefit of the traffic which our neighbours are trying to procure for themselves to our detriment. Nothing has been spared to accomplish that object. The Minister of the Interior was not afraid to embark in the perilous voyage to those distant regions to learn for himself and to inform the government as to what was best to be done in the interest of the country, and also in the interest of humanity. We all know that he prepared an expedition to go to the aid of a number of suffering miners who risked all to go to these distant and inhospitable regions and he decided to construct a railway as soon as possible. Under these circumstances two remarkable men, known by all business men for their ability, their solvency, their great experience in the construction of railways, possessing unlimited credit, Canadian above all, made the government an offer to construct this railway and that within a few months without asking a cent from the government, but only a land grant. Hon. gentlemen it has rarely happened in this country that men like Mackenzie & Mann have been in a position to make such an offer to any government and furnish, at the same time, a guarantee for the due execution of their contract. The government after getting information, after taking all the precautions to prevent any loss to the country by the transaction, entered into the contract with these gentlemen which we are now discussing. Hon. gentlemen we may not approve of all the clauses of the bill. It may be rejected, but I shall be none the less convinced that the country will be satisfied that the government of the day have done their duty under the circumstances. I thank you hon. gentlemen for the kind attention with which you have listened to my remarks.

Hon. Sir WILLIAM HINGSTON—After listening to the hon. gentlemen who preceded me, especially to the hon. gentleman who has just taken his seat, the feeling with which I am filled is one of sympathy for the unfortunate contractors of this road. It would almost appear as if the Senate were going to take advantage of the innocence and good nature of these gentlemen. I am glad, as a professional friend of the hon. gentleman from Rimouski to be able to congratulate him on the tenderness he has evinced and which the long practice of his profession has not hardened. In rising to make a few remarks I shall not detain the House more than ten minutes. I would say at once that it occurs to me that it is the duty of the Senate to afford, so far as it is

possible, to the government of the day, whatever may be its political complexion, every facility to carry out all needful legislation without hindrance and without factious opposition. Certainly that is my desire, and I think I am not mistaken when I say it is the desire of the hon. gentlemen I have had the opportunity of speaking to. And here I shall pay a tribute to the extremely delicate manner in which I myself have been treated by the leader of the opposition. I have met him several times and I do not yet know his views. Directly or indirectly, neither he, nor any member of the government acting in sympathy with him has endeavoured to influence me in any way whatever as to what I have to say or as to how I am to vote. I could have wishes that both Houses might have proposed a measure with broad lines within which the House of Commons and the Senate could have framed a bill which would be just and fair, and even generous—as generous as it could be—to those who were willing and competent to undertake the work. But how is it with us to-day? We have here submitted to us a bill prepared with great care by gentlemen on one side. It is complete, and fashioned in all its parts, and we are told, in plain terms, we are not permitted to touch it; we have simply to accept it as it is, or reject it in toto. I contend that is not putting us in the position we should be in. I am strongly in favour of legislation to provide railway facilities for the Yukon country, but not in the manner in which we are permitted to have those facilities seemingly secured by the bill under consideration. I say that it is our duty to avoid friction with the House of Commons so far as it is possible, but are we simply to ignore and put aside our oath of office, and swallow a bill, a very partial bill in the shape in which it is offered to us here? What are the chief things in it to which I object? First, the terminals are ribbed in ice for about seven months of the year. That is the average period during which the Stikine River and Teslin Lake are closed. When the Stikine River is open, we are told by one engineer, the navigation is not what is desirable. The current at some places runs seven to eight miles an hour, and snags and so forth make navigation hazardous. It is true that the expenditure of a certain sum of money will remove those snags, but it will not diminish the current. What does a velocity of seven or eight miles an hour mean? We have a current of seven miles at St. Mary's at Montreal. When our steamers were first constructed it took oxen—I do not know how many yoke—to haul them up that current which, as I have said, is more than seven miles an hour. But here is a current of seven to eight miles, yet we are assured by one hon. gentleman that vessels can go up against that current without difficulty. A second objection I have to the bill is that the proposed route passes through a territory that is not exclusively our own. As a Canadian, I strongly object to a route which may expose us to little petty annoyances, and, perhaps, at times, to great inconveniences. I have every confidence in the honour of our neighbours on the south side of the line, but let me ask: when it comes to any negotiation, arbitration or dispute as to territory, who comes out best? When there is a gold field of incalculable value beyond a line which is not yet definitely established will it aid us in getting that line established on a fair and equitable basis? I think we will find the difficulty enormously increased. As has been well pointed out by the hon. member from Shell River (Mr. Boulton) we do not know what length this road will be. It is spoken of as a road of 150 miles, but the road is from the navigable portion of the river, and that navigable portion of the river may be made to commence much nearer the mouth of the Stikine than Glenora. Instead of having a road of 150 miles, it may be 200 miles long or more, and instead of getting 3,750,000 acres of land, those gentlemen may get something nearer 6,000,000, which would be by far the larger part of the gold-bearing portion of the Klondike. Another very serious objection is as to the base line. That clause is constructed with an ingenuity, on the one side, which is admirable; but I must say that those who on the part of that country have appended their names to the contract were not quite so keen sighted. I have looked into this base line question not a little. It may proceed in any direction. It may be the centre of a creek or river, laid at right angles to the three mile limit on either side, it may take additional blocks of three miles each from new base lines running along the outer fringe of the block already chosen by the contractors or which may be left for the public—provided the cardinal points are adhered to. It may start at one place and go due north, at

another go due south, at another east and another west. If one takes a solid block of three by six miles, and commences at one point and go off at right angles to that, establish a new base line, taking the same quantity, and doing the same on the other side, one will get a large block of land which will hedge in other blocks of land. Of course it is true that the terminals are not to be extended, but that is a matter of no moment. When one has obtained the number of miles, three times eight, one has gone about as far in one direction as one would wish to go. Another objection is that one would paralyze the miners' efforts, so far as their connection with the Klondike country is concerned. The miner, if this contract becomes law, will find it to be to his interest to deal with the contractors, rather than with the government. He is not going to pay 10 per cent to the government when he can pay a little over one per cent to the contractors. Then, again, what will be the nature of the population? Is it an agricultural, peace-loving population, such as we have, particularly in the province of Quebec, requiring no police to look after them? No. The men who go there discard readily that admirable advice we get in scripture "Make not haste to be rich." They go there to get rich at all hazards and in any way they can to make money. That is the kind of population that will soon be found there. If English capital will go in there, English miners will go in too, and the English miner goes in with a determination to preserve his rights at all hazards. Suppose he is mining there and encroaches, or is told he encroaches upon one of those parallel lines, do you suppose that any number of men can keep him and his associates from continuing to mine there? And if you cannot have him protected, what will English capitalists cry out, and with reason? "We put our money into that country; our miners have gone out and yet you do not give them that protection to which they are entitled." If we lay down parallel lines, wherever it may suit the interest of contractors to lay them all over this frozen region, we undertake to give peaceable possession to the contractor or the miner, as the case may be, and I contend it is impossible to give either of them protection under the circumstances. I shall only say, in reply to both hon. gentlemen who have preceded me, that if this measure carries I shall, as a senator, be very glad to avail myself of the privilege which is not denied me as a senator, but which is denied to members of the House of Commons, the privilege of having a part or an interest in the undertaking. I should consider a small share in this enterprise the best asset I could have, and better certainly than any I have at present. I believe that the amount of gold in that region is beyond our conception. It is enormous. It is to be met with here and there. It is not distributed evenly, but large quantities will be met with here and small quantities there and larger quantities in other places. And it is for this reason, chiefly, that I object to so large a quantity of land, which may be of priceless value, being given for so small an amount of work as that implied in the construction of this primitive railway. It is but fair to add: I have nothing to say with regard to Mr. Sifton. He may be, and no doubt is a clear headed shrewd business man; but were he many times as shrewd and clever, he could not possibly cope with contractors. Contractors are still more shrewd and clever, and in their contracts with the government they always get the best of it. It is their business, and the minister, who has a thousand things to attend to, and can only attend to one thing at a time, invariably comes out at the small end.

Hon. Mr. MACDONALD (B. C.)—He has in this case.

Hon. Sir WILLIAM HINGSTON—Yes, he has, seemingly, in this case. It occurs to me that we should do as other business men do. Let us suppose we are buying a piece of land. We are told in the contract or deed of sale that it is bounded in such and such a way; then we go and see the land in order to ascertain for ourselves, and we state that we are content therewith, having seen and viewed the same. The only informed men upon this question are the contractors. I should think no men better informed except, perhaps, the Canadian Pacific Railway Company. They have had men up there seven or eight months, and they have shown their confidence if not in the gold scheme at least in the traffic by having two magnificent steamers built, and eleven or twelve river boats to carry the traffic to and fron that country, and they speak with connaissance de cause. They know the future and evidently

think it a bright one. I say in conclusion let us not give away something the extent of which we cannot at the present moment estimate for work which can be readily done by contract for a moderate amount of money which the country is willing and able to pay.

Hon. Sir MACKENZIE BOWELL—Before making any remarks on the subject before the House, I should like to call the attention of the hon. Minister of Justice to one of the paragraphs in the agreement between Canada and the English government when the purchase of the Hudson Bay Company's rights in the North-west was effected. The 8th paragraph, as signed by Sir Stafford Northcote, Sir George Cartier and William Macdougall reads:

It is understood that any claim of Indians for compensation for lands required for purpose of settlement shall be disposed of by the Canadian government in communication with the Imperial government and that the government shall be relieved of all responsibility in respect to the same.

I should like to ask whether any steps have been taken to quiet the claims of the Indians in the Yukon district. I am aware the number is not very large, but notwithstanding that fact, their rights are just as dear to them as to the larger numbers in the North-west Territories.

Hon. Mr. MILLS—Whenever the Indians make a claim the government will be prepared to consider that claim, and to consider it in a generous spirit, but no such claim has ever been made.

Hon. Sir MACKENZIE BOWELL—I cannot but express my surprise at the answer which has been given by the Minister of Justice. Having been the Minister of the Interior in the administration of the Hon. Alexander Mackenzie, he knows that his duty was, before sending settlers into the North-west Territories, or conceding lands to any company for any purpose, or granting lands to bona fide settlers or to speculators, first to settle the rights of the Indians in that particular locality in which they placed the lands in the market. No policy in the past has justified the waiting for an application on the part of the natives of the country claiming their rights, whatever they may be, to the lands or to the territory in which they live. The hon. gentleman evidently, in this matter, with the government of which he is a member, has paid as little attention to the constitution which governs the acquisition of that territory, and which enables them to dispose of it, as they did to the treaties which governed England, her Colonies and foreign countries, and just as much attention apparently has been paid to this important point as they paid to the Berne convention, when, on the eve of an election it was announced to the world that a great reduction in foreign postage would take place. On each and every occasion when the government has attempted to do anything in the way of advancing the trade or improving the postal facilities, as in this case, they have apparently paid no attention whatever to the provisions of the constitution which governs this country. Whether it is due to recklessness in their mode of procedure, or to utter ignorance of the existence of the treaty to which I refer, I must leave it to the people of the country to judge. Perhaps the Premier, as leader, will have the opportunity of shouldering his musket, and instead of going to the Saskatchewan in defence of the rights of the Metis, which were supposed to be invaded, he may have to go to the Yukon. However, be that as it may, I leave it with the hon. gentleman and his colleagues to decide, with the sincere hope that whatever may occur in the future, that there may be no difficulty or bloodshed arising from interference with the rights of the aborigines. Before addressing myself to the question before the House, as I propose to do as briefly as possible, I may say that I read the speech of the gentleman who is principally responsible for the bill now before the House, a speech occupying over five hours of time; and I confess, I found, I should judge that one-half or four-fifths of the whole speech was devoted to an attack upon the leader of the opposition in the Lower House, Sir Charles Tupper, in trying to convict him of inconsistency arising out of expressions which he had used before parliament met, and that about fifty minutes was devoted to the subject before the House, or in explaining why he gave out a contract to Messrs. Mackenzie & Mann. My hon. friend that sits opposite me spoke for a little over one hour and a half, and I think I might repeat what I heard a gentleman say in commenting on that speech, that one hour of that hour and a half was devoted to pointing out "the obvious and incontestably proving the indisputable," which might have been de-

livered with profit and instruction to a class of students on constitutional law in some of the universities of the country. One thing is certain: it had nothing whatever to do with the question before the House further than to inform the senators that they had no right under any circumstances to change, alter or amend the bill, but as the hon. gentleman who preceded me said, we must swallow it holus bolus or reject it altogether. Whether that has been the policy pursued in the past by the party with which he is connected, and more particularly with the former leader of the opposition in this House, I shall endeavour to show. When we look at the style in which they indulge in dealing with this matter, it must be sufficient to deter any ordinary individual from attempting to give expression to his opinion. We have been called the hired men of certain people, by the organs of the party; we have been called old, decrepit, imbecile, and almost every other expression, not only of contempt but of derision that the English language provides has been hurled at us. We may be old; I do not know that that is our fault. We may be decrepit; if so nature has done that for us. Whether we be imbeciles or not, I hope we shall be able to show to the world when we cast our votes on this worst of all kinds of bills ever presented to a legislative body. I notice, also, that while many of these leading newspapers are condemning the senate in the most virulent manner for daring to express an opinion, and claiming the construction of this road for the purpose of securing the entire trade with the Yukon districts, they are at the same time urging in the strongest possible manner, the building of railways in other sections of the country supporting bills which are now before the Lower House, which have for their whole and sole object the taking off raw material out of Canada into the United States where the ore would be smelted, towns built up, smelters erected, and employment given to those who desire employment in that section of the country. It struck me, in reading these different comments, more particularly those in the journal which is supposed to represent public opinion in Ontario, but I should rather be inclined to say represents the individual opinions of ministers, and not those of the people at the present time; and which, in this matter of the Kettle River Railway Bill, might well be designated the organ of the gentlemen who have the longest purses in this country, and in the United States. What we have to consider is how far in the first place these attacks upon the Senate are justified. My hon. friend from Richmond (Mr. Miller) pointed out in a statesmanlike and masterly manner the peculiar powers and functions of the Senate, and the causes for its establishment and what are its duties. I shall endeavour to prove by the records that the Senate has not been of that character described more particularly by the hon. gentleman who spoke last night; and that upon all occasions they have not been actuated solely and wholly by partisan feelings. Before doing that, however, let me ask my hon. friend who sits opposite me (Mr. Mills) what he meant by saying that he did not want, and this country did not want, men to go to Washington to influence Congress to legislate against the interests of this country? Did I understand him to mean that any party or person connected with the opposition in this House, or with the opposition in this country, had been in Washington pursuing the course which he indicated by insinuation, if not by direct charge? If he does, his duty to the Senate and to the country is to let us know who they are. I know of no missions to Washington on business of that kind, except by gentlemen belonging to his own party. I have a distinct recollection of a member of the Lower House visiting Washington when the McKinley tariff was being framed and passed by that legislature, to point out how it could be so worded as to prevent the possibility of Canada taking a certain course in relation to our lumbering interest, without meeting with retribution on the part of the United States. Only the other day I had occasion to call the attention of hon. gentlemen opposite to a statement made by Mr. Farrer before a committee of congress, in which he pointed out to them, when they were discussing the famous bill which has been passed by Congress refusing the bonding and other privileges at Wrangel, and other ports on the Pacific, unless Canada makes concessions of a certain character to the people of the United States on the Atlantic. The hon. gentleman (Mr. Mills) said that Mr. Farrer did not go there on their instructions; but he did this, he told that committee that he had reason to believe that concessions would be made by the government of Canada, and I am under the

impression that when he went there he must have gone, not only with the consent, but with certain secret instructions from those who are governing the country at the present moment.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—My reason for believing that and making the statement, is the fact that Mr. Farrer was in confidential communication with that party when they were in opposition, that he wrote the famous letters, stating how they could coerce Canada into making certain concessions by adopting the principle of unrestricted reciprocity, or commercial union. We also know that he was not only in confidential communication, but that he has, during the last year, been on the most intimate terms with the gentlemen who are now governing Canada, and the country had a right to assume that when he made a statement of that kind before so important a body as a committee of the United States Congress, he had some authority for doing so. It must have been a matter of great pleasure to members of the Conservative party, and those who sympathize with the Conservative policy, to hear the loyal sentiments and anti-Yankee utterances from gentlemen opposite who for years have been advocating closer commercial intercourse and more friendly relations with the people to the south of us. How often have we been condemned, when every step that was honourable in its character had been taken to bring about closer trade relations with our neighbours, as adopting a certain policy and taking a certain course by which we irritated our neighbours, and that therefore they would never make any concessions to that party, but that the sunny ways of the hon. gentlemen opposite were to bring about the millenium as soon as they attained to power. It is true the elections were scarcely over and they had scarcely assumed the responsibility of office, before they had begun to visit Washington, and the result was just what had been predicted over and over again—that on no occasion would our neighbours surrender anything unless they could get one hundred per cent or two hundred per cent advantage in privileges in our markets therefor. It is not so long ago that the members of the present government declared their preference for trade relations with the United States. We all know that the present Minister of Trade and Commerce told the people in Boston that this whole northern continent would be, under unrestricted reciprocity or commercial union, the northern states of that union, and the seaboard at Boston would be the emporium for the receipt of all the trade that would flow from the northern part of this country, for saying which he was designated by one gentleman at that public demonstration as the United States senator for Canada. Now, forsooth, I have actually heard insinuations and inuendos thrown out against the party of which I am a very humble member, of trying to play into the hands of the Americans.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—My hon. friend says hear, hear. I should like to contrast his position at the present moment, with that of 25 years ago. He has advanced rapidly, and I congratulate him on the reform of his opinions in reference to our relations with the United States and foreign countries compared with what they were when he first came into parliament. He forgets the diatribes and abuse that came from this chair, when my hon. friend, the Secretary of State occupied it because we tried (and under the treaty we had a perfect right) to direct the trade of the St. Lawrence from the great west down to Montreal. We were accused of violating the treaty though we applied the same rule and the same penalties to every Canadian vessel that was applied to the United States. That was denounced not only as an attempt to coerce the United States, but as a flagrant abuse of the laws of the country. All that has changed; and if the country has any one thing more than another to congratulate itself upon, it is the changed tone of those gentlemen since they attained to office. It has had a marvellous effect upon each one of them, and for that reason, if for no other, I think it is a good thing that they have been permitted to attain to the positions which they now hold, and will for a short time at least. Let me look at the charge which has been made against the Conservative party for acting exclusively from party motives when dealing with questions coming from the Lower House. I shall not, however—this may be a little divergent—devote any particular time to the remarks of my young friend who spoke last night when he

thought proper, referring to the action of the Lower House, to allude to certain negotiations and the whitewashing, as he termed it, of Sir Adolphe Caron. I might retort, with a good deal of force, that I might travel down to his own province and expose some of the rascalities of which some of the friends of the party to which my hon. friend belongs, had been guilty. However, I might point out to my young and verdant friend——

Hon. Mr. MILLS—Is he verdant?

Hon. Sir MACKENZIE BOWELL—That is not parliamentary and I withdraw the remark.

Hon. Mr. DANDURAND—I do not complain of the epithet.

Hon. Sir MACKENZIE BOWELL—What I intended to imply was, that the hon. gentleman was speaking without a knowledge of the facts as they appear upon the records. If my hon. friend will study the history of the Senate from confederation, he will find that at the very first when the Senate was not so strongly Conservative as it became afterwards, that Sir John Macdonald's government consolidated the criminal laws of the different provinces so as to bring them into unison as near as possible, the bill came to this House at a period in which the senators thought they could not give it that attention that so important a matter deserves. My hon. friend on my left (Mr. Allan), who certainly will not be accused of any antagonism to Sir John Macdonald or to his government, was one of the first parties to say to the Commons: "Unless you are prepared to send to this House important measures of that kind at a period when we shall have not only sufficient time to investigate but to consider them, we refuse to consider them at all, and the result was they rejected the whole consolidation of the laws, compelling the House of Commons at the next session to commence *de novo* upon that question. Then we find on going a little further, that during the Hon. Alexander Mackenzie's regime the Senate rejected what was termed the Esquimalt Railway Bill, and my hon friend stated last night most distinctly and positively that they did it from party motives. Let us analyse the vote and see how far that charge against the Senate is justified. My hon. friend Mr. Aikins moved, seconded by Mr. Alexander, to leave out the word "now," "this day six months." That motion was carried by 24 to 21—only three majority. Among the Liberals who voted for that measure were Messrs. Benson, Dever, Dumouchel, Flint, McClelan, McMaster, Penny and Seymour.

Hon. Mr. MILLS—Was not Mr. Dever on your side.

Hon. Sir MACKENZIE BOWELL—Mr. Dever claimed then to be Liberal, and I think you will find him so to-day. My hon. friend will not say that Mr. McClelan, the present governor of New Brunswick, was on our side at any time; nor will he say that the late Mr. McMaster or Mr. Penny, the editor and proprietor of the Montreal *Herald* was a Conservative at that time. And there was Mr. Seymour, formerly a Conservative, but a supporter of the Mackenzie government. So that you have among those twenty-four, seven Liberals who voted for the rejection of that bill.

Hon. Mr. PERLEY—And defeated it.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—How did my hon, friend vote at that time?

Hon. Sir MACKENZIE BOWELL—I was not aware that I was in the Senate in 1875. What has that to do with the question at issue? I was in the Commons and I voted with my party—I voted against the bill?

Hon. Mr. MILLS—And the Commons very soon voted in favour of it.

Hon. Sir MACKENZIE BOWELL—No, the hon. gentleman is now dealing with an interval of some ten or fifteen years. It was only a short time before Sir John Macdonald died that the bill to which he refers was passed, the circumstances being altogether different. But supposing that were true, supposing I was inconsistent in all the votes I ever gave, or that I never voted at all, or that I voted on the other side, what has that to do with the independence of this House in rejecting a measure, when seven Liberals voted for a motion for the rejection of the bill brought down by the government against which there was only three majority?

I should like to know what the interruption of the hon. gentleman means when he asked how I voted. Then look at the other side; I find Mr. Skead, Mr. Montgomery, Mr. Muirhead, Mr. Howlan, Mr. Carroll, Mr. McDonald (B.C.), Mr. Miller and Mr. Cornwall, all Conservatives, voted with the government. So that this bill was rejected by the votes of the Liberal party against the government of which they were supporters; and yet my hon. friend says that that is an exhibition of party prejudice of the Senate, being actuated by no other motive than partyism.

Hon. Mr. DANDURAND—My hon. colleague may allow me to correct an impression he has taken from my declaration. I did not mention the objection to that bill as showing any prejudice on the part of this House against the popular branch. It was, on the contrary, objected to me by one of my hon. colleagues, I think the member for Marquette, that this chamber had shown its independence once in its existence by rejecting that bill, and I said was the bill introduced by a Liberal administration. He remarked that it was. I did not impute any motives to the hon. gentleman, who on that occasion voted against it, but it happened to be when this chamber had a fit of independence.

Hon. Sir MACKENZIE BOWELL—I do not think I misunderstood the hon. gentleman, nor has his explanation made the matter any better. If the measure was rejected it was, he said, rejected in a fit of independence; if so, it was on the part of the party to which my hon. friend belongs. Had his party voted as a unit, the Mackenzie bill would not have been thrown out. Then let me give another case where the Senate proved its independence; and this, too, in connection with a money bill. There was what was termed the Short Line or Salisbury and Harvey Railway. A contract had been entered into by Sir John Macdonald's government with the Canadian Pacific Railway Company for the construction of what is known as the Short Line running through Maine. It was divided into three separate and distinct sections. The first part and the third part were operated from Montreal until it reached a certain point, and then went to St. John; but the second section of the contract was to run from Harvey to Salisbury, in order to have a short connecting link with the Intercolonial Railway, so as to make the trip to Halifax shorter than it would be by going via St. John. The Hon. Mr. Miller, a supporter of the government and a Conservative, moved the six months' hoist to that bill, a bill granting the subsidy we had agreed to pay to the Canadian Pacific Railway Company for the construction of this short line. There was a Conservative senator exhibiting that independence which always characterized the party when matters came before the House that they thought were not right. Notwithstanding the strenuous efforts which were made by the government of that day to have that bill passed, he moved the six months' hoist. The vote for the rejection of that bill in this strongly Conservative house at that time, more so than at the present moment, was 22 against 11, and among the yeas were Mr. Baillargeon, Mr. Dever, Mr. Flint, Mr. Grant, Mr. McInnes (B.C.), Mr. O'Donohoe and Mr. Reesor—my hon. friend who has just delivered us a very quiet, calm and dignified address, in which he pointed out the impropriety of this House ever voting against a measure appropriating money for any purpose. When he was making that speech I thought I had a recollection of what had occurred in the past, and on turning up the vote, I see my hon friend has forgotten his past record, and lectures us now on our duty, while he pursued precisely the same course in the year 1889, that he condemns to-day. The nays on that occasion were only eleven, and I must say, looking over the list, that I think they were all Conservatives. That is another evidence in which the Senate had a fit—as my hon. friend calls it—of independence. Last session they had another fit of independence when they rejected what is known as the Drummond County Railway Bill. What the result ultimately of the action of the Senate will be, remains altogether in the future, but we have this gratifying fact before us, that in the investigation which has been going on by the committee of the House of Commons, Mr. Blair himself stated that he could, at the present time, purchase that road at $1,600,000, while the bargain a year ago, when we rejected it, would have cost the country about $2,200,000, so that there is $600,000, if not merely a million of money, actually saved; and probably before we get through the investigation we may save

a few more thousand dollars. And now we all have a recollection of a matter in which my hon. friend the Secretary of State and the hon. gentleman (not present) from Halifax opposed the Dauphin Lake Railway Bill at the session in which I had the honour of leading the House on the opposite side; so determined were they to defeat it, knowing that the Governor General had been notified to come down to the House and prorogue it at three o'clock, he moved the six months' hoist, and kept up the discussion until after three o'clock in the afternoon, until I found it incumbent on myself to inform His Excellency, through his aide-de-camp, that parliament could not be prorogued that day; and I informed the House that until a vote was taken upon that question, parliament would not be prorogued, if it took a week or a month. That was another instance in which the hon. gentleman attempted to frustrate the will of at least a large majority in the House of Commons. Now I shall run over as rapidly as possible, the course pursued by my hon. friend, the present Secretary of State, when in opposition. He was then the leader of the opposition in this House. In 1880 the Hon. Mr. Scott divided the House on the Esquimalt Dock Bill, a bill to grant a certain amount of money for the construction of the Esquimalt dock. It is true he was defeated. In 1880 the Canadian Pacific Railway Bill passed by no less than two-thirds of a majority in the House of Commons and yet my hon. friend, who was then leading the opposition in the Senate, moved the six months' hoist, taking the course that they now condemn as being unconstitutional. I am not finding fault with them; I am only pointing out the difference between the position they occupy to-day and that which they held when they were on this side of the House. In 1885 we had the Franchise Bill before us. We shall have another Franchise Bill here in a very short time, and my hon. friend, the leader of the House, the Minister of Justice, will I am sure, in that solemn way in which he has of addressing us, tell us that that is a question with which we have nothing whatever to do. My hon. friend from Ottawa (Mr. Scott) moved the six months' hoist to that Franchise Bill. I suppose we have the same right when it comes here; whether we exercise it or not will be another question. My hon. friend who spoke last night, said, Oh, if they did not carry that it was because they had not a majority of the vote. That was a little information that was somewhat superfluous to give.

Hon. Mr. DANDURAND—I beg my hon. colleague's pardon. I have never made such a declaration. I know that a measure is lost when there is not a majority for it. I said those votes only indicated the sentiment of the majority of this House, and I did not think they would permit it.

Hon. Mr. MACDONALD (B.C.)—Prejudice!

Hon. Sir MACKENZIE BOWELL—The prejudice of the Conservatives and the partisanship of the senators was so great that they would not permit the hon. leader of the opposition to thwart the will of the representatives of the people in the Lower House. That is what my hon. friend contended in this case, that as this measure had by 39 votes been carried in the affirmative by the Lower House, therefore this Senate had no right to reject it, that is the point I desire to make against my hon. friend. Then, in 1886, there was a Subsidy Bill for the railway on Vancouver Island to which my hon. friend moved the six months' hoist. I have already called attention to the Harvey-Salisbury road, and also to the action of the party in connection with the Hudson Bay road, and the Winnipeg and Great Northern road. I think I have shown quite sufficient in that respect to prove that members of this House, irrespective of party, have upon all occasions, when great questions came before them, exercised an independent judgment in the recording of their votes.

Hon. Mr. BOULTON—Will the hon. gentleman permit me to point out another occasion, also when the Hon. Mr. Mackenzie was in power and the Lower House passed a bill abolishing cable monopoly.

Hon. Mr. SCOTT—It is just the reverse. The bill repealed the Act under which the cable company had a monopoly.

Hon. Mr. BOULTON—And it was rejected by the Senate.

Hon. Sir MACKENZIE BOWELL—The case to which I am about to refer is one in which I personally and the government of which I was a member was interested. I

brought before this House in 1894 a bill of the most important character, one affecting the whole commerical interests of the Dominion—the Bankruptcy Bill. I carried it through the Senate that session, but it did not pass through the Lower House for want of time. I re-introduced it at the next session of parliament. It received its first reading, but the independent thought of this House was such as to induce the members of the Senate to inform me very quietly that if it was pushed to a second reading the government would be defeated, and considering that discretion, under the circumstances, was the better part of valour, I never moved the second reading, for the reason that the Senate was strongly opposed to an Insolvent Act at the time. The government was strong in the Lower House, and if my hon. friend's contention was true, equally strong in this House ; but the independent members of the Senate forgot party, as they have done on many important occasions, and distinctly but quietly said to the government of the day, you cannot place on the statute-book a bill of that character. That was in the face of a demand from the whole commercial community of this Dominion, backed by the request—when I speak of the commercial world I mean the merchants and traders' particularly the wholesale traders—backed by all the influence that could be brought to bear from the wholesale merchants of England, Ireland and Scotland,

Hon. Mr. McCALLUM—I know that my hon. friend wants to be reported correctly. The hon. gentleman says the bill was not read the second time. I know it was not, but the hon. gentleman moved the second reading of the bill, but found the feeling of the Senate was so strongly against it that he had to withdraw the bill. He did his whole duty, but when he found that he was going to be defeated he did not press it. That is the way the case stands.

Hon. Sir MACKENZIE BOWELL—My explanation for pursuing was that, discretion being the better part of valour, I withdrew the bill rather than be defeated, and it would be well if others followed the same course. I have occupied more time on this subject than perhaps it deserves, but so much has been said of the want of independence of senators and subserviency to party, that I deem it my duty to the hon. gentlemen who occupy seats in this House to say that I have searched the records with a view to dissipating the idea, if it prevailed among any portion of the people. I shall devote a little time, and endeavour to occupy as short a time as possible, to the bill now before the House. I confess frankly that the more I have read the speeches in defence of the measure, the more I have been convinced of the impropriety of having it become law, and for this reason : they have proved beyond a doubt, if the statements made are to be relied upon, that the trade of that portion of the country and the traffic over that 150 miles of railway will be so enormous that it must pay for itself without any subsidy or assistance from the government. My hon. friend from Westmoreland, (Mr. Wood) called attention to the building of railways in western Australia, amplifying what I said when addressing the House on the speech from the throne. I have also read to-day this important statement, that the Slocan road, of which this is a counterpart, a thirty mile road, cost $600,000. It is built in one of the most mountainous parts of British Columbia. It is closed for five to six months of the year with snow and ice, and for other reasons ; and yet in three years time it has paid for the full cost of the construction, the passenger fare being seven cents per mile. Now we are told by the organs of the party who are supporting this measure that there is over one hundred millions of freight in sight ; that some hundred and fifty or two hundred thousand people will go into that country during the next year. Even taking the low rate upon the Slocan road for freight it will more than pay for itself ; and if the road in western Australia could be built for about $2,500 per mile and the right of collecting tolls from passengers and freight for about fifteen months, could more than pay for the cost of construction and allow the contractors to retire with a comfortable competency, what would this 150 miles of tramway pay to the contractors if one-tenth part of the freight and passengers go over it that the hon. gentlemen opposite themselves say are to be taken into that country ? Then we are told, as a defence for that, that it is a matter of urgency. My hon. friend who last addressed the House spoke upon that point and tried to impress it upon our attention. One would suppose, to read these speeches and to hear the statements made

by the Minister of Justice and the Secretary of State, that the gold producing character of this country had never been heard of before. I find a despatch was sent as long ago as 1878 by Mr. Thornton, the then minister at Washington, to Lord Derby, pointing out the necessity of settling the boundary. Why? Because gold had been discovered in that country and trouble might arise by the influx of people to that part of the continent. Now, coming down to our own time we find that Bishop Bompas, in 1894, called the attention of the then government to the necessity for adopting some means by which peace could be preserved in the Yukon district. And we find also that action was taken by the then government, that an Order in Council was passed in 1894 authorizing an inspector and non-commissioned officer of police to go and examine into the statements made by the Reverend Bishop and to report to the government. That was on the 6th of June, 1894; and that after making inquiries upon all the subjects he left the non-commissioned officer at Fort Cudahy for the winter and returned to Ottawa. In the spring of 1895 orders were issued for a detachment of two officers, surgeon and seventeen men, while I was president of the council, to go to that country in order to preserve peace in the Yukon. They went there from Seattle.

Hon. Mr. MILLS—Was anything being done at that time in the way of mining?

Hon. Sir MACKENZIE BOWELL—Yes, they were mining at that time, and it was for that reason that this body of men was sent out to preserve peace, if necessary, in that country.

Hon. Mr. MILLS—And the Indian title was not extinguished then?

Hon. Sir MACKENZIE BOWELL—We did not sell any lands. Not only were there no lands sold, but no regulations were issued and consequently no control was taken by the government of the day, nor was there any interference on our part with the stray miners who were in that country, so that my hon. friend's interruption has very little force. In the spring of 1895, twenty new men were sent out and the government decided to increase the strength as my hon. friend knows, but at that time there was no means of reaching that country except by taking a steamer at Seattle, sailing to St. Michael's and going up the Yukon. That was the only available entrance into that country. It was well known, therefore, that mining was going on and that there was likely to be a development of that region, and that the government of the day was aware of the fact, that it was necessary to look after the interests of those who were in that country. Then we find that Mr. Blair, the Minister of Railways, in a speech made in the House at the close of the session stated that a number of representations had been made to the government in reference to the necessity of paying more attention to that country. His language was:

> Hon. members of this House will recollect quiet plainly that before the close of last session evidence was pouring in upon us of the immense discovery of gold that was taking place in the Yukon district, and returning parties from that remote region were bringing the most fabulous accounts of its mineral deposits. No one who was at all interested in public affairs could fail to realize that very important questions were likely to arise in connection with the question of the great gold discovery.

They had at that time received reports from agents and those who had been sent to that country to report. That fact is established by this little incident, that Mr. Lister, one of the members of the Lower House, received a copy of the report in June or July, immediately after, or about the time of the prorogation of parliament, showing clearly that at that early period they knew all that they pretend to have discovered at a later day, and that if it was requisite to enter so suddenly into a secret bargain with Mackenzie & Mann in the latter part of the year, they are culpable for not having taken action at an earlier period, when they knew the necessity that existed for looking after the peace of the country. I shall not read these different reports, because I read the other night the dates at which they were received. If you will look at the estimates of 1896, you will find that there was an item placed in the Supply Bill of $6,000 for the purpose of surveying and ascertaining the feasibility of the navigation of the Stikine River. I should like to ask my hon. friend the Minister of Justice, or the hon. Secretary of State, whether that $6,000 was ever expended? I see no charge of it in the public accounts. Was it put in as a blind, or was it another evidence of gross and most culpable negligence in connection with the management of that country? There is ample evidence that they had suf-

ficient knowledge before the time they entered into the secret agreement with Messrs. Mackenzie & Mann. It has been stated—and I desire not to repeat what has been said so often further than is absolutely necessary—that they had no other offer, that the only men with whom they could deal were Messrs. Mackenzie & Mann. Mr. Blair himself said, in his speech the other day, that not only Messrs. Mackenzie & Mann, but others also, called upon the government. The question was asked who did call, and his reply was:

The MINISTER OF RAILWAYS AND CANALS. We had quite a few people. I was not in Ottawa much at that time, and if I am not as well informed with respect to those minute particulars and details as is my hon. friend Mr. Sifton, he will take occasion to enlighten the House fully on the matter. I know there were others. There were others who felt they represented large amounts of capital and had untold means behind them, and were willing to talk railway. But none of these large capitalists ever materialized.

The hon. gentleman nods. I think I will prove to him in a few minutes that they did materialize and put in the hands of Mr. Sifton evidence of their bona fides and capability of doing what they proposed to carry out. Mr. Blair continued :

and, as far as I know, we did not get our eye on any of the credentials which went to establish how solid and capable these people were of carrying out the undertaking.

Then he adds this :

I believe they made overtures to my hon. friend as to the construction of this railway, or, to be correct, perhaps I should say, not as to the construction of this railway, but as to the construction of another railway, namely the Chilkat Pass Railway which naturally business men would much prefer to construct rather than the other. The result of their approaching the government and of the negotiations which took place between us, was, that they were induced to drop their Chilkat enterprise and to take up with the Teslin line.

Now mark this admission in this sentence of the hon. Minister of Railways and Canals. He says these parties approached him for the purpose of constructing a railway which business men of the country would naturally prefer to the Teslin route. Why should they prefer any other route unless it were easier of construction, and would enable them to carry on the commerce of the country at lower rates of freight and furnish a shorter route to reach their destination? I know what my hon. friend will say. He will say that it was a proposal to build a line to a United States port. I admit that Skagway, Dyea and Pyramid Harbour are at present claimed as United States territory; but I state with equal frankness, and with more positiveness, that Wrangel is more of a United States port than either of the other three places; and for this reason, no matter what the decision of any arbitrators or commission appointed to determine the boundary between the two countries, may be, Wrangel will never be a British possession. It is on an island and is recognized as United States territory; every line that has been run places it within the bounds of the United States. Is that so with either of the other places? I do not say that arbitrators will give us Pyramid Harbour or Skagway or Dyea, I am inclined to think they will not, for many reasons which I might, but which I will not, advance. This fact stares us in the face, that if the contention of the Imperial government be correct, then Skagway and Dyea and Pyramid Harbour are in Canada, and under no circumstances will Wrangel ever be in Canada. My hon. friend will say that while Wrangel is a United States port it is near the mouth of the Stikine River, and being near the Stikine River we have treaty rights which enable us to navigate those waters without let or hindrance. That is a proposition I deny. It is laid down clearly in the books which my hon. friend, if he replies to me, will read, that the free navigation of a water gives the right to land under stress of weather and certain other circumstances. But it does not give the right to set aside all customs regulations.

Hon. Mr. MILLS—Not all customs regulations, but it does give the right to set aside customs duties.

Hon. Sir MACKENZIE BOWELL—Perhaps my hon. friend can import some extraneous matter into the discussion in order to meet his point.

Hon. Mr. MILLS—It is not extraneous.

Hon. Sir MACKENZIE BOWELL—I quite admit that no treaty regulations will set aside the tariff of any country unless it be stated in the treaty itself that the articles are to be free. But I am not aware that that has anything whatever to do with the question I am now discussing. On the 2nd April, 1874, this question of the right to navigate the Stikine was under discussion. The Collector of Customs at Sitka, Alaska,

writing to the Secretary of the Treasury at Washington uses this language :

I learn that it is the intention of certain masters of foreign vessels to clear direct from Victoria, B.C., for Buck Bar, B.C., without making entry at the Port of Wrangel. This is in direct conflict with Article 1, page 10, of the regulations, &c., and in case it is permitted by our government, foreign goods and liquors can be landed with impunity on any of the small islands in American territory without payment of duty. The department will bear in mind that the mouth of the Stikine is about six miles from Wrangel, and if foreign boats are not required to land at Wrangel I would respectfully recommend that an inspector be appointed and stationed at the mouth of the river with a boat and crew for the purpose of intercepting and inspecting all foreign vessels, and satisfying himself that their cargoes agree with their manifests.

This collector of customs evidently knew his duty. While they were exempt from payment of duty they were not exempt from the observation of these customs regulations which are necessary in all countries for the protection of the revenue, and if any evidence of that is required you have it in the treaty itself. The treaty of Washington makes this provision :

The navigation of the River Yukon, Porcupine and Stikine ascending and descending from, to, and into the sea shall for ever remain free and open, for the purpose of commerce to the subjects of Her Britannic Majesty, and to the citizens of the United States, subject to any laws and regulations of either country, British or American, within its territory, not inconsistent with such privileges of free navigation.

Hon. Mr. MILLS — Collecting duties would be inconsistent with that right.

Hon. Sir MACKENZIE BOWELL— What duties ?

Hon Mr. MILLS—Customs duties.

Hon. Sir MACKENZIE BOWELL— Why drag that point in continually ? I never contended that they had or had not to pay duty. I never said anything of the kind.

Hon. Mr. MILLS—My hon. friend has a good many supporters that have been saying so.

Hon. Sir MACKENZIE BOWELL—I am not responsible for what my supporters say. I would request my hon friend to confine his objections to the statements that I make myself. When a statement is made inconsistent with common sense, my hon. friend tries to attribute it to me, and when he cannot do that, he says it is made by those with whom I am acting. I could repeat a good many nonsensical statements which have been made by those acting with my hon. friend, which I am sure he would not care to have attributed to him. Now, the same language is used precisely in connection with the free navigation of the St. Lawrence to the Americans. Will my hon. friend tell me that a United States vessel coming from the sea up the St. Lawrence would be permitted to pass the different ports on her way to Oswego or Buffalo without proper supervision on the part of the customs of Canada ? If he does, he will excuse me when I say he knows very little of the operations of the customs and coasting laws. As it is on the St. Lawrence River, so it is on the Stikine. I have heard many of his own friends say, and I think he himself stated a few days ago, that a vessel could leave Port Simpson and go up the Stikine River without calling at Wrangel at all, and go to the border and pass in the goods. I tell him that under the laws of all nations and under all customs regulations, no such privilege would ever be conceded or granted to any country, A vessel without reporting her goods and being placed in bond, on passing the point at which an inspector should be stationed in order to supervise the cargo of that vessel could land liquors or goods of any kind on the shores, through the whole of Alaska without paying duty. No country would ever allow a thing of that kind.

Hon. Mr. MILLS—No one is arguing that. My hon. friend is contending for a proposition which no one is denying. The question is whether the Americans would impose a duty.

Hon. Sir MACKENZIE BOWELL— No ; no such question was ever discussed by any men possessing a grain of sense. Though Wrangel is a United States port, and the free navigation of the Stikine is open to British subjects without let or hindrance, my contention was, when we discussed the subject before, that the regulation which would apply to Skagway or to Pyramid Harbour (which is now claimed to be in the United States), would apply to Wrangel also. It is true they might, by arbitrary laws, prevent you from going from Pyramid Harbour into the Yukon district, but it would be just as reasonable to suppose that they would prevent some of the eastern

townships people from crossing the line into the state of Maine. I think I am in accord with my hon. friend when I say I do not believe that the provisions of the law which has been adopted by Congress are constitutional; neither do I believe that the President of the United States would ever sanction such arbitrary legislation; and if he did sanction it, layman though I am, I believe the Supreme Court of the United States would set it aside as *ultra vires*, being in direct opposition to the terms of that treaty.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—My hon. friend shakes his head; perhaps I am wrong, but I do not think so, notwithstanding that very wise shake of that very wise head. The fact that they have the right to make regulations, I repeat, applies with as much force to the one port as to the other, and unless the people of the United States would prevent the bonding of goods and the supervision of the transport of goods from Pyramid Harbour, or these other port to the border, that is just as good a port for us as Wrangel. It is complained that the United States officials charge an enormous fee, or, as somebody has said, five per cent upon the value of the goods going through the strip of territory claimed by the United States. Supposing that is true; is it anything new? That principle has been in vogue for the last 18 or 20 years, since I entered the Customs Department; and almost every year questions arose as to granting permission for the transportation of goods through Canada by pack trails in British Coulmbia in order to reach some of the mining district in Montana or Washington territory; and the permission was granted on condition of their paying the expense of the officer who would accompany them to see that the goods were not sold and distributed in Canada. There is this much I can say, we never charged them as much as the United States charged our people under similar circumstances. The United States used to charge us a much higher rate; there were also similar cases in regard to our miners on the border where miners were engaged in that mining country; and in getting back to the Upper Kootenay they used to charge our people three dollars a day for the men who accompanied them. Now at the Stikine, where the wages are a dollar an hour, I do not know that nine or ten dollars a day for an officer to accompany goods passing through that country, is more than three dollars in the eastern part of the country. This is held to be an imposition upon the trade of this country that has never existed before, when in fact it has been in existence ever since the necessity arose of passing from one country into another where there are no customs officials.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Sir MACKENZIE BOWELL—Resumed. He said: At six o'clock I had pointed out what offers had been made to the government for the construction of the railway, I had first quoted from the speeches made by the ministers in the House of Commons, where they acknowledged having received offers from other parties besides Mackenzie & Mann. It was also stated, at the time, in reply to a remark, by Mr. Blair that they knew little of the bona fides of the parties who had made these offers, intimating that they had no knowledge of their financial ability or standing in the money markets of the world, and consequently were not in a position to consider their offers. I will now point out clearly what the offer really was, and what the negotiations of Mr. Kersey were some time before entering into the contract with Messrs Mackenzie & Mann. Those who have followed the debates in the Lower House will remember that Mr. Sifton, the Minister of the Interior, acknowledged having had an interview with Mr. Kersey and his representatives, when the question of the building of a railway to the Klondike was discussed. The facts as I have gleaned them are as follows: the statement made by the Minister of the Interior in reference to proposals by a company for the building of the Teslin Railway, represented by Mr. Maitland Kersey were not, I venture to affirm, strictly correct. Let us see how far that statement is correct. The facts, as I understand them, are, that a letter was addressed to Mr. Sifton on the 10th December, after an interview had by Mr. Kersey with Sir Wilfrid Laurier, in which he offered, on behalf of his company, to build the road for $6,000 per mile, from

the Dominion government, presupposing that he came to an agreement with the government of British Columbia for further assistance; which government was asked $4,000 per mile, but was afterwards amended to $2,250, together with 10,000 acres of land on the same basis as the grant made by the British Columbia government to the Cassiar Central Railway. After that interview Mr. Kersey went to London to arrange details for the quick construction of the railway, and leaving in Ottawa a representative to negotiate with the government for him. Cables passed during Mr. Kersey's stay in London, in which his agents here stated that the government would give no cash subsidy, but were prepared to receive an alternative proposal, and although Kersey's agent repeatedly visited Mr. Sifton and endeavoured to extract some information from him as to about what the government would grant, and in what territory the land would be taken from, he was utterly unable to obtain any information in the premises. On Mr. Kersey's arrival in Canada, on 21st January, he was advised that a contract was closed with Mackenzie & Mann, and was only awaiting signature, that all the details had been agreed to, except that Mackenzie & Mann desired the further assistance of a cash bonus, which the government declined to pay. On the Friday afternoon, 21st January, Mr. Kersey called on Mr. Sifton, and endeavoured to glean some information on which to base a further tender, but was unable to obtain any. On the Friday evening of the same day, Hon. Mr. Dobell and Mr. Borden, who, with other ministers, had insisted that Mr. Kersey's company should have fair play, took Mr. Kersey to Mr. Sifton. Mr. Sifton then said that he wanted an answer on the following day, or at the very latest by 10 o'clock on the Monday morning, as to what Mr. Kersey's proposals were. Mr. Kersey then for the first time ascertained from him that a land grant was to be given out of the whole Yukon territory, but no mention was made of the extent of the acreage, nor of any fact relating to the carrying mineral rights. Mr. Kersey was asked who were his supporters, and he handed a strictly confidential document so marked to Mr. Sifton, giving in confidence the names of subscribers to his syndicate. Mr. Kersey also was prepared to put up the necessary guarantee, but in the short space of time that was left to him to complete these important matters he was unable to communicate properly with London, or to receive an answer at 10 o'clock Monday morning. At that hour the expected answer not having been received, Mr. Kersey handed to Mr. Sifton a letter stating that he was unable to guarantee the completion of the road by September 1st without a cash bonus. On Monday afternoon a message was received from London and was at once sent in to Mr. Tarte, whom Mr. Kersey had seen in the morning, and whow as then at a council meeting.

Mr. Kersey's syndicate would have been fully prepared to undertake the construction of the railway for a very much less grant than that given to Mackenzie & Mann if they had in the first place been given any time to properly negotiate; and if, in the second place Mr. Kersey or his agent had been advised by Mr. Sifton, as were the present contractors, of the terms of the government, and how much they would grant. Now let me ask was not Mr. Kersey's proposal as originally made to the government, namely, of six thousand dollars, with a further grant of the British Columbia government of twenty-two hundred and fifty dollars and ten thousand acres of land from the British Columbia government, on the basis of the Cassiar Central lines, a far more advantageous basis of agreement to the government of Canada than the one entered into? The answer is so obvious that it were useless to discuss it further.

These are the facts as I gleaned them, and I noted them down so as to be as succinct as possible and to adhere strictly to the facts in the case, to show that the terms which were offered were better than the terms which the government accepted. What must strike any man who has given any attention to this point in particular, is, that Mr. Sifton studiously avoided having any intercourse or interview with any other persons than Mackenzie & Mann, who were willing to enter into a contract for the construction of a railway by the Stikine River route, which must lead to the conclusion that there was a predetermination that the contract should be given to these two gentlemen, and that all others should be cut out. Why should that be? Why was not the ordinary course of asking for tenders resorted to? There was no time, is the answer. Then, if there was not time to advertise for tenders, the propositions which had been made by these other

parties, Mr. Maitland Kersey on the one part, and Mr. Hamilton Smith on the other, ought at least to have been considered. Under ordinary circumstances a man making a bargain on his own account for the construction of a house, or the building of a road, would take every possible advantage of any proposition which might be made to him. "Oh," says Mr. Sifton, and those defending the measure, "it was not my duty to run after these people: they should have come to me." This statement shows distinctly that, had it not been for the intervention of the Hon. Mr. Dobell and the Minister of Militia, Mr. Sifton would scarcely have given Mr. Kersey an interview, much less discuss the question of the terms of the construction of the railway over the very route that they say is the only one that should be opened up in the interests of Canada. That is, so far as Mr. Kersey is concerned. It is scarcely necessary that I should enter upon the question of Mr. Hamilton Smith's offer. That offer was made early in the season, and Mr. Smith also made an offer after the contract had been entered into. I know that the defence of the government is that the contract having been signed before the last offer of Mr. Smith was made, it was impossible to accede either to his terms or to consent to the proposition which he made. We know, however, that in the past that was not the doctrine laid down by the gentlemen when they were in opposition, particularly when the contract for the Canadian Pacific Railway was before parliament. Their contention then was that a second offer; even though the contract had been signed by the other parties, should have been accepted. I have an extract from a speech delivered in the House of Commons by the hon. Premier of the present day, in which he laid down this doctrine: that if an offer had been made to construct the Canadian Pacific Railway at a lower price than that which the government were paying to the parties with whom they had been negotiating and with whom they had entered into a contract, the opposition deserved greater credit at the hands of the people then they otherwise would be entitled to if they could compel the government to accept it. Here is what the Hon. Mr. Laurier said:

It is stated that the offer is not seriously made, that it is a political dodge got up by the Opposition. Mr. Speaker, if the Opposition have organized this scheme they will have still another claim to the gratitude of the country, for whatever may have been the motives that induced these capitalists to make the Government this new offer, these motives are of little consequence, provided that we obtain the result, and the result is that the new company now offers more advantageous terms than those we have now before us.

How does this comport with the doctrine now preached by these gentlemen? But, said my hon. friend who spoke last night, when referring to the fact that a second tender to construct the Canadian Pacific Railway was rejected by the government of that day; and then, if I did not misunderstand him, he made the statement that the present government was in precisely the same position—that the question of the construction of the Canadian Pacific Railway had not been made an issue at the election which preceded the entering into contract. My hon. friend was just as much at fault upon that point as he was in his reference to the alleged partisanship of the Senators of Canada. It is well known that the question of the construction of the Canadian Pacific Railway led to the resignation of Sir John Macdonald on the 5th November, 1873. It is well known that that was one of the main issues at the election of 1874, when Mr. Mackenzie went to the people. It is also well known that, during that period, the government of Mr. Mackenzie advertised all over the world asking for tenders for the construction of that road, and that they could find no one with whom they could enter into a contract, or who would take the responsibility of the construction of that road, it being of such magnitude as to frighten almost every capitalist in the world. It is also well known that Mr. Mackenzie and his government proposed to utilize the water stretches, and was constructing certain portions of railway between water stretches to furnish railway communication with Manitoba and the North-west Territories. It is also known that in the election of 1878, the construction of the Canadian Pacific Railway was a distinct and positive issue before the electors, and that the government of Sir John Macdonald in 1878 advertised, not only in this country but also in England and other parts of the world, for tenders to construct the road. It is also known that parliament authorized the government of the day to enter into a contract for the construction of the Canadian Pacific Railway, subject to the approval of parliament. It is further known that it was

only after a failure to obtain any tenders from contractors that they entered into a contract in London with George Stephen (now Lord Mount Stephen) and his associates, so that it is absurd to attempt to establish any analogy between the Canadian Pacific Railway and the railway from Telegraph Harbour to the mouth of Teslin Lake. Every one will see that the two cases are neither directly nor indirectly analagous. In the one case attempts had been made for years all over the world, without success, to obtain contractors to enter upon the construction of a work of greater magnitude and failed; and it was only with the utmost exertion—I might almost say that it was with superhuman exertions that Sir John Macdonald, Sir Charles Tupper and the late Hon. John Henry Pope, when in London induced these parties to take the contract. Contrast that with this case which we have before us. The government, in a hurried way, entered into a secret arrangement with two contractors with whom we have every reason to believe they had been in communication from the time Mr. Sifton landed in Victoria after his visit to a portion of Alaska. There is every reason to believe that then and there these arrangements were made, not perhaps to the fullest extent, but to the extent that they could have the construction of the road. The first intimation that anybody in Canada had of the fact that a contract had been entered into was given in the Toronto *Globe* in a three or four column article after the visit of the principal editor of the paper to Ottawa, where I have no doubt he had been summoned in order to receive the information which he imparted afterwards to his readers. The transaction at first met the approval of a number of gentlemen who read it, from the fact that the whole facts were not given to the public. I do not say that the editor who wrote that article designedly kept from the public the information which afterwards came to light. It is just possible that he published all the information given to him and that that information was of such a character as led many to give their adhesion to the agreement. Now there is the difference between the two cases, and it is a question for the Senate and the country to decide whether any government, under the circumstances, were justified in taking the course that the present government have pursued. I now come to the contract itself—and I am not going to waste the time of this House by quoting from its provisions at any length. I should like to ask the minister who leads this House how it is that the government, which has been denouncing for many years monopolies in railways, should insist upon creating a monopoly? One would have supposed that the contractors would ask for, and insist upon having, a monopoly of trade, and a promise and declaration that no other road should be built. Now am I to understand that that is the fact in connection with this contract? Did Messrs. Mackenzie & Mann insist upon having a provision of that kind in the contract, or did the government, on the other hand, insist upon having a clause placed in the contract pledging themselves that they would not permit competition? Upon whom rests the responsibility? Is it the government or is it Messrs. Mackenzie & Mann? My hon. friend is silent on that point.

Hon. Mr. MILLS—I will answer my hon. friend when I speak. I do not wish to interrupt him.

Hon. Sir MACKENZIE BOWELL—If my hon. friend had practised that virtue this afternoon, probably I should not have taken up so much time. This is a fair question to ask of a minister, whether the terms of the contract were insisted upon by the government or by the contractors. If by the government I know what the defence is; that it was to secure the trade by what is termed an all-Canadian route. Now, my hon. friend knows, and no one better, that trade will find its own level no matter when and where it may be created. It is also well known that the construction of that road will be just as much to the advantage of the traders on the Pacific, whose vessels ply between Seattle, San Francisco, Tacoma and Wrangel, as it will to the vessels that sail from Victoria and Vancouver. Does any one suppose that Messrs. Mackenzie & Mann would refuse freight from any portion of the United States? It is absurd to consider the proposition for a moment. The only difference between the one that is Canadian and the other, is simply this: If the people of San Francisco, for I take it that is where the largest proportion of the freight would be obtained, except the food sent into that country, that they having had the trade

and having been carrying it by their transport company for the last half century, they will go on competing just as strongly, and even more vigorously than they ever did in the past; and if goods can be purchased in any United States port and taken to Wrangel and shipped via the Stikine River and thence by the railway from Telegraph Creek to Teslin Lake as cheap, plus the duty, as the Canadian goods, they will go in just the same in the future as they have gone in the past, and no power can prevent it. When we consider that a large proportion of the freight from the United States to that country and from Canada, is mining machinery, all of which is free, except imported machinery which competes with machinery made in Canada—and there is a very large proportion that is not made in this country—then the United States manufacturers of these particular articles which are in use by the miners more than anything else, except food and raiment, will send them in, because they can be taken cheaper by water from the great manufacturing centres on the Pacific coast, than they can be sent across the Rocky Mountains from the east where the great manufacturing industries of Canada exist, with the exception of a couple of large establishments on the coast, one in Vancouver and another in Victoria.

Hon. Mr. MACDONALD (B.C.)—There is a clause forbidding discrimination.

Hon. Sir MACKENZIE BOWELL—I argue apart from that provision of the contract altogether. I was arguing from the general principle of the trend of trade—unless you have prohibitory duties and unless you lay down the principle that foreign goods shall not be taken over a Canadian railway, then it will find its level whether this prohibition clause prevents discrimination or not. Then we have the fact before us to-night of the government forcing upon the contractors a monopoly clause which Mr. Blair says that they themselves did not want, for his language is this:

> But the government felt that they could not reasonably expect a responsible company to take on the Teslin Lake route if they were to be met with competition at the hands of a company who should own the route from Lynn Canal, and the clause was for this reason chiefly inserted in the contract.

And then he says again:

> That they insisted upon its being placed in the contract, and that the contractors did not ask for it.

Now this same hon. gentleman only to-day, as you will see in the reports of the newspapers to-night, supported with all the vigour of his intellect and power of language a charter to a company upon the grounds of it giving competition to the people in the Kootenay district, that competition being, it is alleged, in taking of ores of the Kootenay mines into the United States to be there crushed and smelted. So that we have a monopoly forced upon one contractor by the same government—for I suppose they are all responsible for the action of one minister—as absolutely necessary for the benefit of Canadian trade, while in the Kootenay district competition is stimulated to carry trade away from the country. Reconcile the two if you can; I confess I am unable to do so. Will not dis advantages arise from this monopoly clause in the Yukon Bill. It is a monopoly clause, so far as the government can possibly make it a monopoly. They will tell you that it is not a monopoly, because parliament chartered two other roads to run from the head of Lynn Canal, at Pyramid Harbour or Skagway, one through the White Pass and another through one of the other passes. If the road were built from a Canadian point directly east of the Rocky Mountains then I could understand a market being created, and an almost inexhaustable one, for those who produce the food of the people. We all know that British Columbia is not only fertile, but that it is as productive as any other part of Canada. We also know that the great majority of its people are engaged in commerce and in mining, and have not in the past produced food enough for their own use. They may be doing so now, but I doubt it, because there is a great influx of people from other parts of the world to the mining districts and they obtain their supply of food to a very large extent from Washington Territory. When I was there a year or two ago, visiting the farm of His Excellency the Governor General, in the Okanagan district, I found that wheat was being brought from Montana at 17 to 20 cents per bushel, paying the freight and duty and competing successfully in the mining districts with British Columbia wheat, splendid though it was, and beginning to be raised in great quantities, in the magnificent Okanagan valley. If they want wheat and corn they will get it in the states of Washington and Oregon, and will ship it from seaports direct to the Yukon in competition

with the wheat products of Manitoba and the great North-west. The past has shown that railway freights militate against the food products east of the Rockies to the extent of rendering it almost impossible to compete with the products of Washington and Oregon. It proved itself in the time of the great failure of the crops in Australia, when they shipped from Canada over and over again hundreds of thousands of bushels of wheat. It was carried from the east side of the Rockies to Vancouver and placed in the Australian ships, but the Washington and Oregon wheat could compete successfully with it and the result was that, instead of supplying the Australian colonies with Canadian wheat altogether, a large portion of it came from the United States. It is so with meats. The last time I examined the trade and navigation returns, I found that there was over half a million pounds of mutton imported from Washington for home consumption in the province of British Columbia. Whether that importation goes on to the same extent as it did at that time, I am not prepared to say, but I know I took the trouble to point out to the owners of sheep ranches in the North-west Territories that they should make immediate arrangements with the Canadian Pacific Railway Company to enable them to compete with the Washington mutton. It was a better quality of meat, but they could not compete in prices. The quality was so superior that in Vancouver and Victoria they could find a market, but not in the mining camps. I point that out to show that no matter what road you build, or what competition you obstruct, or what kind of a monopoly you give, a large proportion of the trade will continue to flow from the Pacific coast cities as it has done in the past. The only way to prevent it successfully would be to build a road either from Edmonton or Prince Albert; or, if you will, from Ashcroft, which would open up all that mining district. It is almost useless to waste time in discussing the question. There is no man in the Senate who understands the trend of trade and the effect of tariffs, or the opening up of competition, better than my hon. friend opposite, and I question very much whether we shall hear the same arguments from him as were advanced in the House of Commons from the government side upon this question I know that telegrams have been sent from all over the country urging the construction of this road. One was read last night from the Victoria Board of Trade—that is, it purported to come from the Victoria Board of Trade. I do not say of my own knowledge that it did not, but I am informed that no meeting of the Board of Trade took place, and that it was simply the emanation of a few gentlemen who got together. I do not say that what I am stating is strictly true, but I am giving the information as I got it. If you will notice, even in this Victoria telegram this route is not endorsed. The telegram is as follows :

> The British Columbia Board of Trade begs to draw your attention to the fact that unless the Lake Teslin road is built this year untold loss will be entailed upon the merchants and shippers of this province, and that if the northern trade is not directed immediately into purely Canadian channels, a permanent and irretrievable loss would be sustained by the Dominion, and we must enter our earnest and emphatic protest against any legislation that may retard the works now going on.

It has been sufficiently established before the House that this bill is not a proposition to open up a purely Canadian route. It is only just to the House that I should read a telegram which I received to day from Vancouver. It is signed by W. Godfrey, president of the Vancouver Board of Trade, and is as follows :—

> Whereas the opening of communication with the Yukon district is of vital importance in the mercantile and manufacturing interests of the country; and whereas such communication is, in the opinion of this Council, to be obtained by the construction of the railway between Teslin Lake and some Canadian port, therefore, be it resolved, that the Vancouver Board of Trade hereby prays the parliament of Canada to legislate for the immediate construction of a railway in Canadian territory between Teslin Lake and the port which may be found to be most suitable on the coast of British Columbia, and to provide that the portion of the line between Teslin Lake and Glenora shall be completed by September 1st of this year.

Both these telegrams—and this last one in particular—urge the construction of a road to a Canadian port, and if this road from Glenora to Teslin Lake is to be constructed, that it should terminate at some Canadian port in British Columbia. I scarcely think there is a gentleman in this House who objects to a proposition of that kind. I wish to have it distinctly understood that, so far as I am concerned—and I believe so far as those on whose behalf I speak are concerned—we are prepared to assist the government in any scheme which

will accomplish the object that telegram has in view. We have no desire whatever to prevent the construction of a road, upon fair and equitable terms, which will open up that country and give, beyond peradventure, all the advantages that can be derived by starting from a Canadian port. That, I believe, is the position we take in this House, and the objection we have to the present scheme is that you build 150 miles of a tramway for which you give 3,750,000 acres of land, with all the mines and minerals and wood that there is upon it—something unusual in the legislation of this or any other country in the past, and that, too, for a tram which does not furnish an all-Canadian route. Now, the British Columbia government seem to have a better idea of what they should do in legislating upon a question of this kind. When they granted a charter to the railway from Stikine River to Dease Lake, they gave a lease to the company for 35 years. The first clause opens the surface to pre-emption and sale in the terms of the Land Act of 1896, and compels the company to pay $5 per acre for town sites, one-fourth to go to the government. So that if they establish a town site in any part of the land which has been given to this company they compel the company to pay $5 per acre for the land, and then they are to give one-quarter of the sale of all the lots to the government, but that is not in addition, because I think the $5 is remitted back to them. Then the company cannot mine until they have located and recorded their claims according to the mining laws, the claims to be subject to the same laws and charges—that is, a royalty one-half per cent, $50 a year rent, $100 for each transfer, no matter how many there may be, and then they have to pay, in addition to that, a royalty on the timber. In this case there was only 10,240 acres per mile given, in all 700,000 acres. Then there is this important clause "Free miners may locate on lands demised to the company."

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Sir MACKENZIE BOWELL—And free miners are entitled to the Crown reversion. Now compare these terms with the terms given in the concession of this large grant of land in the gold area of the Klondike.

Hon. Mr. MACDONALD (B.C.)—It is common sense in the one case and nonsense in the other.

Hon. Sir MACKENZIE BOWELL—It is common sense in the one case and giving away the country in the other.

Hon. Mr. TEMPLEMAN—Is that the Cassiar Central contract?

Hon. Sir MACKENZIE BOWELL—Yes; the Cassiar contract, I think—Stikine River to Dease Lake.

Hon. Mr. TEMPLEMAN—The hon. gentleman might go on and explain on what conditions the free miners were permitted to take up claims.

Hon. Sir MACKENZIE BOWELL—I do not know the conditions. My hon. friend, coming from British Columbia, no doubt will know them. In the one case there are severe restrictions protecting the government and giving them a revenue under all circumstances, and a tenure of the revenue so long as it is worked. Perhaps my hon. friend, who has just interrupted me, will have a better idea of the views which are taken of this concession when I read him a short article which appears in a journal called the *Victoria Times*, published, I believe, in Victoria, whose proprietor and editor is a Mr. Templeman.

Hon. Mr. TEMPLEMAN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I cannot say whether he is the hon. gentleman who sits opposite me and interrupted me, but it is the same name.

Hon. Mr. MACDONALD (B.C.)—It is very much like him.

Hon. Sir MACKENZIE BOWELL—On the 23rd April, 1897, the *Times*, commenting upon the concession of this grant to this company, says:

> The Turner government must be congratulated on its ability to strike out on a new line once in a while at least. After trying all sorts of games with the public domain they have devised an entirely new sort of scheme in connection with the proposal to grant aid to the Cassiar Central Railway. The company to which that railway franchise has been given is to be handed over the privilege of gobbling up not only lands in the electoral district of Cassiar but all the minerals "precious or base, therein and thereunder." For each mile of railway built 10,240 acres of land in a block is to go under the control of a company, and any free miner who finds a promising location within that area will be forced to hand over a

half interest to the company. Prospective townsites are to go to the company in fee simple on payment to the government of five dollars per acre.

I suppose that is the answer which I could give to the hon. gentleman. The article continues :

And provisions are made for the payment to the government of certain royalties and taxes on mining claims. There is fortunately some ground for hope that the House, which has shown some spirit of independence within the last few days will not agree to this outrageous bill.

Then the Victoria *Times* of April 29th, 1897, has an article headed "The Cassiar Outrage," in which the following appears :

How they (the Turner government) can count on getting any support for so outrageous a scheme is hard to conceive. Any member of the House has but to ask himself how he would like to see a similar piece of legislation applied to his own district in order to see the iniquity of the Cassiar proposal.

Here is a bill with restrictions placed upon the miner called by those who ought to know and who represent—I believe the paper represents the Liberal element of Victoria and claims—I was going to say arrogates, to itself, but I will not say that—the leadership of the party in British Columbia, denouncing this as an outrageous bill although the government protects itself to the extent to which I have called the attention of the Senate ; at the same time, we find the Liberal party, and a portion of them also in the province of British Columbia, supporting this bill which I suppose is not outrageous in its character, because it only gives away all the land in fee simple, coal, wood and everything that is necessary for the carrying on successfully of mining operations in the country. However, we shall be better able to judge how far this scheme meets the views of the hon. gentleman from British Columbia when we hear him speak. I propose to close my remarks by referring to this Stikine River route. I have received from nearly all parts of the country letters commenting upon it. I will take the liberty of reading such portions of them as bear upon the contract and the Teslin Lake route. The first is a letter dated Victoria, B.C., February 7.

Hon. Mr. MILLER—Who is the writer ?

Hon. Sir MACKENZIE BOWELL—He was one of the most prominent men, occupying the highest position that a man could occupy, in Victoria. I do not think I would be justified in giving the name here, but I have no objection to give the name to the hon. gentleman, and to the hon. Minister of Justice so as to justify the statement I make as to the letter and the character of its author. This letter was written to me and marked private. I wrote to the gentleman immediately after its receipt, telling him that it contained such important information upon a grave question which was coming before the parliament of Canada, that I should take the liberty of reading his arguments to the Senate when I spoke, but that I would not give his name. He acknowledged receipt of that letter, and made no objection to my proposition. I make this explanation in justice to the gentleman who wrote that letter and also as a reason why I think it advisable not to give his name publicly. The letter is dated February 7th, Victoria, B.C., and is as follows :—

My Dear Sir Mackenzie,—Trusting to our friendly relations of the past, I venture to write you regarding the subject upon which both sides of the House, or the leaders at least seem to be unanimous, it is nevertheless one of the most awful public crimes ever proposed to be carried out by the government of any country, and will hold that of Canada up to the scorn of the entire world, if permitted to go into effect—I allude to the proposed Yukon concession for building the railroad from Telegraph Creek to Teslin Lake, a distance now pretty well admitted to be less than 120 miles. In its aid the newspapers seem to have with singular unanimity resolved upon a "conspiracy of silence," and it looks as if this awful deal were going through the House without a kick. I do not know what your views of the matter are, but if favourable, I still venture to say a friendly word of remonstrance against an action you will regret to the day of your death. In the first place the railroad is not needed for this year : and moreover by the exercise of whatever expedition cannot be in running order in time to be of any use this year ; that is to say that the country will be all frozen up before the railroad can be running. If the road then is not to be of any service this year, why not give until next year to complete it—by adopting which course the road can be built like other roads, at a moderate cost, say $10,000 per mile, which the government had better themselves spend than exploit the whole region as they are proposing to do. All that is wanted this year to move all the traffic that will go over that route is a wagon road, and the keeping traffic open for mules and foot passengers until the wagon road can be constructed. My brother arrived from that country only yesterday. He has been twice over the road from Telegraph Creek to Teslin Lake during the last few months, and he tells me there is already an excellent winter road between the two places, over which several hundreds of men have already passed, and over which the machinery for the steamboat and saw-mill, and supplies connected therewith are now in transit to Teslin Lake. This is the Yorke expedition which went up the Stikine River last summer, and will have their steamboat and sawmill in running order by the end of May. My brother tells me that a force of one hundred men can keep that roadway open after the snow is off the ground, so

that all freight and passengers can go over it for the summer. In the first part of the journey there is no difficulty, but for fifty miles or so on the Teslin Lake end the land is swampy and boggy and considerable corduroying must be done, but the force of one hundred men can accomplish all this and kee the crowd moving. In the meantime the wagon road can be under construction. Now so far as a railroad is concerned it will be more of an obstruction during its building than an aid. We all know this fact from practical experience.

Now as to the grant to be given this company for building this unnecessary road, it seems to me to mean practically giving them the remainder of the mines in the country. They are to take 3,750,000 acres, and mineral rights pertaining thereto in blocks I presume of 25,000 acres and to pick it wherever they like. The right accorded the free miner and prospecting and holding claims in the meantime amounts to nothing in aid of the public. It merely makes the freeminer and prospector the jackal for the company. The jackal discovers the location, and perhaps secures one claim for himself: the company immediately swoop down, and say "we'll take the balance." One of the Victoria papers this morning (and a Conservative organ too, save the mark) said that the three or four million acres was insignificant because there were over 180,000,000 more territory yet, belonging to the government. What a misleading though specious argument—although 180,000,000 acres of land how much of this vast territory will eventually have proved gold producing. Not 2,000,000 acres of it I venture to say. "Gold is where you find it" and the privilege the company is to have is to take the gold, within the 2,000,000 acres, scattered all over the country "as the free-miner finds it." In other words as I said before the free-miner is to be the jackal to find the lion his prey.

These considerations show that what is proposed, is the giving the whole country away. Like Esau selling his birthright for a mess of pottage, and a mess that we don't require.

What is carefully kept from the eyes of the people is that 98 per cent of the area of this country is and always will be a mere waste, a wilderness, and that in the remaining 2 per cent only, will the riches be found, after unheard of fatigue and toil by the prospector, and it is this 2 per cent, the right to select it, after the prospector has discovered it, that the government is giving away to this railroad. In other words giving away the entire country.

If this grant really becomes law the government have no idea of the contract they will have on hand to maintain it. A few mounted policemen will not do it. They will have an insurrection in the country they never dreamt of. The Riel rebellion will not be a circumstance to it, and this will not be a rebellion of Indian braves and Half-breeds but of an entire population suffering under, what they consider, the defrauding of the reward of their toil. Akin to this subject is the proposal of the government to reserve alternate claims. I do not suppose this holds as against the railway grant, but the proposal anyway is the most ridiculous ever proposed in a mining country. Such a thing was never dreamt of in Australia, California, Mexico, Africa or anywhere else in the globe. It remained for Canada to formulate such a scheme.

I have not time to write you more to-night, but will write you again to-morrow.

Your faithful friend,

* * *

P.S.—There is no limit as to the length of this road. But the contractors are to get 25,000 acres per mile, and to build the railway without filing plans. The real length is perhaps 130 miles, but as they are unlimited, they can make it 175 miles or 200 miles, and so, if they chose, get so much more subsidy.

It was stated in the House that the Rothschild's representative dropped the scheme, and would have nothing to do with it without a cash subsidy. This representative was (presumably Maitland Kersey) but was he ever informed, or did the government ever hint to him that they were prepared to make anything like the concession they are giving? It would be interesting to know just what transpired with Kersey, and what made him drop.

The only way of doing this work so quickly is by taking the men off Crow's Nest Pass road. It would seem therefore as if the stipulation of the 1st of September was made, so that only those who had the Crow's Nest Pass in hand could offer for it.

One other thing is regarding the White pass route—44 miles of railway from the head of Lynn Canal will bring to navigable water and there following the the Marsh trail to the Hootalinqua is about 30 milles over which a tramway is being built. This is far shorter than the Stickine route, and is more of an all-British route than the Stickine route, for the head of Lynn Canal although claimed by the United States is disputed territory and probably belongs to Canada.

P. S.—I have mailed you this evening a Seattle newspaper which has an interesting article on this subject (*i.e.* the proposed Teslin railroad) on the first nd second pages.

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Then, on the 10th February, he wrote as follows:—

My Dear Sir Mackenzie,—I see that Mr. Blair, in introducing the Yukon Railway bill, said that it was to be constructed without a dollar of expense to the people of Canada.

Surely this is a singular argument—a distinction between money and money's worth. If the government really wanted to find out how much this concession is worth in money let them take and offer it on the London market, and they can get $50,000,000 for it. The pick of the entire Klondike, the present wonder of the world. There was another syndicate seeking the same charter that of Maitland Kersey, and they offered the local government here to build the road in the same time as the present contractors here for a subsidy of $2,250 a mile and a land grant of 10,000 acres per mile—not one acre of which would have been in the Yukon or the North-west Territories but all in British Columbia, in addition to this he asked the Canadian government $6,000 per mile and yet Maitland Kersey would have been content to go to London with this franchise, and assures me that he could have sold it in England for a very large sum, in fact, had the money subscribed on that basis, and had arranged his syndicate of the very best men in England to take it up. How much then is the other concession of 2½ times the land and power to pick it anywhere, and at any time, worth? The plea of urgency is a mere myth. As I explained in my last letter so far as the summer and spring traffic into the Klondike is concerned—the railway will retard instead of facilitating it—for this season. But then it is said the main object of the railway this year is to get next seasons supplies, and the winter supplies in, this year, over an all-British route. In fact, it means that the entire provisioning of the immense army of men going into Klondike will come from Canada, and over this route. But this argument proves too much for if it be the case that the road is going to take all the traffic, it will pay for itself without any subsidy at all.

The parties advancing this argument, however, know very well, that no such thing will happen as that all the trade, or any considerable portion of it will go over that road this year at all events, and if it is going to be not of much service this year, why not give a few more months for its construction and let it

be done cheaply, and reasonably, which considering the class of railroad, could be done if reasonable time be given, for about $10,000 a mile, or $1,300,000. The distance from Telegraph to Teslin is not over 130 miles. My brother who has just come down from there and who has been over the trail twice, within the last few months, walked over it, assured me it is not over 130 miles, and he believes not over 120 miles. Those in the east who say otherwise, surveyors although they may be, are either incompetent, or have some sinister motive in representing it as more. Now what I want to demonstrate to you is that this getting of the whole winter and next season's supply over the proposed Telegraph and Teslin Lake Railway is nonsense, sheer nonsense to those who know the facts. The proposed railway covers only 130 miles of a travel of some 600 or 700 miles all of which is frozen solid, after, at very latest the 31st October. In fact it is safe to say no steamer can get down the Hootalinqua after the 15th October, if then. Now, the most sanguine expectations for this railway are that it is to be completed so as to carry freight by the 1st September. How much time then does this leave to carry the thousands of tons of freight over the railway, to tranship them at Teslin, and to take them down the river? Less than six weeks or at most two months. How many steamers will they have at Teslin Lake? How many can they get there, seeing that they have all got to be built on the lake, and the machinery taken over the road somehow between Telegraph and Teslin? It's no use waiting until 1st September to ship this heavy machinery over, for they want the steamboats all in running order by then. The machinery then has to be shipped over the trail on mules' backs. A mule at best will carry 300 lbs. The machinery for a steamer weighs—what? 40 tons. A mule going loaded with 300 lbs. would not make 10 miles a day, or more than that, or the trip in 13 days, and 8 days to come back, 21 days the round trip. The machinery shipped up the Stikine River by the first boat will not reach Telegraph Creek before 25th May. Less than 15 weeks before they've got to freight it all over the portage, and build the boats into the bargain. Where would 1,000 mules be carting this enormous outfit, besides provisions, grub and what else? The thing is utterly out of the question. But then, perhaps, the boats will come round by the Yukon. Well, seeing that no boats got through last year except one or two, there is no certainty that any will get through this year; and besides the boats will have all the freight they can handle there, without going up to Teslin Lake. You may be certain that, railroad or no railroad, there will be little or no freight taken into Dawson City by way of Telegraph Creek and Teslin Lake this year. The railroad, therefore, is useless for freight carrying purposes this year. I have shown that it is but a stumbling-block to passengers and their outfits. The conclusion then is that this cry for urgency for the building the road is a mere bugbear and an excuse of desperate men to get through an infamous deal. Of course you must have been struck with the apathy with which most of the leading newspapers deal with this subject. Some of them warmly commend it. Well, so far as British Columbia is concerned, that is easily explained. The place is small, and the best patrons of papers are those who hope to be benefited by the patronage of the contractors.

I was puzzled by Sir Charles Tupper's advocacy of the scheme, for I knew him to be above any personal considerations, yet sometimes a suspicion did cross my mind that his connection with the Klondike Trading Company might have biassed his judgment, but even that suspicion is removed by the opposition he is now giving the project. The editor of the *Colonist* is a director in the same company. I inclose you his leading article of this morning. The Yorke Company that he speaks of there went into the country last August, and took up their machinery and outfit with them for building a steamboat and a saw-mill. They have only arrived with their stuff at Teslin now, and they have been no sluggards. They expect to have their steamboat built by 1st June, not before, and their saw-mill in running order a month or two before then. How will these people fare who are starting up only now? Some of them hope to get up the river on the ice, but hauling scores of tons up on the ice is a problematical question. However, supposing they succeed. How long is it going to take them to get to Teslin Lake? And how long afrerwards to cruise their timber (which is very scarce there), convert it into lumber, season it, and then build their boats? Will they be much ahead of those who go up the Stikine after navigation opens? I think not.

So much, then, for the urgency of this road for this year, which is a lie, a delusion and a fraud.

As you will see by the *Colonist* article which I inclose, so far as a winter road is concerned, they already have it in the road which the Yorke party have made for the transportation of thir own stuff. The portion of the contract therefore with Mackenzie & Mann calling for a winter road is unnecessary. The present one may, of course, be improved or shortened, but that is not much of a job.

What is wanted, and wanted for this season, is a good wagon road. If undertaken speedily it can be completed early in the summer, in plenty of time to send lots of freight over it this year. Th country is the easiest in the world for making a road. A wagon road to do it quickly would cost $250,000. Lots of reliable companies would contract to do it for that, and a wagon road for this year would be of far more service than a railroad, and would secure the trade. A wagon road could be built without cost to the country at all, directly, and that would be by giving a franchise to collect tolls over it for a limited time.

I see that Mr. Mills stated that there were state reasons which could not be disclosed for building this railroad in the manner proposed. I have no doubt that he has been led to think so, by some one, but it looks too much like a confidence trick, to go down with any sensible man. One can hardly understand why, if any such reasons exist they should not be disclosed, and why if they do exist, the government should not build the road themselves, rather than give the country away to do so. If state reasons do exist, they are reasons pointing to our losing control of this country, but the control of the country is valuable only as a field for reward, the industrious and enterprising men of our country, and it will be of little use keeping control of the country, whilst its wealth is alienated to capitalists who can sell it to the United States or any one else.

Yours very truly,

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Another gentleman in business in Victoria, writing on Feb. 22nd, says :—

DEAR SIR MACKENZIE,—We are watching here with much interest the proceedings in parliament in respect to the Mackenzie & Mann contract. It was unfortunate that so many Conservative and independent newspapers should, at the first mention of the scheme, have endorsed it so unreservedly. Since then I have noticed they have withdrawn from that position and in some cases have even condemned the agreement.

When the first items about the contract were telegraphed out here, I at once realized the character of the monopoly in traffic and of the immense value of the land grant. Since then the details which have been received confirm the view I took and I cannot see how any one, desirous of protecting the interests of the country, can hesitate to denounce the proposed contract.

The traffic receipts of the railway will, under the most unfavourable conditions, be so large that it would not be a bad speculation for private individuals to give a handsome sum for such a concession as the government proposes to give Mackenzie & Mann, without any land grant. Here the people would favour the ownership by the government of this little piece of road, if any public assistance is to be given to it. Better give Mackenzie & Mann a large sum for their construction of the road on behalf of the government if it cannot be done without the supervision of them or men like them, and then let the government lease the road on certain conditions or even operate it themselves. The road is so short, and the conditions for operation so simple and so insignificant, that the government ownership and operation of the line would present none of the drawbacks, complications or difficulties found in the Intercolonial and other large railways.

But the general view is that if the government does not decide to build the line, that there should be an exclusive concession for its construction given to any one company, but that it should be left to private enterprise which we feel will not be long in seizing an opportunity which presents extraordinary chances for profitable results.

The estimates made by Mr. Jennings of the probable results of the operation of the road, although extraordinarily favourable as compared with the results of other roads, are regarded here as absurdly low. He estimates the fare as only 5 cents a mile, a rate which is exceeded by some local railways under ordinary conditions. Ten, 15 or even 20 cents a mile (and proportionately high rates of freight) would be accepted without demur. Jennings also only estimates 12,000 passengers for the yearly traffic, both northward and southward. As a matter of fact, that number has already gone northward since the fame of the gold fields went abroad, and yet the rush has not yet fairly begun. Fifty thousand people is certainly not an extravagant estimate, and with higher rates and larger freight tonnage than Jennings has named, you will see what a bonanza the ownership of such a road will be to those who have it.

Believe me, faithfully yours,

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Another gentleman writes from Halifax, on February 17th, as follows :—

DEAR SIR MACKENZIE,—Forgive a short note to say that in this part of Her Britannic Majesty's possessions in North America, a feeling of alarm is beginning to arise, founded on the growing belief that the less worthy half of the present administration is the governing half, that the cabinet is throwing itself into the arms of the railway corporation, and to the Senate we look for the country's safety. More power to your elbow.

I am, faithfully yours,

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The following from Charlottetown, dated 17th February, gives some information as to the character of the contract :

Sir Mackenzie Bowell,
Ottawa.

DEAR SIR,—I take the liberty of writing you a few lines to show the feeling on the Yukon Railway deal and the hopes entertained that the Senate will reject the whole thing or if not that it will make such alterations as to preserve to the Dominion the valuable gold fields so liberally given away by the government. I have paid considerable attention to the discussion in the Houses and in the press, and fail to conceive what possible phase of insanity possesses the government unless in the supposition that whom the gods wish to destroy they first make mad.

My second eldest son has spent eighteeen years in the civil engineering service of India (at present home on furlough), his experience is large in government contracts embracing grants of lands, he has gone carefully over the contract as laid before the House of Commons and he characterizes the whole thing as scandalous and iniquitous, the quantity of lands granted in the first place and their opportunity of selection in the second, and particularly the last section of the contract. You will please excuse my bothering you, hoping the thing will be thrown out by the Senate.

Yours very sincerely,

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Here is a gentleman engaged in engineering who looks on the contract as indefensible. I read these letters to show the feeling of the people who have considered this question, from the Pacific to the Atlantic. I shall now read a letter from a leading Liberal at Rossland. He does not mark it private, and I give it for the benefit of the government. It is dated Rossland, 23rd March, and is as follows :—

SIR MACKENZIE BOWELL,
Senate Chamber,
Ottawa, Can.

DEAR SIR MACKENZIE,—It is now being said that the senators will pass the Stikine River, Teslin Lake Railway deal. As a lifelong Liberal I hope the rumour is incorrect. If there was ever a time when the Senate should assert itself as a deterrent of hasty, improvident or corrupt legislation surely this is the time. You can rest assured that a large minority of Liberals are openly opposed to this looting of western territory and were Sir Wilfrid to test the country on the action of the Senate in giving this infamous bill its quietus he would find himself defeated.

In rejecting the measure it would put the Senate right with the country to suggest a course of action or reasonable cash aid that would without any unnecessary delay give Canada easy access to these wonderful gold fields.

I think it may be safely said that $1,000,000 will build and equip the kind of road proposed to be built by Mackenzie & Mann. If $11,000,000 of gold were taken out of these 4,000,000 acres, the loss in royalty to Canada between the rate charged prospectors and the rate to be charged these contractors would alone pay for it. There should be no monopoly of route, rates or royalty. I hope you and your followers will rise to the occasion and do your duty to your country and posterity, uninfluenced by any person or corporation and reject this disgraceful bill.

Other Liberals and myself have written Mr. Hewitt Bostock, M.P., urging him to oppose the bill but he has supported it ; the majority of his constituents do not approve of his action.

Yours sincerely,

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Hon. Mr. TEMPLEMAN—Did you not say you would give us the name of the Rossland Liberal ?

Hon. Sir MACKENZIE BOWELL—No ; but in this case I will as the letter is not

marked private. It is from Mr. Smith Curtis, barrister and solicitor, notary public, 26½ Columbian Avenue. I do not know the gentleman; perhaps my hon. friend does.

Hon. Mr. TEMPLEMAN—Has the hon. gentleman any objection to giving the author of the letter from Victoria?

Hon. Sir MACKENZIE BOWELL—When I commenced reading those letters I told the hon. gentleman I had no objection to giving the name to the leader of the House, if he desires to know it, as the best evidence of the *bonâ fides* of the letter. I have the original here, and my hon. friend no doubt will recognize the handwriting. I can assure my hon. friend that he was one of the most respected men on the Pacific coast. The hon. Minister of Justice and, as I understood the remarks of the hon. Secretary of State—I did not hear the whole of them—and also the hon. gentleman from Halifax, said that most of the land to be given to these contractors does not contain gold, and that it is to be found only to a limited extent in certain areas, and therefore it matters very little how much we give them. All of us who have ever visited mining regions know that quartz mines lie in veins, and that you might have a thousand acres or ten thousand acres of land and find only one auriferous vein, and yet it would pay to work it. Then, again, the placer mines are generally confined to the beds of streams or rivers; consequently they are in limited number. Now it must strike the ordinary mind that if that be true, the greater the quantity of land the contractors have, the greater will be the opportunity of securing those narrow belts in the mountains or in the placer mining sections, and particularly when we know that by the terms of the contract they can commence a base line at any place they like and thereby secure the mines which may be in any locality. Further, they have the right to follow the windings and sinuosities of the streams so that if there be any placer mining down those creeks, they can, by so arranging their base lines, secure the greater quantity if not the whole mining region within the present known area where gold is found. There is another point to which I call the attention of the House; if the Americans put obstacles in the way of our getting into that country, we would have a right to exercise the same power in keeping them out of a portion of their territory where gold has been discovered very lately. It is necessary for them, in order to reach a portion of Alaska, to pass over Canadian territory, but I do not anticipate anything of that kind, because we are relatively in the same position to each other, and if they put the restriction which has been indicated by some hon. gentlemen on the trade of Canada, we can retaliate by placing the same restrictions upon the food and other supplies passing through our territory into Alaska. Now, I have no fear of the dire predictions of rebellion in that country. If anything would lead to that more than another, it would be the restrictions placed on the miners by giving a monopoly to one company of half the gold area of that country. For the reasons which I have given, I certainly believe that the House will reject this measure, and in saying that, I am equally convinced that if any equitable proposition be brought before the parliament of Canada, and more particularly before the Senate, they would be willing to go a long way towards assisting the government in opening up that country, providing they are not going to ask for the surrender of the whole territory to one monopoly.

Hon. Mr. TEMPLEMAN—I do not rise after the leader of the opposition with a view to replying to what he has said, because it would be presumptuous on the part of a new member, speaking for the first time in this House, to attempt a reply to the long and very argumentative and excellent speech that has just fallen from the leader of the opposition. I would not have spoken on this question, and I had not intended doing so until I listened to the speech of the hon. gentleman from Victoria. I feel strengthened in my resolve to-night in consequence of the closing remarks of the leader of the opposition, in which he tried to explain to this House that the feeling on the Pacific coast, especially in the city of Victoria, was not unanimously in favour of this Telegraph Creek-Teslin Lake Railway. I am quite sure that nothing that I could say at this very late stage of the discussion could add anything to what has already been said, but I do not think I would be representing the people of the Pacific province, from which I hail, if I did not place myself on record as against the views

expressed at all events by those two hon. gentlemen. Now, I may not apprehend what is the duty of a Senate. Possibly we do not represent to the same extent and in the same manner the views of the public as the members in the Lower House do, but it seems to me that it is the duty of the members of this House to expound and to stand up for the opinions and views of their constituents —if I may use that word in connection with the people that we are supposed to represent —they should represent the views of the sections of the community from which they come. Now that is, in my opinion, exactly what the hon. gentleman from Vancouver Island does not do. I do not propose to go over all the ground that has been traversed. I speak as a representative of the province of British Columbia, and it is as such that I express my regret that the duty of moving the six months hoist should have fallen to an hon. gentleman from that province, especially from the city of Victoria. Public opinion in Victoria and Vancouver, and for that matter throughout the entire province is overwhelmingly in favour of this route. I venture to say that, apart from the gentlemen who, unfortunately, I think, for the city of Victoria, represent that city in this and the other branch of the legislature, and with the exception possibly of the fictitious—that is probably not the right word—anonymous writer of the letter to the leader of the opposition, there are not half a dozen prominent men in Victoria or Vancouver who are opposed to the Teslin Lake-Telegraph Creek Railway. I say that, and I challenge the statement of the hon. gentleman to the contrary. Why, hon. gentlemen, when this Klondike boom struck us, what was the position of affairs in the city of Victoria, say about midsummer last? Ninety per cent of the people going into that country were Americans—ninety per cent of the goods going into that country was from the United States. Our merchants were unprepared for the great influx of people, but they bestirred themselves as quickly as they could and made a tremendous fight to secure the trade of that country. Our merchants got together and appointed committees and advertised Victoria as a trading point and made a great fight to capture some portion of the trade. Desperate efforts were put forth by the merchants of Seattle to secure the trade for themselves. Obstacles were put in the way of parties outfitted in Canada at Dyea and Skagway, a charge of $9 a day was made for each customs official accompanying such parties across the alleged United States strip of territory. Now, at that stage of the game, late last fall, when we thought that the entire trade that should have been Canada's was being captured by the United States, what did the people of Victoria do? The Board of Trade and public meetings importuned this government to close the passes at Dyea and Skagway, remove the customs officers and open up the Stikine route. The members of parliament in the Lower House and Sir Hibbert Tupper, telegraphed to Ottawa, demanding that the passes be closed. Telegram after telegram was sent to Ottawa. Every person—the Lieutenant Governor, the Conservative local Premier and every Conservative member of the Board of Trade joined in insisting that the public interest demanded that the Stikine route be adopted as the Canadian route to the Canadian gold fields. I joined with the rest in pressing the advantages of that route upon the attention of the government. There is no person in Canada, outside the government themselves, and there is no constituency in Canada, more responsible for having brought their influence to bear on the government to obtain the Stikine route than the city of Victoria; and it is humiliating to think that the representatives of that city should vote against this measure, one of them going so far as to move the six months hoist in order to attempt to defeat a measure framed in the very best interests of his province.

Hon. Mr. MACDONALD (B.C.)—What was the public opinion of Victoria about the grant of 4,000,000 acres of mining land to this company?

Hon. Mr. TEMPLEMAN—I will try to come to what public opinion is in Victoria, because I have not left that subject. I was saying that the government, influenced by the people of Victoria, and no doubt guided by knowledge derived from other channels, proposed this railway to Teslin Lake. The proposition was well received in British Columbia, and when it became apparent that the policy of obstruction that ruled at Skagway might be transferred to Wrangel, and when this section 13 was passed in the United States Senate, the people of Victoria

called a public meeting to further consider the situation. And what did they say at that meeting? Did they counsel, as the Conservative members of the House of Commons and the Conservative member in this House counsel, the withdrawal of this agreement? Not at all. In my opinion the Conservatives of the city of Victoria were more honourable men, if that is not putting it too strong—and I do not want to say anything wrong—but I was going to say that they are more honourable men, more consistent anyway, than the men they sent down to Ottawa to represent them. At this meeting the mayor presided—and I wish to make that point. My hon. friend asked me what was the public opinion in Victoria as to the land grant. At the public meeting, convened for the purpose of discussing this very question, there were present Messrs. T. Earle, M.P., H. D. Helmcken, M.P.P., the Hon. Robert Beaven, Aldermen Candless, G. A. Kirk, D. R. Ker, R. Seabrook, F. Elworthy and Simon Leiser—all prominent Conservatives and leading citizens. These gentlemen were all present and supported this resolution:

Whereas the discovery of gold in the Canadian Yukon has resulted in an unexpected rush of miners to that country, and will in all probability continue for years to come; and whereas the trade attendant on this influx of population amounts to many million dollars per annum; and whereas it is at present impracticable to reach the gold-bearing region without passing through Alaskan territory; and whereas the United States government's customs and coasting regulations interfere with and harass the trade of our Canadian merchants, which trade reasonably belongs to the Dominion of Canada; and whereas a fair share of the northern trade can be secured to Canada by the opening up of an all-Canadian route, such as a railway from some port in British Columbia to connect with the Stikine-Teslin Railway; and whereas the building of such a line would open up for settlement the northern portion of British Columbia, which contains agricultural, grazing and rich mineral lands sufficient to sustain a very large population, and which would be particularly suitable for the thousands of miners returning from the country further north; and whereas northern trade will be very valuable for all time and will be removed beyond the sphere of foreign competition by the building of the aforesaid railway:

Therefore be it resolved that the Dominion and provincial governments be urged to grant such assistance as may be necessary to secure the construction of a railroad from a British Columbia port to the Stikine River simultaneously with that between the Stikine River and Teslin Lake. Resolved further that a copy of this resolution be telegraphed to the hon. Minister of Railways at Ottawa, and copies mailed to all ministers and to the representatives of British Columbia and a copy be forwarded to the hon. the premier of British Columbia.

Hon. Mr. MACDONALD (B.C.)—Is that all?

Hon. Mr. TEMPLEMAN—That is all.

Hon. Mr. MACDONALD (B.C.)—There is not a word there about the land grant to pay for the road.

Hon. Mr. TEMPLEMAN—They were dealing with the question as a whole. There is nothing about the land grant, because it is a portion of the question they were considering. They knew perfectly well what it is.

Hon. Mr. MACDONALD (B.C.)—There is no objection to the road if you did not give four million acres of land for it.

Hon. Mr. TEMPLEMAN—Everybody knows perfectly well there are three million seven hundred and fifty acres of land to be given for the construction of this road.

Hon. Mr. BOULTON—I would like to ask the hon. gentleman if the provincial government gave a land grant for a railway to cover the same ground?

Hon. Mr. TEMPLEMAN—Yes.

Hon. Mr. BOULTON—Do they not propose to withdraw that land grant, now that the Dominion government is giving Northwest land?

Hon. Mr. TEMPLEMAN — Unfortunately, I am not in the confidence of that government. There was a charter granted Mr. Begg for a railway over this same route a year ago. He got a small land grant—I forget how much.

Hon. Mr. MILLS—He did not build that road.

Hon. Mr. TEMPLEMAN—No.

Hon. Sir MACKENZIE BOWELL—Have not Mackenzie & Mann purchased that charter from Mr. Begg?

Hon. Mr. TEMPLEMAN—I do not know.

Hon. Sir MACKENZIE BOWELL—I think I can say they have.

Hon. Mr. TEMPLEMAN—I have heard it said that Mackenzie & Mann control that charter. I might say that at that meeting the Hon. Robert Beavin was present and moved an amendment disapproving of this agreement, asking the government to withdraw

it and build a road as a government work. The amendment of the Hon. Robert Beavin received three votes, and this resolution which I have read was carried unanimously by the meeting at which all the prominent citizens of Victoria, with the exception possibly of the anonymous letter writer, were peesent.

Hon. Mr. MACDONALD (B.C.)—There is nothing in that.

Hon. Mr. TEMPLEMAN—The facts I have stated go to prove that Victoria, at least, and Vancouver, I believe, are unanimously in favour of the Stikine route—and why should they not be? The Stikine is not a new route, as some hon. gentlemen seem to think. It has been in use ever since the Cassiar days. Boats have been running on the Stikine River every year, I suppose for the last 25 or 30 years, making periodical trips. The steamers running there of recent years have been owned by the Hudson Bay Company, and they would only send their steamers when it was necessary to forward supplies up there. There is no doubt—and the hon. gentleman who moved the six months' hoist knows it perfectly well—that the Stikine River is navigable at least five months in the year, and there is no danger in the navigation of that river. There is no record of any accident to life by steamboat on that river. Certainly, during my residence in Victoria, the Stikine River has been as familiar and as well known to the business men of that city as the upper Ottawa is to the citizens of Ottawa, and the Stikine River is just as valuable in its way to the western coast, to northern British Columbia, relatively speaking at all events, as the Ottawa River is to the people of Ottawa.

Hon. Mr. BOULTON—Can steamboats go all the way to Telegraph Creek?

Hon. Mr. TEMPLEMAN—Certainly.

Hon. Mr. CLEMOW—What is the depth of water?

Hon. Mr. TEMPLEMAN—It varies, of course, but at low water possibly from three to four feet.

Hon. Mr. MACDONALD (B.C.)—Has the hon. gentleman ever seen the Stikine River?

Hon. Mr. TEMPLEMAN—No.

Hon. Mr. POWER—Has the hon. gentleman from Victoria ever seen the Stikine River?

Hon. Mr. MACDONALD (B.C.)—There has been no navigation on it for 20 years until now.

Hon. Mr. TEMPLEMAN—My hon. friend may have seen the Stikine River, but I do not think he has seen it in the last 20 years.

Hon. Mr. MACDONALD—In the Cassiar days it was used.

Hon. Mr. TEMPLEMAN—A man doing business in Victoria does not require to see the Stikine River to know there is such a river. I know, as a fact, that what I have stated is true, that the river is navigated annually by boats owned by the Hudson Bay Company, and it has been so since the Cassiar days. There have not been steamers regularly plying on that river, because there was no travel. The Cassiar mining boom died out ten or fifteen years ago or more, and there have been very few people in Cassiar the last few years, and there has been no regular means of communication for the simple reason that there has been no traffic. The river is there and it is navigable. There is no question about it. I am really astonished that one of the objections urged against the bill is that the Stikine River is not navigable.

Hon. Sir MACKENZIE BOWELL—Not for long periods.

Hon. Mr. TEMPLEMAN—The St. Lawrence is not navigable for a very long period. I have not thought it necessary to provide myself with data, but I do not know that the St. Lawrence is navigable for a great deal longer period than the Stikine River. It cannot be very many months more, at all events, and when hon. gentlemen say that it is a summer route and only navigable five months in the year, they should remember that none of the rivers in these northern latitudes are navigable for a much longer period than five or six months in the year.

Hon. Mr. BOULTON—How is the railroad going to run then?

Hon. Mr. MILLS—It will be frozen up!

Hon. Mr. TEMPLEMAN—The hon. gentleman asked me how the railroad is going to run. I do not think any person has pretended to say that the railway will be of much use in the winter season until it is built down to the coast, which is a part of the policy of the government, and then I am bound to say that if it is built to the coast for the purpose of getting to the Klondike and Dawson City, it cannot be very much used in winter. We all know 600 miles of transportation on the ice on the Yukon River is simply impracticable, but it will be of great use for the upper Yukon. In discussing this question of what is required for the purpose of getting people and goods to Dawson City, an alternative scheme has been seriously proposed, not by the leader of the opposition but by a number of speakers who have preceded him, to build from Pyramid Harbour over the Dalton trail down to Fort Selkirk, and we have been told it is a better commercial route. It would be a commercial route for Dawson City, assuming always that Dyea or Skagway are in Canadian territory and that the city to be built up there would be a Canadian city. There is no question at all that this House and country would approve of the adoption of that route, but I am free to confess that with the terminus on the ocean being in United States territory I would take the present route with the land subsidy in preference to the Dalton trail route without any subsidy at all. If that Yukon country is of any great value, there must be large mining districts far south of Dawson City on the upper waters of the Yukon, and in discussing this railway scheme and its benefit to the country and to that Yukon district, we must consider the enormous benefit it will be to the Upper Yukon, I do not know that I need say anything about other routes. Hon. gentlemen have said that this is not an all-Canadian route. Well there is no all-Canadian route, if this is not one, excepting from Edmonton or Ashcroft. But is there any hon. gentleman in this House who seriously proposes to build a road from Edmonton or from Ashcroft to Dawson City. Why if the government of the day proposed such a wild scheme as that they would not have received the support of one hon. gentleman opposite, and they would not certainly have secured the support of the country. Yet, for a purpose, the leader of the opposition in the Commons, and the leader of the opposition in this House, make all the capital they can out of it, and point to the Edmonton and Ashcroft routes, but they do not seriously mean what they say. There is no question at all—and I think we are all agreed on that point—that for the purpose of developing the great Peace River country some means of communication should be opened up from Edmonton northward, and the same with the Ashcroft and the Cariboo country. There are about 400 miles of excellent roadway in the Cariboo and Ashcroft district. But hon. gentlemen do not seriously contemplate anything of that kind, and I honestly think they do not seriously contemplate the building of a railway from the head of Lynn Canal down to the Yukon. I do not think, if hon. gentlemen opposite were in power, that they would put forward any project or scheme which meant the building up of a city in United States territory living entirely upon the resources of the Canadian Yukon.

Hon. Mr. BOULTON—Does the hon. gentleman propose giving a charter to that route? There is a bill before the House to grant a charter to that route from Pyramid Harbour. Would the hon. gentleman oppose it?

Hon. Mr. TEMPLEMAN—Most unquestionably I would.

Hon. Mr. BOULTON—You would not let anybody build there?

Hon. Mr. TEMPLEMAN—I would not. I was pointing out the enormous benefit of this trade to the city of Victoria. I would just like to mention one or two things. The imports into the city of Victoria during January and February of 1897 were $280,-324. In the same months of 1898 they were $560,561, an increase of 100 per cent. The same large increase is shown in the city of Vancouver. That includes all goods imported into the country. For the purpose of arriving at what might be brought in from eastern Canada over the Canadian Pacific Railway, I wrote Mr. Shaughnessy and received the following telegram:

Tonnage from points in the east to Vancouver during the period February 1st to March 15th, 1898, shows an increase of 140 per cent over the same period in 1897.

Here we have an increase of importations into those two cities in the one case of 100 per cent, and of Canadian goods over the Canadian Pacific Railway 140 per cent. I will assume the importations by other means, the Great Northern and Northern Pacific, would possibly show quite as large an increase. There is no doubt that the cities of British Columbia are deriving an enormous benefit from this increased trade. As the hon. gentleman from Calgary said, on the coast all the iron works and ship yards are busy constructing ships. There has not been—probably the hon. gentleman from Victoria would bear me out in this—such a great business activity on the Pacific coast since the days of the Cariboo boom, and that is before my recollection. It is clearly the duty of representatives from that province, if they can do so conscientiously, to support this bill. Just a word as to the argument of some hon. gentlemen in respect to the monopoly created under the contract. It has been said by the hon. leader of the opposition, and by, I think, the hon. gentleman from Westmoreland (Mr. Wood) and the hon. gentleman from Calgary (Mr. Lougheed) that because the government would not aid any other railway for five years, that it is practically a monopoly of the carrying trade for that district. I disagree with that entirely. I do not think there is any monopoly, and as far as that clause in the contract is concerned, it might just as well be eliminated altogether. It has been stated, I think, by the leader of the opposition, that a charter has been granted by this House for which a subsidy was given for a railway over the White Pass. There is, in addition to this, a charter for a railway granted by this House and also by the provincial government, from Taku Inlet to Teslin Lake, running from Taku to the same lake as this railroad is to touch. That company has been subsidized by the province of British Columbia with 5,120 acres of land per mile. Then there is the charter of the Cassiar Central, to which the hon. leader of the opposition refers, from a point on the Stikine River up to Dease Lake. The provisions of that charter are:

> The company may build and operate a railroad with one or more tracks of a standard or narrow gauge from some point on the Stikine River to some point in the vicinity of Dease Lake Cassiar, and also extensions to the northern and eastern boundaries of the province, and also branch lines to be located by the company from time to time.

Under that charter there is no doubt that the company can run a line to Teslin Lake. But in addition to all that, this railway line is entirely in the province of British Columbia. It is within the right of the legislature of British Columbia to grant a charter to-morrow, paralleling the line to be built by Mackenzie & Mann. They have a perfect right to do it. Mr. Beavin and other politicians out there are aware of the fact that this right exists. While I am speaking about the Cassiar Central; my hon. friend the leader of the opposition referred to the terms granted by the British Columbia legislature to a company known as the Cassiar Central, and only partly explained its provisions, and read an extract from a paper with which I am connected to show, possibly, that in supporting the bill before the House I was inconsistent. The Cassiar Central road was to commence construction within three years of the passing of the Act and has five years to complete the work, and receives 10,240 acres per mile, or 700,000 acres in all, in blocks of four miles square. They had five years to pick out the land, and they have to pay one-half per cent royalty. They obtained a lease for thirty-five years, and every person knows a lease of mineral lands for thirty-five years is practically a sale of the land, as far as the minerals are concerned, because all the minerals will be extracted from the land in far less time than that. Free miners may enter and stake claims, but he did not say that the railway company could immediately step in and take half their claim. The railway company is to have one-half of the claim and the miner the other. In six months the miner may offer his half for sale to the railway company, and they may take it or refuse it, and if they refuse he has two years to sell it. The company and the free miner are practically partners in the operation of the mine. It is quite true the newspaper with which I am connected opposed that proposition. Something was said about the appearance of a United States gentleman named Livernash in Room No. 8, who undertook to lecture hon. senators upon their duty in respect to this bill. I do not know that I should refer to the matter at any length, and I do not intend doing so, but I have reason to believe that this Mr. Livernash is more than a miners' delegate. I believe that he is here in the interests of the Alaska

Commercial Company, that he is the agent of the Alaska Commercial Company, who have every interest in seeing this Teslin Lake scheme defeated. Mr. Livernash made a very excellent speech from his standpoint. He is a fluent speaker and I went there and listened to him and was very much impressed indeed. He has, of course, such knowledge of the country as could be gained by less than three months in Dawson City.

Hon. Mr. BOULTON—Then he is worth listening to?

Hon. Mr. TEMPLEMAN—Yes, I think any good speaker is worth listening to even if I cannot agree with him. I have been advised, on what I believe to be excellent authority, that Mr. Livernash is the agent of the Alaska Company. He is nominally the representative of the miners, or that class of miners who mine in Dawson City. I believe Mr. Livernash is working in the interest of the cities of Seattle and San Francisco, and also the Alaska Commercial Company. I am informed on good authority that he received $18,000 for coming to the city of Ottawa. How much he receives from the Alaska Commercial Company I cannot say.

Hon. Mr. ALMON—Could you tell us something about Mr. Slavin?

Hon. Mr. MACDONALD (B.C.)—Does the hon. gentleman know that his own newspaper, in Victoria, is accused of the very same thing—working in the interests of Seattle and Tacoma?

Hon. Mr. TEMPLEMAN—Who accuses the paper?

Hon. Mr. MACDONALD (B.C.)—Another newspaper.

Hon. Mr. TEMPLEMAN—Accused by a rival newspaper?

Hon. Mr. BOULTON—They accused us of working for the Yankees.

Hon. Sir MACKENZIE BOWELL—That is because we condemn the Stikine route.

Hon. Mr. TEMPLEMAN—Mr. Livernash advocated the improvement of the lower Yukon River. He advocated that a canal should be dug through the sand bar and, if I remember rightly, he advocated that both countries join in improving the lower Yukon River. The hon. gentleman from Halifax (Mr. Almon) has asked me about Slavin. I do not know about him. He has issued a circular. He is a very hard hitter I believe.

Hon. Mr. MACDONALD (B.C.)—That is the best hit you have made to-night.

Hon. Mr. TEMPLEMAN—Slavin may be an American for all I know.

An hon. MEMBER—No, an Australian.

Hon. Mr. TEMPLEMAN—Mr. Slavin did not come down as a miner's delegate, but he declined the position, through modesty shall I say? It was really modesty.

Hon. Mr. PRIMROSE—Was that before or after his conversion?

Hon. Mr. TEMPLEMAN—A gentleman has arrived from Dawson City named Mr. O'Brien.

Hon. Mr. MACDONALD (B.C.)—Is that whisky O'Brien?

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman is making his maiden speech in the House. I think it is exceedingly ungenerous and contrary to order to interrupt him in this way.

Hon. Mr. MACDONALD (B.C.)—He can take care of himself.

Hon. Mr. TEMPLEMAN—The hon. gentleman from Victoria asks if this is whisky O'Brien. Mr. O'Brien I know is a Canadian and a most respectable citizen. He had been in the Klondike country as a miner and trader for 11 years. He is a trader, and whether he has taken whisky into that country or not I do not know; but very respectable traders, such as the Alaska Commercial Company and the other company have taken whisky in there. Possibly Mr. O'Brien has done the same thing. It is not fair, and it is not right for hon. gentlemen to throw a reproach upon respectable men like Mr. O'Brien by asking in that flippant manner if he is "whisky O'Brien." Mr. O'Brien is a most respectable citizen. He has authorized me to present this statement which he made to me as the true state of affairs with respect to the appointment of this man Livernash, and with respect to the views and opinions of the miners on transpor-

tation and railway questions. The statement reads as follows :—

The meeting that appointed Messrs. Livernash, Wills and Landreville was composed of the floating population of Dawson, less than one-half of whom were mine-owners or miners—saloon men, gamblers and dancehouse men being in the majority. At that meeting a committee of ten was selected, who were to choose from their number three delegates to go to Ottawa to present the miners' grievances. That committee of ten chose Livernash, Wills and Landreville. The selection of Livernash was strongly objected to by the representative Canadians, and a movement was set on foot to have his selection cancelled. He was objected to because he was not a citizen, was only a few months in the country, knew nothing about mining and was believed to be in the pay of the Alaska Commercial Copany. Hearing of the dissatisfaction at his appointment Livernash suddenly started on his journey, thus defeating the wish of the Canadian residents to replace him on the committee with a man who had the confidence of the community. The committee, of which Livernash is the head, were supplied with a fund of $18,000 subscribed by the miners. Livernash first appeared in Dawson about the 20th of August and left about 1st December, being therefore a resident of the Klondike for three months. He represented the San Francisco *Examiner* as a correspondent ; he never prospected or mined in the country. He was not authorized to make any representations to the government in respect to roads of any kind. If he has opposed the government policy of building a railway from Telegraph Creek to Teslin Lake, he has acted against the interest of the miners and against the development of the country. The miners of the Klondike district would, in my opinion—and I know them well—approve of the construction of the Stikine road and would not object to the concession of land to the company for the purpose of building that road. The river from the boundary line to St. Michael's is practically under the control of the Alaska Commercial Company, who, owing to their posts being established on the river for many years, their absolute control of the Indian pilots, and the control of the wood along the river, can bid defiance to competition. It is in their interest to kill any other routes, and in opposing the Yukon railway, Mr. Livernash is the agent of the Alaska Commercial Company. It would be worth from half a million to a million dollars to the Alaska Commercial Company, during the year 1898 alone, to retain the transportation business of the Yukon and shut out Canadian competition from the south.

I was staggered at the enormity of the figures, and I asked Mr. O'Brien to go into the calculation. He did so and showed to my satisfaction that he was not exaggerating when he said that if the Alaska Commercial Company, with its six or seven steamers, making two or three trips a year, could monopolize the transportation of all the goods into that company for next summer they would make over $1,000,000 in transportation profits alone for that year, besides having a monopoly of the retail trade of the district. He continues :

In my opinion the government is making a better bargain by giving 3,750,000 acres of land to the contractors than they would be if they gave one million dollars in cash, for I do not believe the company would ever ake a million dollars—over the expense of working the ground—out of any 3,750,000 acres that it could select under the contract. I have been in that country eleven years and have travelled and prospected, with hundreds of others, from its source to its mouth, and many of the tributary streams. A large area has thus been prospected and it has been demonstrated—to the satisfaction of the experienced miner at least—that there are very few rich places and these are now all taken up.

The American companies have a monopoly of the lower Yukon route ; the passes into the upper Yukon are now blocked and will remain so for most of the summer, consequently no Canadian goods will get into the country if the Stikine route is not opened and Vancouver and Victoria merchants, having stocked up very heavily on that line of goods, will be unable to sell and with the wholesalers in the east who are supplying them, will be heavy losers. That is the true situation in the opinion of a Canadian resident of the Yukon and it ought to be seriously considered by parliament before voting to kill the bill now under consideration.

Hon. Mr. LOUGHEED—When, may I ask, did Mr. O'Brien make that statement ?

Hon. Mr. TEMPLEMAN—He made it about the day after he came to the city of Ottawa.

Hon. Mr. LOUGHEED—May I ask my hon. friend how he reconciles the statement he has just read with the statement circulated in this House yesterday, at the instance of Mr. O'Brien presumably (because I find his name annexed to it) in which he states most emphatically that the three gentlemen in question were not authorized by the miners of Dawson to come to Ottawa to represent them as delegates. Whereas in the statement just read he states the contrary, that they were authorized ; and will my hon. friend also explain, as he seems to be familiar with those gentlemen, how it comes that Mr. O'Brien, in this statement, says that they were not authorized to represent the miners while his friend, Mr. Slavin, has circulated in this House a similar circular in which he states that they were authorized. It seems to me these gentiemen should revise their statements before issuing circulars of this description.

Hon. Mr. TEMPLEMAN—I have not seen the statement where Mr. O'Brien sets out what the hon. gentleman has just stated.

Hon. Mr. LOUGHEED—Then I shall read it to my hon. friend :

I was very much surprised to hear that Mr. Livernash and his associates discussed Yukon affairs officially, as they were not authorized by the miners of that country to come here in any capacity.

And if my hon. friend will also look at Mr. Slavin's circular he will find this statement:

> At a subsequent meeting, held in the month of November, Messrs. Wills, Landreville and Livernash were deputed to come to Ottawa and explain to the government the objections the miners had to the royalty and the reduction in the length of claims.

Hon. Mr. TEMPLEMAN—I did not read Mr. Slavin's circular.

Hon. Mr. LOUGHEED—And as to Mr. O'Brien's second statement?

Hon. Mr. TEMPLEMAN—I did not read Mr. O'Brien's second statement. I had previously received from Mr. O'Brien, myself, this statement. I wrote it out at Mr. O'Brien's dictation. I have every reason to believe Mr. O'Brien, as he has presented the facts here; he has stated how these three gentlemen came to be appointed, that Mr. Livernash did not represent the miners, that they represented very largely that class of people who are assembled in the city of Dawson rather than the miners who were working out at the mines.

Hon. Mr. POWER—The hon. gentlemen from Calgary interrupted the hon. gentleman from British Columbia and told that hon. gentleman—

Several Hon. MEMBERS—Order, order.

Hon. Mr. POWER—I rise to discuss the question of order. The hon. gentleman from Calgary interrupted the hon. gentleman from British Columbia and told that hon. gentleman that a statement signed by Mr. O'Brien had said that Mr. Livernash and his associates were not sent here by the miners of the Yukon. Now, will the House be surprised to learn that there is no such assertion in the statement published by Mr. O'Brien? Mr. O'Brien says in the first paragraph of his statement:

> I am very much surprised to hear that Mr. Livernash and his associates discussed Yukon affairs here officially as they were not authorized by the miners of that country to come here in any capacity.

And he says in the next paragraph, you may rest assured that Canadian miners would not send United States newspaper men here to represent them.

Hon. Mr. McCALLUM—Tell us what the point of order is.

Hon. Mr. POWER—The point has been made now.

Hon. Mr. TEMPLEMAN—I am extremely well pleased that my hon. friends opposite have so much solicitude for me. I understood that, having permitted an opponent to interject remarks and he was not called to order, when a friend should come, as it were, to my rescue and make a point in my behalf that hon. gentlemen opposite should shout order, order. I do not think that is quite fair. The point I tried to make was that Mr. Livernash was, in my opinion, working in the interests of the Alaska Commercial Company. Mr. O'Brien is here as a representative of the Pioneer Society, the men who have been in the Klondike for five years and upwards. I do not think that any credence should be given or any weight attached to the arguments of gentlemen such as Mr. Livernash, and when I bring testimony such as Mr. O'Brien has given, I do not think it is reasonable, fair or right that hon. gentlemen should try to discredit Mr. O'Brien's evidence by making unfair and unworthy insinuations as to his calling and his profession. Now I have detained the House long enough. As I said before, I shall not refer to the land grant or the matter of its selection, or the royalty. These subjects have been discussed so fully and so ably that it would be waste of time for me to go over the same ground. I will say frankly, and this may be some consolation to some hon. gentlemen opposite, that I would have preferred the contract if there had been a smaller grant, and I would have preferred it still more if there had been no grant at all, but that is impossible; it would have meant a large cash subsidy which this House would not have voted for. Hon. gentlemen who have spoken against this bill, I have no doubt, would have used even stronger language against the government if they had proposed a money vote to build this railway. As to the question of urgency, the position of the government on this point has not been successfully assailed, and that being so, it follows that the wholesome practice of calling for tenders under normal conditions could not be followed in this case. I have tried to come to a conclusion on the question uninfluenced by party bias. We have all been party men, but if there is any place in this country where party views should have no

effect, where men can be above partisanship, it is within the four walls of this House. I have listened to the arguments for and against the bill and I am convinced that on the whole it is in the interests of Canadian trade that it should be ratified, and that above all it is pre-eminently in the interests of the great province of the Pacific coast from which I come; and it is for these reasons I propose to give my vote against the amendment of the hon. gentleman from Victoria.

Hon. Mr. POIRIER—The question now before the House has been considered under different aspects. Discussions have arisen as to whether we have the constitutianal right to deal with it. We have been told what the result would be with the government if the Senate should reject this bill. We know also, from what we have heard and read, what the consequences will be with the country if we should pass this bill. Now, hon. gentlemen, I propose that we pause a little and see what the consequences may be with the Senate as a body and with us individually, whether we pass this bill or whether we reject it. The warning has been given to the Senate in the other chamber by an hon. minister of the Crown, in the very elaborate speech that he made in seconding the question. You have also read, hon. gentlemen, what the press of the English speaking papers in Ontario and Quebec and other provinces have had to say, but of what the French press thinks of the situation the majority in this Senate is not aware, and my object is to make you acquainted with what the French press think and intend to do with us in case we reject this bill. I shall not quote any English papers; you have read them, and I wish to repeat as little as I can. I shall not either deal with the small fry of the French press; I will take the government organ, an organ that has been bought by the money of the party, if we are to believe the statement made in the other House by the Hon. Mr. Tarte, an organ that has been bought by the sons of Mr. Tarte himself, if we are to believe the sworn statement of Mr. Greenshields. Mr. Greenshields is an honourable man, and so is Mr. Tarte. I will take the version of the hon. gentleman as a declaration made in the other House, is certainly equivalent to an oath, and I will read to you a few extracts from several articles, translating them at the same time for the edification of this House. Here is what this paper says under date of February 24th:—

> On what would the Senate base itself to thus thwart the Laurier government policy? It has received no direct mandate from the people, it represents in no manner of way the sentiment of the masses; it has no public responsibility, its power is nothing but an arbitrary one; its senile caprices are sovereign, and the sixty Tories who were shelved there during the twenty years of a nefarious regime were deposited in that upper chamber as a hospital where they could nurse their impotency and their uselessness.

Then, on the same date:

> The Senate represents nothing, and is nothing.

Again:

> If the senators take upon themselves to annul the Mackenzie and Mann contract let them be prepared to assume the responsibility and the calamities that will result from their action. As to the Laurier government it will have no effect upon it, but to determine it to commence at an earlier date the solving of the problem of the reform of the Senate.

Then, under the date of February the 25th, this paper says:

> The Senate is a hospital of invalids, a body of absolutism, an arbitrary chamber, a body of impotence and invalids. The Tory government selected them generally from broken politicians, from among members who could not show their faces in their own counties and from among party ruins. The people and their direct representatives are at the mercy of the whim, of the tart temper, crossness, and of the contrary, narrow, obtuse spirit of a set of old fakirs. It is a House composed mostly of nullities who are in the enjoyment of unlimited powers.

Then on the 26th February:

> Up to the accession of Sir Wilfrid Laurier to power it was the custom that the government would choose senators from among the lame and dejected politically, from among the wounded of the lists, from among the insignificance, the impotence of the party and the selection was never based upon merit and valour.

Then on the 28th February, there is the following:

> If we turn our glances towards Ottawa we see there composing the high chamber a selection of invalids, of octogenarians, a poor political infirmary where Toryism has, during 18 years, relegated its sick men, its wounded, its cripple seated in a wooden bowl, nay its very beggars.
>
> If the Senate rejects the bill Laurier will have to reform it.

Then on the 1st March the paper bought by Mr. Tarte's sons, although it was of public notoriety that Mr. Tarte or his sons apparently had no money at the time, in whatever pecuniary position they may be

now, I do not know—that paper went on and said :

The Canadian Senate is a chamber of irresponsibles, a cabinet of decadents, a hospital of irremovables, a vulgar senatorial infirmary. It is, in fact, a body too much beneath notice to enjoy public confidence. It was heretical to thus create an immovable legislative body.

Then on the 2nd March it had a long article from which I excerpt the following sentences :

Those people hold a mandate to which not even moral obligations attach. It is a federal infirmary.

And on the 3rd March :

The senators are conspirators.

On the 4th March :

The Senate is a Tory hospital, it is an unbudgeable and irresponsible Senate, destined, as Sir A. A. Dorion predicted it, to become a chamber of courtiers, something in the nature of a black cabinet in the service of the Tories.

The article ends with dire threats against this body. In an article on the 5th March it says :

The Senate has degenerated into a mere conservative machine, a sanitorium for the cripples of Toryism since 1877, into a detestable hospital, where the infirm who still can do something, are entrusted with the business of Tupper & Co.

Meaning the leader of the opposition. On the same day it had another article from which I quote this :

Our Senate is so essentially a hospital that we see therein almost nothing but quivering old ruins, mossy craniums, limbless bodies, old dads who are unable to walk and are wheelbarrowed into their upper chamber in small invalid vehicles.

Have any of you, hon. gentlemen, a Billingsgate dictionary? As I am not familiar with English slang, I am unable to continue quoting from the articles published by the paper controlled by Mr. Tarte, a minister of the Crown, concerning the Senate. This, hon. gentlemen, gives us the view that some members of the government take of the situation and of us. Now, we are aware of the calamities that will befall us if we reject this bill: we know that we will be abolished. But what will become of us if we do not reject the bill? There we are again. I believe that the sentiment of the country, if we do not reject this bill, will in its turn demand our annihilation, so that in in whatever way we go, however we may vote we are destined to abolition. Such being the case, I propose now that we shall ook into the question and, if die we must, let us try to die virtuously as condemned men looking forward to a better future life, or at least dying with dignity. Is this Yukon bill worth our while rejecting in view of the arrangement that has been made between the company and the government? The leader of this House is of opinion that the gold in the Yukon district will not more than pay for the taking of it out of the ground, that when the balance sheet is made up, there will be but little profit for those who go there and develop the mines. On the other hand, the hon. Secretary of State said that not more than one per cent of that land was of any value and that it is doubtful if one-fourth of one per cent could be considered valuable. Therefore, from the ministerial standpoint, the Yukon district is of very little consequence. Let us see now if those statements which have been made to this House are in accord with the facts that we can gather from other sources. On what authority those hon. ministers have based their statements they have not revealed to us, but undoubtedly those assertions could not have been made to mislead us. It has been known throughout this Dominion for a year and more that the Yukon district, especially the Klondike, abounds in wealth. We have had letters from men who have gone out there, written to their friends and published in the press, showing the extraordinary wealth of that country. I have seen persons in Montreal and other places who have returned from that country bringing with them enormous sums of money and stating that the Klondike district possesses extraordinary richness. We have to corroborate those statements, the report of Mr. Ogilvie who says that :

Bonanza Creek and tributaries are increasing in richness and extent until now it is certain that millions will be taken out of the district in the next few years. On some of the claims prospected the pay dirt is of great extent and very rich. One man told me yesterday that he had washed out a single pan of dirt on one of the claims on Bonanza and found $14.25. Of course that may be an exceptionally rich pan, but $5 to $7 per pan is the average on that claim, it is reported, with five feet of pay dirt and the width yet undetermined, but it is known to be thirty feet. Even at that figure the result at nine to ten pans to the cubic foot, and 500 feet long—nearly $4,000,000 at $5 per pan. One-fourth of this would be enormous. Another claim has been prospected to such an extent that it is known there is about five feet pay dirt averaging $2 per pan, and width not less than 30 feet. Enough prospecting has been done to show that there are at least fifteen miles of this extraordinary richness, and the indications are that we will have three or four time that extent, of not all equal to the above, at least very rich.

Again I read that :

Last summer the total yield in the Klondike district was well within $1,500,000.

The winter work for the season 1897-98 will not yield more than $6,000,000. Probably $5,000,000 will prove nearer the output.

Mr. Alexander McDonald, the principal individual mine of the Klondike, and the best authority there on the wealth of that district, estimates that when Eldorado and Bonanza and their tributaries are exhausted rim to rim and summit to base, their aggregate yield will have been about $50,000,000. No estimate of the wealth of other creeks of the Klondike and Indian Divisions could have any value. Too little is known of them to enable estimates to be made.

These are reports of persons who have reason to know, and they are in direct contradiction to the statements of the hon. ministers of the Crown in this House. But if the testimony of our Canadian experts is not sufficient to show the wealth of this country, I will read from the reports of United States experts who take a different view altogether from the hon. leader of the House. Director Walcott, of the United States Geological Survey, says :

The gold resources of Alaska appear to be practically inexhaustible. The miners who are attacking the placers in the Yukon valley are gathering the gold sorted out of the debris washed down from the mountains during many centuries. In that region there is a belt of gold bearing rocks five hundred miles long not touched as yet by pick or blast. Geologists who have examined the deposits are of the opinion that they may surpass the wonderful gold mines of South Africa in productiveness.

I could cite some other United States authorities to show that the prospects are good for extraordinary richness in those regions ; but the *Globe*, in a late issue, has also contradicted the statements made in this House by the hon. leader. Commenting upon the possibilities of gold in the Klondike region, the *Globe* says that it is exceedingly rich, and is likely to prove exceedingly rich. Those are the words of the *Globe*, I believe, that it is possible that the claim given to Mackenzie & Mann is worth $4,000,000 ; that it might be worth $4,000,000,000 ; or be worth $4,000,000,000,000. Now, four millions of dollars is more than the cost of building the road according to the government estimates. By the estimate of Mr. Jennings, it would build nearly double that length of road. $4,000,000,000 is more than the whole amount of gold bullion of Great Britain, and $4,000,000,000,000 is more than the whole amount of gold in circulation in the world. I place these facts before this House, and the hon leaders. If they do not accept the reports of our experts and the reports of the United States geologists surely they will not discredit the *Globe*, which should be an authority with them at least. Such being the possibilities of the case, we are, I am convinced, in duty bound not to take any hurried step in this matter. We are here to protect the country, and see that its wealth is not given away, and although the exact amount of wealth in that country is not exactly proved, there are sufficient probabilities concerning it to warrant us in being very guarded before giving those rich lands away. In what I have read concerning the riches of the Klondike I have only mentioned the placer deposits. I have not mentioned the quartz, and it is the opinion of geologists that the gold has been deposited there by the glaciers, or before the glacial period, and that rich lodes will before long be found in those very regions. As a proof of that, we knew there has been taken from the vicinity of Juneau $12,000,000 from quartz mining, and that quartz mining is developing rapidly, and that the chances are that on that belt of the Cordilleras immense discoveries of gold will be made. Therefore, hon. gentlemen, I repeat we would not be warranted in giving away those riches before we know more about them. When making his very elaborate speech, the hon. member for Westmoreland (Mr. Wood) was asked by the hon. leader of the House, or the hon. Secretary of State, what he thought the Americans would do if we were to adopt the Dyea and Skagway route. That is a question that should have been asked, not of a member of this House, but of the United States government. There was an opportunity, a grand opportunity for us to work hand in hand with our neighbours to the south of us. That road from Dyea to Dawson is shorter by 200 miles than the Mackenzie & Mann route. When miners have to come to the Pacific Ocean they naturally prefer to take the shortest route, and there was a grand opportunity of entering into the arrangement with the United States government and have them come with us, if not to help us to build that branch road, at all events to make some permanent arrangement which would preclude any trouble hereafter, which we are very likely now to meet with. The government were in a position, for example, to promise that United States miners should be on an equal footing with ours; as they are now—we could promise a continuation of that privilege.

It would not have been necessary then, as is now proposed by the Hansbury Bill in Washington, to give as an equivalent our fisheries or any advantage we possess on the Atlantic; but it would have been promising them advantages which we will continue to give them, and which would have been satisfactory to them, no doubt, and on the promise of which we would, likely have been granted permanently bonding privileges through Dyea, Skagway and Lynn Canal. It would have settled this question, which promises to be anything but a pleasant one in the near future. I read in a United States newspaper that at a meeting of capitalists interested in the construction of a railway to the Yukon territory:

W. C. Alberger presented a report based upon recent explorations and from observations made during an exhaustive surveying trip to Alaska and showing that a route up Copper River was not only feasible, but practicable. It was decided to organize a party of surveyors which is to start as soon as weather conditions will permit, probably by May 15. The programme is to start for Orca and proceed up Copper River to its head and thence across to the Yukon to its junction with the American boundary line.

Showing gentlemen, that the United States people are just as interested as we are in the building of a road, and that would have been the proper policy for this government to have approached the United States government on that subject and made arrangements which, I believe, could have then been easily made, and thus save us from the difficulties we are in and in which we will continue to be. I have been looking into this contract, and the more I see of it, the more I am convinced that such a contract should not be ratified. The privileges that are given Mackenzie & Mann are such as will put into the hands of themselves and their friends, practically the whole of the Yukon district, and will also prevent the further development of those mines. Clause 18 reads:

So soon as any ten continuous miles of said railway between Stikine River and Teslin Lake have been completed and in running order, and certified so to be by an officer named by the Minister of Railways in that behalf, the contractors may select ninety-two thousand one hundred and sixty acres, or two blocks of land, hereunder and thereupon such blocks shall be reserved by the government from sale, or location, or free miners' claims, and upon the completion from time to time, in a similar way, of any other ten miles, the contractors shall have a similar right to select ninety-two thousand one hundred and sixty acres, or two blocks, which shall thereupon be similarly reserved, and upon the completion of the said railway, and acceptance thereof by the government as completed, the blocks so reserved shall be granted to the contractors.

What will be the result of this? So soon as ten miles of this railway is built, and it has been said that those ten miles can be built in the month of June, Messrs. Mackenzie & Mann will have the privilege of selecting 92,000 acres of land. They will practically be able to take at once all the available land in the Klondike district. That Klondike district extends now, as it stands, from Dawson south to the Indian River, about 36 miles, from the Yukon easterly about 45 miles, aggregating altogether less than a million acres of land. Five or six creeks have been surveyed to a limited extent—the Klondike, the Bonanza, the Too Much Gold, the All Gold, and the Indian River—and none of these rivers have been explored more than 20 or 30 miles. The government have reserved in those rivers the alternate claims. These alternate claims are now lying there. As soon as Mackenzie & Mann have built ten miles of the railway they can take those alternate claims, which are now kept from the miners and left open for Mackenzie & Mann to take. What will those alternate claims represent? We have the statement of Mr. Ogilvie that in that very district there is in sight, on the claims that have been actually taken, between 50 and 60 millions. That statement is from a competent man. The government have reserved these alternate claims. As soon as these ten miles are built, Mackenzie and Mann will swoop down on the intermediate claims, taking for their benefit what is said by Mr. Ogilvie to be equal to 50 or 60 million dollars. But that is not the worst feature of the case. They are allowed to take one-half of their claims in three years, and the other half of their four millions of acres, in six years. That looks very innocent, but it is misleading. That is the worst feature of the whole clause. The mining in the Yukon and that district, is not like the mining in South Africa, or California, or in Australia. There the miner goes to the location and can see at once if the ground is good, and can register his claim. But not so with us. Our miners have to go there in summer and select their claims. They can only work in winter. It is a slow process. They have to thaw out the ground they select, digging a few inches per day, and it is only after they have toiled at that for six months that they are in a position to take their claim, because they have only the privilege

of taking one claim in one district, and they want to make a sure thing of it. There will be next year, according to the leader of this House, no less than 100,000 miners in the whole district. They will scatter about. What will be the result? Those courageous free miners, who go there for the purpose of making money, they have sold perhaps their household as some of them have, or borrowed the money, or have money given them by friends, go there for the purpose of selecting claims, and doing it intelligently. Say there are a thousand men in the new unexplored districts. There is, as I said before a small piece of the gold region, that has been now explored, 36 by 45 miles; all the rest of the region is unexplored, and we know from geologists that the whole tract is auriferous. There is no doubt of that. Other new locations will be made. Of a thousand miners, one or two or three go a little faster than the others, and find a claim. What will be the result? Mackenzie & Mann are there, watching, through their agents, what is going on in the whole region. All they have to do is to go and lay their posts there. They scoop the whole thing except those two or three claims that have been taken, and the 500 or 1,000 miners that are there, who have dug down 15 or 20 feet, but are not ready to register, and have not registered actually, will lose the benefit of the toil, and all the advantage enures to Mackenzie & Mann. Now just imagine, hon. gentlemen, what a howl, what a cry will rise to Heaven when these men find out that they are to be despoiled of the fruits of their labour and toil, and all for the benefit of Messrs. Mackenzie & Mann, who have already in the Yukon district, according to Mr. Ogilvie's testimony, in sight, ready to be taken up so soon as the first ten miles of that railroad are built, fifty or sixty millions, who are given a bonus by the British Columbia government, who have land subsidies and the whole quartz mining and the wood of those regions, in fact who have all the mines of that district, because you will agree with me that 4,000,000 acres which they have six years to select, will give them the choicest of the mineral lands. Every miner that goes to work there will be a prospector for Mackenzie & Mann, and these will be hovering like a bird of prey over them, watching until a rich location is struck and then they will come down and take the whole of it, the Government reserving the alternate claims. Who will go from the eastern provinces under those conditions and risk their lives, spend their money and undermine their health, looking for mines for the benefit of Mackenzie & Mann and their associates. It will paralyze that bountiful district, which is perhaps in one way the richest in God's creation? In that Arctic climate, the work will be slow, while in Australia, in the Transvaal and in California, the work can go on speedily. In the Yukon it will be slow work, because all the ground, as you know, is frozen, is as hard as rock. Propositions have been made and will be likely to be carried out, to deal with that frozen ground as quartz is dealt with now; instead of washing them, ultimately to crush them. The result will be that if one-tenth of the riches that are supposed to exist there do actually exist, the exploiting will last for years and years, and if, as the hon. gentleman said here, there is no profit in the extraction of gold itself, there is profit for Canada in supplying those people that will be there to the number of one or two hundred thousand a year working continually. The riches will come to Canada in the way of supplies if the road is built for us and not for the people of the United States. But if the road is not properly located, we will have but a small share of the trade of that region. Do you know what a Seattle paper said the other day? Seattle will make $25,000,000 this year in the supplying of goods and provisions and so forth. And why not? That road that we are building, hon. gentlemen, be it on Canada or United States territory, will benefit especially the people of the United States, because to compete with them we have to take our goods to Victoria and when there, we are just in the same position that they are. We have all the cost and difficulties of transportation against us from here to Victoria. There is a necessity for building some road now—no doubt about it; but there is also a necessity for us not to build a permanent road to the Pacific. The road that Canada wants, the road that will benefit the whole of this Dominion, is one on this side of the Rockies, from Edmonton. That line would traverse rich agricultural lands, and lands rich in minerals also. For about 1,000 miles it would be on a pretty level ground and could be made cheaply to the head waters of the rivers flowing

west about 300 miles to the Klondike. By this bill, hon. gentlemen, you practically give all the Klondike to Mackenzie & Mann. You give them the privilege of selecting the gold claims from the Mackenzie River, and the Great Slave Lakes, up to the Pacific coast, in a district almost as large as Europe, and they have six years to wait, as I said before. You are giving away practically all your mining riches to a company for building 150 miles of a link of a railway, which will only be serviceable for five months in the year, which will be utterly useless in winter, because those miners desiring to go to the Pacific when navigation is closed will naturally take the shortest route, by Dyea and Skagway, which is shorter by 200 miles than the route now proposed, and shorter by 400 miles than the route, when it is completed, to Observatory Harbour. People will take the shortest route, and this road will be absolutely useless in winter, it is a repetition of the old water stretches, making it now ice stretches. The road that Canada should build—and I hope it will utimately be built—and the only railway to the Klondike, will be the road on this side of the mountains, and then, as I said before, we will have the commerce, and we will have the supplying of the mining camps. But what shall we build a road with? If we, to-day, give this land to Mackenzie & Mann for building 150 miles of railway, the road is not built—and it will not be what shall we have to build the whole road when it is necessary to build it? Because it will become necessary to build it. That country is likely to develop to such an extent that it will be of vital interest to Canada to have the road that I mention built. What shall we build the road with, if the golden grounds are now given away? What will we have to build even the prolongation of that road from Telegraph Creek to Pyramid Harbour, which is about 200 miles, and which Mackenzie & Mann have the exclusive privilege of building, and which Mr. Laurier said would be built if the United States people put no obstacle in our way? The treasury? If the mining grounds are given away, we will have to put our hands in our pockets, and build the extension to Observatory Inlet by government grant. And when we build that road by Edmonton, which we will ultimately do—a road over 1,000 miles in length—we will not have any golden district left to pay for the road. That sort of administration is not what we expect from this or any other government. We are giving away the land to Mackenzie & Mann. The next step will be that we will have to build the road for Mackenzie & Mann to Observatory Inlet. And when we build this Edmonton road, it will also be for them, because they will be the owners of the land. But that is not all. Those miners who are there and whose rights will be taken from them, will likely rise in rebellion, and we will have to send out our troops to quell the rebellion—a just rebellion I say in my place here to-night. And for whom shall we have to send our troops and soldiers? For Mackenzie & Mann. The power we are giving these men will make them potentates who will compare in power with the Czar of Russia. No, that cannot be done. If this honourable House is doomed to go one way or the other, we had ratherbe abolished after having performed what is clearly a duty to the country. I think the Senate will reject this iniquitous bill and will retain for the country the richest tract of gold-bearing land that the Creator has made, and which is being bartered away for a mess of pottage—for hash. If the Senate pass this bill, I for one, acknowledge that we should be abolished; if the Senate pass this bill and the question comes up at the next election for the abolition of the Senate I shall vote for abolition of this body, because I will deem that our usefulness is gone. If we are not sufficiently conscientious to perform what the country expect from us, it is better indeed that we should be abolished and that nothing more should be said of us. I, for one, hon. gentlemen, will cast my vote, and that, as a matter of strict duty, in favour of the six months' hoist, to this iniquitous contract that has been palmed on the government. Some members of the government, I am sure, at least I was told so, will be glad if this bill is rejected—will be glad for several reasons: first for a reason of honesty; second, if this bill should pass here it would sound the knell of this administration at the next election. This, hon. gentlemen shows that whatever has been said of us here, that we are not prompted by a spirit of partizanship; because if we meant to be partizan, the thing we would do would be to let this bill pass, and the result on the country at large would be such that all the gold that may be derived by some individuals

from that contract thrown in the balance of election would not counter-balance the indignation in the country against the government. Do you know, hon. gentlemen, what was told me by an engineer of the old country? Said he to me, "You have that ten per cent royalty; it may be excessive, but if the gold is there which is supposed to exist, keep on that ten per cent of royalty, and in twenty years you can wipe off your national debt." Here we are giving it away for nothing and entailing on the country the building of future railways, as I said before, for those gentlemen and preparing for us there trouble, which will necessarily come if those United States and Canadian miners are despoiled of their just anticipations and rights. I feel very strongly on this question, and if this is to be our last vote or our last session of parliament, I want, before recording my vote, to give you my honest reasons why I shall vote for the amendment.

Hon. Mr. CLEMOW—I do not know whether it is the intention of the House that this debate should be continued longer to-night. I am willing to move that it be adjourned.

Hon. Mr. MILLS—We cannot finish to-night. It would be six o'clock in the morning before we would get through if we went on.

Hon. Mr. CLEMOW—I am willing to proceed or I am willing to give way again to-night, but I wish to understand if it is to be closed.

Hon. Mr. ALMON—I should be willing to leave it to the leader of the House, if he will agree to finish to-morrow.

Hon. Mr. McCALLUM—It is getting a little late I know, but if we do not get one more speaker off the list, we will not reach a decision this week.

Several hon. MEMBERS—Go on! go on!

Hon. Mr. CLEMOW—It seems the desire of the House that I should continue the debate. I have listened very carefully to the discussions which have taken place on this all-important matter. It is a matter which is looked upon by the whole country as of unprecedented importance to the future interests of the country, and, therefore, it behooves every man to come forward, and state his opinion carefully, frankly and independently. I am strenuously opposed to the giving away of our lands, unless for a fair and valuable consideration. I do not think that care has been exercised in making this contract. The question has not been well considered by the party whose duty it was to negotiate the contract on behalf of the government, and I believe they have come to a decision that will be very unsatisfactory, and disastrous to the interests of the country. We are giving away some three, four or five million acres of land. For what? For the purpose of having a tramway of 150 miles constructed, which, I believe, at the most will cost $5,000 a mile. That is the only consideration which you receive in return for this large area of valuable land. I suppose it is the most valuable property in the known world. No man can lay hands upon a particular spot and say there is gold here, but the consensus of opinion throughout the known world is that this land will be most valuable in the future, and that of course is what we desire to look to. Hon. gentlemen say the contract is not going to cost the country one solitary dollar. How can they come to that conclusion. They must value the land as nil, Is that a fair computation to make of valuable property, or is it the computation that a prudent business man would make of an asset? I appeal now to hon. gentlemen of long experience and well acquainted with business and financial operations, and ask them whether they would come to a conclusion and vote upon a question of this importance with the meagre information which has been communicated to us by the government? I think not. I should like to see the manager of a large institution making a proposition to carry out an enterprise with as small an amount of information as has been afforded us. That man's position would not be worth much. The government have acted in a very extraordinary manner. They tell you that urgency is needed, and urgency is the only plea In justification of this great outlay of money. I do not concur in that opinion. I believe that delay would have been far better than hurrying through this gigantic bill. What has been the effect of that? It has induced a great many of our young men to leave their positions and their homes and proceed to the Klondike in quest of gold. We know from past experience that it is very alluring. Young

men we know are easily led away. At the time of the great excitement in California, very many men, chiefly of an undesirable class, left their homes in that country, but fortunately for us we have not that class of settlers here which they had in the United States at that time. Instead of our promising young men remaining at home to cultivate our farms and attend to our business, they have been lured away by the government prospectus, whether rightly or wrongly to seek a future home the Klondike. They have issued a false prospectus and we know the effect of these prospectuses. The country at this time is smarting from the consequences resulting from false prospectuses in the case of the Grand Trunk Railway Company, and I have no doubt the same effect will be felt in the future, and the government have taken a great responsibility in their hands in trying to induce our men to leave this country for the purpose of going to a lone land, and depriving themselves of the comforts of home, until they are perfectly assured and satisfied that they are doing a good service to them and to the country. We are told that this is a great unknown region; that nobody knows anything at all about it; but I tell you, hon. gentlemen, there are men associated with this undertaking who know everything about it. I do not insult their intelligence by saying that they are going into this thing blind, that they are going into the transaction as gamblers. Their financial position and commercial experience and standing would not permit them to make such a proposition, and I would not have it understood for any purpose that they are actuated by any such motive. Therefore I do think they do know, and have known, and it has been considered by them for a great many months. Probably for years they have had their eyes upon that Yukon country, and at the right time they struck the right chord and succeeded in obtaining a contract above all others, and of the greatest extent that has ever been given by any administration or any country. The late government have been credited with taking very bold measures, and that is true to a certain extent; but this overtops all that has occurred in the past and stands pre-eminently above any act that ever was perpetrated or conceived by former governments. I am not going to say that there was any wrong doing in this matter; I do not accuse any man of doing wrong, but I do accuse the government of not supplying sufficient information to enable us consider the matter in a proper light before entering into this contract with Mackenzie & Mann. I firmly believe that if those three, or four, or five million acres of land had been offered on the English market, that land in place of realizing two dollars per acre would realize twenty dollars an acre, and I believe there would be very little difficulty in floating the whole of that stock in the English market in a very short space of time. We know that in the last few months large developing companies have been organized in England with capital up to $10,000,000. Their stock has all been subscribed; the people in England are so desirous of obtaining the privileges and getting the Klondike country that I believe all this land would be taken up and paid for and this country would derive the benefit of it. But all this profit is to go into the pockets and the hands of the contractors, and Canada will be left in the cold and will not realize one doller from it. Now is that a fair and honourable position to put this country it? I think not. The true plan would be to do what was done in the case of the Canadian Pacific Railway. The government of that day invited tenders from one end of the civilized world to the other. They sent men to examine and explore the country and as soon as that was done, they were in a position to let the contract; and they knew what they were doing. Now in this case we do not know anything about the country. When this question first came up, nobody knew anything about the contract, or about the country, or about the future prospects of this district. All was in a state of chaos and confusion. I do not know that the position is very much improved at the present time, although it has engaged the attention for a long time of members of parliament in both Houses and of the country generally. During all the weeks of discussion on this bill, I have not heard one man express himself in favour of having this arrangement carried out in its present shape. If it had been carried out in a proper manner, with proper advertising that such a contract would be given out, and the best tender had been accepted, there could have been no word of complaint about it. I do not object to the contsruction of a railway provided that railway is situated in the proper place, and provided we do not pay too much for it. I presume some means of

communication is needed for that country. That is self-evident. I have not heard one man object to the principle that a railway is necessary, but what people object to is the manner in which this contract has been given out, under suspicious circumstances. My hon. friend the Minister of Justice may think differently, but I have not heard one word against the propriety of the construction of a railway from anybody. I believe to-day, if you polled the entire Dominion of Canada the people would say, "yes, go on with the railway, give all the facilities necessary, but be careful that you select the best route, and obtain the best terms for the construction of that road." We have heard a great deal from hon. gentlemen who have addressed this Senate upon various subjects and topics. We have had the constitutional question argued very ably by my hon. friend the Minister of Justice. He gave us an eloquent and learned address, as, of course all his addresses are. But there was something at the bottom of it, which I could not understand. I almost thought he wished it to be inferred that the Senate, as a Senate, had no right to interfere with the decisions of the Commons upon this matter, because a majority of the lower house had assented to the contract, and to the giving away of the lands. He did not say that in so many words, but his remarks led me to the belief that they were intended for weak-minded men like myself, to have a certain effect on our votes on this question. That was supplemented last night by the hon. gentleman from DeLorimier, and, for greater effect, he also came forward with pretty nearly the same argument. If that contention is true, we are not in a position to give a vote on this question. If we are responsible for the vote that we are to give, then we ought to be equally entitled to give our votes freely, frankly and independently. When I was appointed as a senator of this Dominion, I took upon myself as I thought a serious responsibility, and I was obliged to accede to certain terms and conditions on my appointment. I was obliged to meet Parliament whenever and wheresoever it was convened, and I assumed other obligations. But if I am absolved by the principle laid down by my two learned friends, and if so, I must withdraw from the obligations I assumed upon taking the position of senator. But I do not think that was the intention. If we are not responsible for our actions, we should not be called upon to cast our votes one way or the other. Of course, we all know that these lawyers give their opinions in such a way that it is very hard for laymen to controvert them. But I take a common sense view of it, and I say that the senators as free men ought to enjoy the same rights and privileges as members of the House of Commons, with the perfect right of private judgment.

Hon. Mr. MILLER—So they do.

Hon. Mr. CLEMOW—They have no right to say we are influenced by partisan or other improper motives, whilst they claim that they themselves are perfectly free from any imputations of that kind. I do not insinuate that these men have been guilty of any partisan acts, as far as they are concerned. They have their consciences to tell them whether they are doing right or wrong, and I have no right to inquire into it. When I concede that, I think they ought also to allow me the same right to decide every matter that comes before me as a free man. I claim a perfect right of free action in every matter that may come before me as a senator of this Dominion. If I am not in that position I have no right to be here, and I have no right to say that the measures introduced are either right or wrong. I am above all a true, loyal Canadian, and I want to see this country prosper and continue prosperous. I have no sympathy with those men who think that nothing shines except beyond the line to the south of us. We were told at the outset that this line was an all-Canadian route. That remained upon the tapis for a considerable time until one fine morning they found that the people of the United States took a different view of it. Our neighbours said: "You are interfering with our rights and prerogatives; thus far shalt thou go and no farther." That is the kind of treatment we have always received from our United States friends. They interpose their authority in every matter that concerns the British people. Only a short time ago they would not allow our ladies to cross the border with sealskin coats. They would not allow one of our servant girls or nurses to go into their country, and they put the alien labour law into force. But we are told here that we must not say a word to them at all. The policy pursued by our neighbours

is for the purpose of trying to alienate the people of this country from their allegiance to the mother land, with the idea that we will eventually join the republic. They have tried that on several occasions. You all remember the abrogation of the treaty of reciprocity. They thought at the time that it would so injure the people of this country that we would immediately fall into the arms of the American republic. They were disappointed; they have tried such games since, and I have no doubt they will try them again. But there is no possibility of the people of this country being seduced from allegiance to their Queen and their country. There has been a great deal said about the Yukon mining regulations. It does appear to me most extraordinary that mining regulations of this character should have been framed in the way they are. I am not a miner and know very little about such matters; but I know the principles upon which business is generally transacted; and I cannot understand, for the life of me, why a miner going into that country and enduring all the hardship incident to a miner's life, should be subjected to a large royalty when those millionaires are let off with merely a duty of one per cent. That is contrary of all principles of business; it is against the fundamental rights of human nature; and I am sure, if the Government had taken the matter seriously into consideration, they would have come to the sensible conclusion that there should be a sliding scale. Say a man going into that country did earn thirty or forty thousand, he ought to be let off pretty easily, I think he ought to go scot free. When a man makes a large amount of money, the country has a right to benefit considerably from the proceeds of his find. That is sound common sense. I do not know that the government is actually doing that. I presume the subject was not well considered; the government had not the time to consider it. We know they had a great deal to do. They were travelling through Great Britain, enjoying themselves, and they must have heard a great deal of the Klondike during that period. It was universally spoken of in England, and everybody knew there would be a rush to that country this year. Did they make any provision to meet such a cantingency? Did they do anything? It is true they had an interview with Mr. Kersey in the month of December, but nothing came of it. It was only a few days before parliament met that the idea struck them that they could make this bargain with Mann & Mackenzie, and have the work prosecuted by these two gentlemen. I have not one word to say about the ability of these gentlemen to perform the work satisfactorily and properly — more satisfactorily to themselves, possibly, than to the country. However, they did make this contract, but is it possible that there are only two men in this world who are capable of undertaking and performing this work to the satisfaction of the government, putting up the necessary deposit, and doing every thing that is required? I believe that if it was known that the proposal for a contract was in the market, instead of one firm we would have had hundreds perfectly able and willing to carry out this work as well as Mackenzie & Mann. I do not say one word against their ability. I believe they are perfectly capable. At the same time, there are other capable men, and I believe in giving every man a fair chance. They have built many roads in this country and have obtained large amounts from the revenue of this country. I am opposed, and always was opposed, to giving out contracts in this way. Every contract of a public character should be given out by public tender. In Ontario, last year, the great cry against the Hardy government was that they did not comply with that regulation. When these gentlemen were in opposition they berated the Conservative government pretty well if they gave a small contract of $100 without complying with that regulation, and advertising for tenders. If it was necessary then, it is necessary now. That was one of the principle items in the programme of the Liberal party, while they were in opposition. But as soon as they get into power, they change their whole tactics. The fact is that they have taken everything from the Conservatives that is good, robbed them of their clothes, and have assumed every responsibility, and have done every act that they used to condemn so vigorously when they were in opposition. I could not help being very much amused the other day at the meek and quiet way in which my hon. friends the Secretary of State and the hon. member for Halifax discussed this matter. I think I would hear them multi-

plying adjectives in such number that the English language would hardly be sufficient to supply them if this bill had been introduced under the Conservative regime. We have had them here for many years and know what they have done, and I defy any man in this House to show me one solitary instance where these two hon. gentlemen joined in supporting the government in any measure, whether it was right or wrong, during the time they were in opposition. Still they say to us now, "You must not interfere with this measure, because the Lower House have expressed their approval by a very large vote." If the opposition were wrong then, certainly they must be right now, because they take a different course. They say now, as long as the Lower House assents to it we are obliged to do it, and therefore we may as well do it with a good grace. But under their former principles they would fight it to the death. It would be difficult to imagine the language those hon. gentlemen would use in denunciation of the Conservative party and anything proposed by them. They have turned round, changed their course and are as meek as doves.

Hon. Mr. MILLS—Well, you change yourself.

Hon Mr. CLEMOW—I will not change myself. You could not change me. I am a Conservative from the word "go" to the present time, and will be till I die.

Hon. Mr. MILLS—You are in opposition.

Hon. Mr. CLEMOW—I do not care about that. It makes no difference to me whether a Conservative or a Liberal government are in power, as long as they discharge their duty for the benefit of the country. But I do not like to hear such epithets as were applied to hon. gentlemen by the hon. Secretary of State, when he accused us of forming an opinion on this matter before we heard the evidence. He ought to have known better. He was a Conservative one time and he ought to have known that the Conservative party consisted of hon. gentlemen who would not act in that unbecoming manner; and I think it was out of place to try and inflict such an act of injustice on the Conservative party in this country. I do not wish to occupy your time; I know that you are tired of this debate. You know all the circumstances, and you know whether, as honest business men, you can record your votes in favour of carrying out a proposition which I think is most disastrous to the future interests of the country. I do not go round and ask men whether they will do this or that. I merely ask you to vote according to what you conscientiously believe is for the advantage of our country. I see a great many scraps in the newspapers abusing and vilifying the Senate. I do not care what they say about me, as long as I am satisfied I am right and feel in my conscience that I am doing what I ought to do. They say they are going to bribe us. I do not think enough money has been coined in this country yet to bribe one man in this Senate, and it would require very strong evidence to make me believe any such thing. I do not think it is right for the Liberal party to continue heaping abuse upon a body of men who do not want to injure them, but who merely want to do their duty, and who will take the responsibility for their acts upon themselves and allow the gentlemen in the other House to bear the responsibility which falls upon them. Whatever may be the verdict in this case, I know and believe firmly that if the Conservative party desired to make political capital out of this matter which is now engaging the attention of the country, they would have allowed this bill to pass. But would we be doing our duty to ourselves and to our country to try and get the advantage at the next election? No; and therefore we have taken an independent course and I think it is the course that will be endorsed by the electorate of the country. If the bill is lost let them go to the country upon that deal, and if the country sustain them, of course the Senate will pass the bill, although in England one appeal has not been always sufficient. But let them go to the people, and they ought to have confidence in this country, because it is not very long since they succeeded in getting a majority. Whether they have a majority of the people in their favour yet I do not know, but depend upon it, a day of reckoning will come. I have heard a great deal about the value of that country, and among several scraps I have there is one here from England which is, I believe, the production of Mr. Ogilvie:

At Mr. Woodruff's lecture on the "Klondike Gold Fields," at Point St. Charles, on Friday, March 25, Mr. Woodruff quoted Mr. Ogilvie's words thus: Now,

for my part, I think it is our duty as Canadians, to sink all political differences—to let the fire of patriotism consume all feelings that would tend to retard the acquisition of this most desirable line as an all-Canadian route to the Yukon, (applause), so that we may enjoy as far as possible the benefits that region will bring, if we use our rights wisely and well. In conclusion, let me say that we have in that far north land, a vast region, comprising some 90,000 to 100,000 square miles of untold possibilities, which with proper care, judicious handling, and better facilities for the transportation of food and utensils, will be the largest as it is the richest gold field the world has ever known. Rich deposits we know exist in it, and for aught we know, many more equally rich will yet be found. We know that there is sufficient to supply a population of a hundred thousand people, and I look forward to seeing that number of people in that country within the next ten years. It is a vast inheritance. Let us use it as becomes Canadians, intelligently, liberally, and in the best way to advance our country, Canada. Let us use it as becomes the offspring of the 'Mother of Nations,' (great applause).

Mr. Woodruff will leave for Quebec this evening.

I think if this matter had gone through some time ago we would have had other opinions from England of a similar character. Possibly, I do not know, I may be doing the gentleman an injustice for saying that he might have been the prime mover in booming the scheme in the English market for the benefit of Mackenzie and Mann. I do not blame Mackenzie and Mann for making the best bargain they can; that is human nature. Unfortunately others did not get the chance, therefore as public men we are called upon to decide this question one way or another—we ought to look into all these circumstances and matters and decide accordingly. My mind is made up, as you may imagine, to vote for the six months' hoist, and I think by taking that course I am doing a substantial good to the country. I ask the hon. gentlemen upon the Treasury benches if, with the experience of to-day, they would undertake the same kind of an arrangement that they made six weeks ago? Would they do it to-day? Is their opinion changed to-day, that they can get other men to do this work? Don't they know now from experience that they could get men to undertake this work for a mere trifle? I believe there are hundreds of men in England who would have built that tramway for the advantage of working the railway for ten years. I may be right or wrong? I merely say, give them a chance. Let them know that such a project is at their disposal and then we can see the result. As this question is one of such vast importance, I thought I was doing my duty to myself and the people whom I am supposed to represent, in placing my views before the House. I am in a position to say that the great majority of the constituents whom I have the honour to represent are certainly in accord with the opinions I have expressed. I have met men from all parts of the country, and they have unanimously expressed the opinion that this contract was one that should not receive the assent of parliament. The future will decide if I am right. If the Senate are right in rejecting this measure, they will have the glorious satisfaction of showing to the people of this country that they have been the means of saving them hundreds of millions of dollars. Hon. gentlemen will remember the attitude we assumed in reference to the Drummond County Railway bill. Our action in that matter has had the effect of reducing the grant which would otherwise have been paid for that work. According to the report sent to me, I find that the price of that road has been lessened to the extent of $600,000. I hope in this case our action will have a similar effect, and that we will have the proud satisfaction of knowing, in future days, that the Senate has performed a noble duty, for which we will receive the thanks of the community at large. We will feel satisfied that we have been the means of preventing a gross injustice. I do not say that it is an intentional injustice, and I do not impute corrupt or improper motives, but a man is just as guilty, if he does a thing rashly and without due consideration, as he is if he acts from improper motives. I believe the argument against this measure is stronger without any such imputations. By rejecting this measure, we will show the country that the Senate is not as useless a body as some people suppose, but really is the watch dog for the Dominion. We have been told that we are a lot of old women, and that we exercise no influence in the country. It was suggested that if some young men were introduced into the Senate, it would have the effect of reforming this body to a certain extent. I am glad that they are coming here to replace us, because we cannot live much longer, and we want the young generation to take our places, and the sooner we make way for them the better. Let the young men take advice from the old men as long as they live, and after they die, the young men can do for themselves. With a country as prosperous as Canada is, and so likely to continue prosperous, I see a great future in store for us. But we cannot afford

to lose anything that may be of advantage and material benefit to the country. We have been in the past rather too careless as to our natural resources. I refer very largely to the article of timber. We had too much; we did not appreciate it, and gave away a great deal without receiving compensation for it. If we had, at the present time, the timber which has been destroyed by fire, and in other ways, we would have sufficient capital to pay our national debt. I hope we will not take the same course with respect to our minerals that we took in regard to our timber. Let us take care of our mineral lands and endeavour to make them more valuable, and realize the last cent that can be obtained from them.

Hon. Mr. PRIMROSE moved that the debate be adjourned, and that it be the first Order of the Day to-morrow.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 30th March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (I) "An Act to incorporate the Klondike and Peace River Railway Company."—(Hon. Mr. Lougheed.)

Bill (J) "An Act to incorporate the Lake Superior and Rocky Mountains Navigation Company."—(Hon. Mr. Clemow.)

CORRESPONDENCE WITH PRINCE EDWARD ISLAND.

MOTION POSTPONED.

Hon. Mr. MACDONALD (P.E.I.) rose to move:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all correspondence and memorials from the members of the provincial government of Prince Edward Island who composed the recent delegation from that province; and will inquire what action the Federal government has taken in response to such applications?

Hon. Mr. MILLS—I hope my hon. friend will let that motion stand. There is a memorandum of the claims of Prince Edward Island with the government, but the government have not dealt with it or considered it yet, and it is unusual to bring down an uncompleted correspondence, or a correspondence relating to a matter which has not been finally disposed of, and I hope my hon. friend will not press his motion to-day.

The motion was allowed to stand.

CANADIAN YUKON RAILWAY COMPANY'S BILL.

THE DEBATE CONTINUED.

The Order of the Day being called,—

Resuming the further adjourned debate on the second reading (Bill 6) "An Act to confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company;" and the motion in amendment of the Hon. Mr. Macdonald (B.C.), that the said bill be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. PRIMROSE said: We have heard a great deal about the vexed question before the House. We have heard none too much. A great deal of time has been expended in investigating this matter both in the lower House and in this House. That time has not been needlessly or uselessly expended, because if there ever was a measure that demanded the strictest scrutiny and investigation before any parliament in the world, this is the measure. We have had many excellent speeches in both Houses of parliament, in this House, notably the eloquent, able, exhaustive, statesmanlike speech of my hon. friend the member for Richmond (Mr. Miller), after the delivery of which I felt like saying on behalf of those who should succeed him in the debate, as was said once of old, "What shall the man do that cometh after the king." I shall take the liberty of comparing the treatment which has been accorded to this measure in both Houses with the treatment accorded to a patient placed under the operation of the keen Roentgen rays. Light has been let into the internal economy of this matter. Its internal economy has been pretty fairly exposed, and many dark spots have been located; but I fear me there are some

dark recesses into which no Roentgen rays and no light will ever find access. In the few remarks—I say few because that is my intention, although I may not be able to carry out the intention—in the remarks I propose to offer to the House I shall direct attention only to a few of the more objectionable points, to my mind, embraced in this measure. And it does appear to me that these points are about as numerous and as thickly set as are the "quills upon the fretful porcupine," and, judging from their demeanour, it strikes me that the sponsors in this House of this precious bantling of the Minister of the Interior experienced just about as much pleasure in the handling of it as they would in handling that rather objectionable and refractory animal to which I have alluded. In either case it strikes me that the sensations of pleasure would be about as much as could be expected under the circumstances. Now, one of the things to which I object in this measure is this: It has often been spoken of, but it cannot be too much emphasized—it is the secrecy of the matter. I say it is a bird of evil omen. Its incubation was in secret, and the circumstances surrounding that initial process of its life were ominous of evil. It was hatched in secret, even in its pin-feather stage it was a bird of evil omen, and now that it has attained full plumage, it is a bird of evil omen still, and malodorous as ever. Why was this not open to public tender? It is a false assertion to say that the hon. Minister of the Interior was not perfectly cognizant of the fact that there were many people who would have been very willing to have tendered for this work, and it is useless to say that the offer that was subsequently made by Hamilton Smith, was rendered nugatory, or that the man was not sincere, inasmuch as the offer was made after the contract was let. I say that goes without saying. Who can tell what offer might have been received if this had been open to public tender. Mr. Smith was a man of large experience; he was a man of wealth; he represented capital in abundance; he himself had been on that ground and had large parties of men prospecting, and he knew just exactly what he was doing and what he was saying when, in that subsequent offer—which if we may call it an offer—he gave the Minister of the Interior to understand that for one-quarter of that enormous grant of gold-bearing lands of Canada he was willing to have undertaken the contract, and that without the monopoly clause. Then, again, the contract was concluded within eight days of the meeting of parliament, and this has been characterized as indecent haste. I submit, hon. gentlemen, whether it did not merit that characterization under the circumstances—within eight days of the meeting of parliament when the people's representatives would have been assembled, and when the matter could have been placed before them and had the exercise of their discretion and judgment upon it. It was an easy matter for the government to have called parliament one, two or three weeks earlier than they did. Urgency has been pleaded for the contract. Well, the Minister of Railways knew in July last, before the House rose, of the Yukon conditions; and he should then have asked for power to have dealt with them, which, no doubt, would have been accorded. Engineer Jennings commenced his work on the Stikine River on the 25th September, which means, counting from the date of the prorogation of parliament, that there were three months lost in which work might have been done. On the 25th October the engineer completed his work and the minister was put in possession of all the facts. The contract was not let until the 28th January. There was then an opportunity for putting the matter up for tender if they so desired. Now, it appears to me evident that the conclusion that must be drawn from this method of procedure is one that cannot be avoided, that no intelligent man, or body of men, can arrive at any other finding than that it was a foregone conclusion with the Minister of the Interior that Messrs. Mann & Mackenzie were the only one within the bounds of Canada who would be permitted to get this rich plum. Now, I will treat, for a very short time, of the difficulties of navigation. The Stikine River is open, as we have repeatedly heard, for only five months in the year. There are shallows and rapids in this river, as also in the Hootalinqua, and I was present in the other House on an occasion when the member for Westmoreland, N.B., brought to the notice of the House a matter connected with the practical use by steamboat of this river which had not been touched upon by any other member who spoke, nor has it been in this House. Any one who is familiar with steamboat navigation at all

will at once realize what it means to navigate a steamer, even a powerful steamer, against an eight-knot current. Now, according to my reading of Mr. Jennings's and Mr. St. Cyr's report there are places on that river where it is exceedingly narrow and there are very sudden bends. Suppose a steamer comes to this sudden bend in the river where an eight-knot current is running, what happens? Her bow is struck on the starboard or port side by the eight-knot current and before she can help herself she will be driven across on the rocks on the other side of the river. And then there is another thing. It would be a necessity for steamers going up the river, in some places where the riffles are, and broken water, that steam winches and ropes would have to be used from the steamer to the shore. Can much progress be made in that way? I think not. I have in my hand some other papers which carry with them considerable authority, which I think the House will be ready to acknowledge and appreciate when I read them. I read first from Judge Creasy's report when trying a certain case before him in which he uses this language :

And here it may just be cited that there are occasions when only canoes can be used up and down such a swift river as the Stikine.

On the 12th May, 1875, Mr. R. Hunter, Civil Engineer, gives the following information :—

12th May, 1875.

SIR,—I beg to inform you that I arrived here yesterday, seven days from Wrangel. The river not being thoroughly opened, I had a fearful time of it, in many places it was blocked twenty feet high with ice, and the snow on the banks from one to seven feet deep. I have pitched my tent in a well sheltered beach about one mile below the ice mount and about forty miles from Wrangel. * * * There has been only two canoe loads of passengers and the express canoe gone up as yet.

I am, &c.,
R. HUNTER.

Subsequently we have from the same gentleman, when he became a member of the provincial parliament, the following communication dated the 7th March, 1898 :—

The members of the House had all heard of the agreement which had been entered into by the Dominion government in the building of a railway from Glenora and Telegraph Creek to Teslin Lake. The disadvantage of this route was that the Stikine River was not suitable for a large commerce. Near its mouth the river was frozen in the winter time, was subject to freshets in the rainy season and too low for navigation in the dry season. For these reasons it was absolutely necessary to have some other connection with the railway than was afforded by the Stikine River.

I may say that I am well assured that if the obnoxious land grant and monopoly clauses were removed I, and the members of the opposition generally, would support any reasonable proposition for a road to the Yukon gold fields, starting at any point and by any route after a careful survey has been made. We all heard what was said yesterday by my hon. friend the member from New Westminster during the course of his debate. I read now from the daily *Times* of which he is the manager. The extract is dated March 17th, 1898. I wish the hon. gentlemen of this chamber to notice how the extracts which I now read will compare with what was said by the hon. member from New Westminster last evening. The *Times* says :

THE STIKINE ROUTE.

Overwhelming evidence is now forward to prove that for the present the Stikine route is unavailable for traffic of any kind. It is, therefore, the bounden duty of Victorians to warn all miners and prospectors outfitting here that they cannot go in to the Klondike via the Stikine route until the middle or end of April. In our local columns detailed descriptions of the condition of affairs on that river have appeared, and it is needless here to repeat them. The travellers whom the *Times* reporters have interviewed on the subject are men whose word can be trusted, but if there was a shadow of doubt upon the veracity of those gentlemen all dubiety in the matter vanishes in the face of the very significant fact that among those to return to Victoria, baffled in the attempt to ascend the Stikine, is Hon. Edgar Dewdney, one of the directors of the Klondike Mining, Trading and Transportation Company. With his mules, and his asses, and his oxen, his men-servants and his maid-servants returned he hither, convinced that by way of the Stikine no man can reach Dawson City, at least for the present. This fact should set at rest all doubts as to the reports regarding the impracticability of the Stikine until the ice departs.

It is the worst policy at any time and in any case to conceal or colour facts ; such attempts as are now being made by the *Colonist* to conceal and colour the facts regarding the Stikine route are both foolish and wicked. Foolish, for the reason that whereas part of the people now know some of the facts, very shortly all the people will know all the facts, and the *Colonist* will stand convicted of deliberate falsehood. Wicked because many of those outfitting here rely upon the statements made in the daily press to guide them ; and to send men to such a God-forsaken rat-hole as Fort Wrangel, when they might live here comfortably and inexpensively until the ice breaks on the Stikine, is downright cruelty.

The *Times* has not hesitated in the matter. We believe the best thing that can be done for Victoria is to publish at once the truth, the whole truth, and nothing but the truth, and if possible prevent the men now here going to Wrangel.

The Secretary of State seems to be immensely amused. If he can controvert this it is all right. I have cited the authorities and that is sufficient. About that meeting in room No. 8, with Mr. Livernash and his

associates, I should like to know why it is that the hon. gentlemen who have devoted so much time to the consideration of Mr. Livernash's references have singled him out of the three delegates who came here. I was present in room No. 8. I think I know, and can appreciate when I hear it, an intelligent and skilful statement of circumstances at any time, and I am free to say that I never heard a clearer exposition of any set of facts than was produced before that assemblage of senators in room No. 8 by Mr. Livernash. It is true that he was a United States citizen. He told us that he was of Canadian parentage. He told us all about his connection with the press. He told us of his interests in Canada, and that his principal interests were now in Canada. The statement which that gentleman made in regard to the difficulties which beset this scheme, were made so plainly that he that runneth might read, and they were endorsed by the other two members of the delegation. These gentlemen who have been so pronounced in their condemnation of Mr. Livernash have said nothing about the other two gentlemen. One of them was a Dr. Wills, formerly connected with the Mounted Police of Canada, and the other one was a French Canadian representing French Canadian interests in this delegation. These delegates came here accredited men. There is no doubt about that. They told us how they were appointed, and they were very frank indeed. Mr. Livernash said he wanted to have nothing to do with politics and to have nothing to say about politics. He stated the situation in the Yukon, and he showed us how undesirable that situation was and how impracticable the route was. I was very much amused at my hon. friend the Secretary of State. Whenever Mr. Livernash's name was mentioned he said: "Oh, that is from Washington." Knowing the proclivities of the government which the hon. gentleman represents in this House, I should have thought that anything emanating from Washington, anything having the flavour of Washington about it would be as agreeable to his nostrils as the flavour of a savoury meal to a famishing man. These gentlemen cannot minimize or lessen the effect of the information that was given to this honourable House by that gentleman and his associates. Now, I want to make a contrast. There was placed upon our desks in the first instance a sheet like this in my hand, subscribed by somebody, I forget the initials, Slavin, and there was also placed upon our desks another one, which is here signed J. W. O'Brien. I should very much like to know at whose instance these were placed there.

Hon. Mr. PROWSE—Who paid for the printing?

Hon. Mr. PRIMROSE—I think it is imposing rather too much on the credulity of the intelligent men of this House to wish to convey to us the impression, to have us assume that these things were put here on the individual motion of these men. I for one do not believe it. One of them, as has been said and as we all know, is a pugilist, the other is a rum seller—a pugilist and a rum seller, "par nobile fratrum," a noble pair of brothers! the proteges of the government, and I wish them joy of their associates. I think the government must have been reduced to very great straits indeed. They must have realized that they were in great straits when they had to resort to such means to save this bill. Then comes the question of the difficulty which these men, reputable men, neither pugilists nor rum sellers, who came here as the endorsed representatives of at least 2,500 of the miners in the Yukon gold country, experienced in getting an interview with the Minister of the Interior, the parent of the precious progeny which we have been dealing with. They were here for five weeks, or nearly so, before they got an interview, and then it was not an interview with the Minister of the Interior; it was an interview with the general cabinet. Now, is this Canada or is it Russia? Does the Minister of the Interior think that the men that those gentlemen represent are serfs, as the Russians are serfs. He himself has exhibited, in his action in this respect a good deal of the czarlike spirit and policy, but he has made an infinite mistake if he thinks that that kind of thing will go down in Canada. As a Liberal-Conservative, I hope the government will give him a free hand, it will bring the deluge all the sooner. I say that this is a most iniquitous allotment such an enormous land grant on the base line principle. This was very clearly brought before us, and strongly accentuated by Mr. Livernash, when he said that these gentlemen could, by this system of allotting the land on base lines, secure all

the gold lands in that country. I do not know anything that would better characterize this allotment affair than comparing Mackenzie & Mann (and I do not want to say anything derogatory to their dignity when I mention it) to that dread denizen of the sea—the octopus, which, with its deadly tentacles, grasps everything within its reach; and the miners to the poor mariner when that devil fish of the ocean has him in his arms,—and there is no salvation from any quarter. Another serious objection that I have to the bill is the monopoly feature. How under God's heaven men of intelligence can say that there is no monopoly in this is more than I have the intelligence to understand. I do not wish to take time to refer to the agreement which I have under my hand, but how any man can say that under that contract there is no monopoly is more than I can make out. Look at the time given for the selection of 6,000 miles of the richest mineral lands in the country —not merely the gold, but all other metals (and who can tell what they may cover) and the timber, which is such a very essential factor in the success of mining there. In fact, the miners cannot get on without the use of timber and in that regard they will be completely in the hands of the contractors. Now, I am going to make a little divergence here. I want to refer to the characteristic wavering, uncertain, undecided, never-know-what-to-do policy of the government. In illustration of that I want to speak for a moment or two of the premier's treatment of that telegram of his which he sent to Lord Strathcona. When asked by the leader of the opposition to produce the telegram he at once acceded to the request in his usual gentlemanly manner, "Certainly, I will bring it down to-morrow." Twenty-four hours after, when asked to produce it, he said, "No, I cannot produce that telegram; it is private." It reminded me of a verse that I saw a little while ago. Some of the words might be construed as rather profane, but they might fairly be associated with the conduct of the premier, and as the literal meaning of the word implies total loss, it may have some significancy in regard to his government's tenure of power:

He can if he will, he will if he won't,
He'll be damned if he does, he'll be damned if he don't.

To revert again to the objectionable features of this bill, it has been asserted over and over again that it is not possible to transfer this charter to a foreign company, that there is a provision to prevent it. I cannot see that. It is true that it is provided in the agreement that a certain number of the directors shall be of British origin or British subjects. That, to my mind, does not exclude the possibility of transference to a foreign company. Then, again, there are the freight rates. There is no specification as to what they shall be, but I notice there is to be a reduction of 25 per cent in the rates after the lapse of five years, and another reduction of 25 per cent after another term of years, and then the rates come under the general railway law of the country, so that the first rates must be very high. No provision is made for the steamboat freight rates, which are a very material matter indeed in this contract. A friend made a suggestion to me the other day—I merely cite the suggestion for the consideration of the government—that the government might sell the lands by the acre at, say, $25 or $30 an acre. The public will readily buy the scrip. At these prices, four million acres would yield one hundred millions of dollars or enough to build a railway from Montreal to Dawson City and pay for the Georgian Bay Canal as well, and with the balance of the land we could pay off the national debt. Before I resume my seat I wish to refer for a few minutes to an incident which occurred in another place a short time ago. I am jealous for the honour of this House with a great jealousy.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. PRIMROSE—I hear my hon. friend, the senior member for Halifax, say in his dulcet tones, "Hear, hear." I would have been under a deep debt of obligation to him if he had accorded me that emphatic "hear, hear," to some of my other utterances a little earlier, or even if he will do it a little later I shall be obliged to him.

Hon. Mr. POWER—The hon. gentleman will not allow me even to applaud.

Hon. Mr. PRIMROSE—I daresay what I am saying is not agreeable to the hon. gentleman, but I am not responsible for his feelings. I wish to allude to a circumstance which occurred in another place. I repeat I am jealous for the honour of this House, and I, in common with my fellow members,

feel aggrieved when the press, representing either of the two great political parties into which this country is divided, attempts either by the exercise of cajolery or by the issuance of threats, to influence the action of this honourable House in the discharge of its grave and responsible duties. I say, without fear of contradiction, that every time the press does so, it oversteps entirely the bounds of its legitimate sphere. Let me give you some illustrations. I quote from *La Patrie*, of March 23rd, and I commend this to the attention of this honourable House :

> Senator Macdonald yesterday proposed the interment of the Yukon Bill.
>
> Then it is understood Toryism wishes to prevent the Liberal party from governing; Toryism wishes to prevent the cabinet and the Commons from directing public affairs.
>
> Let the cripples and the irresponsibles of the Upper Chamber have their way to their hearts' content; their arbitrary and capricious reign will be of short duration.
>
> Sir Wilfrid Laurier, his colleagues, his supporters, all of them the outcome of the electoral suffrage, represent the people. The Millers, the Kirchhoffers, the Macdonalds, the Bowells and the other invalids of the Senate are mere individuals, representing nothing but their own impotence and their own spitefulness. We will not allow our responsible system to be smashed by maddened Toryism: we shall not allow men driven from power by the people to crush us. We are in power to govern, and we shall govern.
>
> It was to Laurier, it was to our eminent compatriot, that the Canadian people confided the direction of their affairs at the election of the 23rd June. It was not to Bowell, it was not to Tupper.
>
> The senators, it is now evident, are about to throw out the contract for the railway from Glenora to Teslin Lake; but we will have our turn. Let our friends have confidence in the energy and patriotism of the chiefs of the Liberal party.

Now, if I were to characterize this as it deserves to be characterized, I would say that for unadulterated blackguardism, the vernacular of Billingsgate will pale in comparison with this precious extract.

Hon. Mr. MACDONALD (B.C.)—What paper is that from ?

Hon. Mr. PRIMROSE—That is from *La Patrie*, the government organ.

Hon. Mr. POWER—The government have no organ.

Hon. Mr. PRIMROSE—Well, Mr. Tarte is an organ of the government, at least he stands so much towards the government in the capacity of an organ that he makes them dance to his music whenever he chooses ; then *La Patrie* is Mr. Tarte's organ, and so the direct line of descent is clearly established. The editor of *La Patrie* has a bad attack of mal-de-tête, and it seems to be aggravated by an extra inoculation of political virus, which has upset its entire constitution, and his friends ought to look after him, or he may become a candidate for a lunatic asylum.

Hon. Mr. SULLIVAN—He is full of microbes.

Hon. Mr. PRIMROSE—As a sample of the alleged incompetency of this House, I wish to give the following in connection with the Drummond County affair :

The old contract was an annuity for ninety-nine years of $64,000, which, capitalized at three per cent, would give, say $2,100,000. Under the new contract for the completed road the cost is $1,600,000. The difference between these two amounts is $500,000, being the amount saved to the country on this count by the action of the Senate. Besides this, the new contract provides that the company is to do about $65,000 more work than the old, which is a saving of expenditure which, otherwise, the government would have to have made. This, added to the $500,000, makes $565,000. Now, take the Grand Trunk portion.

1st. On all betterments under the old contract, including double-tracking of thirty-five miles of track from Ste. Rosalie to St. Lambert, the government was to pay five per cent interest for all time on half cost. Under the new arrangement (if carried) the government is only to pay four per cent interest on the portion of cost which the government uses bears to total uses.

2nd. The government, instead of paying above interest at four per cent, has the option of capitalizing in commuting annual interest on a four per cent basis. As the government can borrow money at two and three-quarter per cent, if betterments came in all to $1,000,000, which is a low estimate, there would be a saving of at least $200,000 here.

3rd. The Grand Trunk Railway is to allow the Intercolonial Railway all the through traffic from Montreal and points west, or from all points on the Grand Trunk Railway for points on Intercolonial Railway, *i.e.*, through freight, which virtually means closing their lines from Richmond Junction to Lévis, as far as competition with the Intercolonial Railway goes. I have no data by which to estimate the value of this, but we

can safely say that this "arbitrary, invalid, incompetent, crippled Tory Senate" has saved to the country, on this Drummond Railway matter alone, at least a million of dollars, and this is not by any means the only instance of that kind.

Hon Mr. DEVER—The hon. gentleman has not read the other side.

Hon. Mr. LANDRY—There is nothing on the other side.

Hon. Mr. PRIMROSE—I have overlooked, in speaking of this matter, one utterance of the editor of *La Patrie*, as to the Liberal party being the elect of the people and as to their policy being approved by the people. We have had some striking evidence that a change has come over the spirit of the dream of some Canadian voters as evidenced by the result of the recent election in Ontario. Is it possible that the editor of *La Patrie* cannot read the handwriting on the wall? If that is the case, let the government go to the people, and they will find in that people a Daniel that will very soon interpret it for them unmistakably. Coming back to where I was when I made this divergence, I was speaking of an incident that transpired in another place. If these utterances of the press—such utterances as I have quoted—entirely overstepped the bounds of the legitimate sphere of the press in this matter, what shall be said of the man who, occupying the honourable and responsible position of minister of the Crown, has so little apprehension of the requirements of his own high office, or of the quality and bearing which should characterize its incumbent as from his place in parliament, when discussing a matter in which the interests of Canada were deeply involved, to formulate threats as to what would happen if this honourable house refused, at his dictation, to abdicate its judicial functions, or should, in the legitimate exercise of those functions, prefer to follow a course of conduct dictated by its own judgment rather than that dictated by a minister of the Crown. There is only one fitting and proper characterization of that gentleman's conduct, and that is, to brand it not only as betraying a lamentable ignorance of the situation, but as a palpable infraction of all parliamentary rules and etiquette. I would be abundantly justified in using much stronger language, but I content myself meantime by characterizing it as I have done as a palpable breach of all parliamentary rule and etiquette, pardonable only, if pardonable at all, on the theory that the hon. gentleman in his present position, represents, in some respects at least, an inexperienced mariner navigating for the first time unaccustomed waters, who has not yet quite taken his soundings or ascertained with any degree of definiteness his longitude and his latitude. I indulge the hope, hon. gentlemen, that this honourable House, untrammelled as it is by the clamour of any constituency, unheeding the urgings of impassioned partyism, uninfluenced by the pronouncements of the press of either party, or even by the dicta of either fledgling or full-plumed ministers of the Crown, will vindicate its position in the constitution of this country and assert its right to condemn unreservedly, this or any other measure which, in their judgment, is pernicious or does harm or evil to our country, this Canada which we love so dearly, and which we should all like to see attain and hold that position which is her manifest destiny, if only—and I wish to emphasize that proviso with all the strength I have—if only she has and keeps at the helm of state, wise and competent steersmen, a foremost place among the nations of the world. I have only to say, in conclusion, that it is not necessary for me to inform you, after these utterances, that it is my intention to vote against the bill, and thus I hope to add my little mite to another signal service rendered by this Senate to Canada, and one that shall be for ever memorable in her annals.

Hon. Mr. SULLIVAN—At this eleventh hour, I have no intention of saying anything, and I do not rise for the purpose of adding anything to the information which hon. gentlemen already possess, which is very limited, and very meagre indeed. My object is simply to give expression to the faith that is in me, for the reason that the constituency which I have the honour to represent is represented in the House of Commons by a very able man, a friend of mine, a Liberal, and represented in the Local House by a Cabinet Minister, the Hon. Mr. Harty. Therefore, I say that, at this very late hour, it would be absurd that the historical city of Kingston should not give utterance to its feelings on this occasion. We do not hear of the Yukon for the first

time. Twenty-six years ago, on the 2nd May, the Right Hon. Sir John Macdonald delivered a very able and exhaustive speech on the Washington treaty, in the course of which, when a great outcry was made against the free navigation of the St. Lawrence, he referred to the Yukon and Stikine Rivers. In reply to the ironical "hear, hear," of the Hon. Alexander Mackenzie, the hon. gentleman said that there was even then a large trade on that river. At that time very little attention was paid to these rivers, and it is extraordinary that now their names fill the whole world, and if it is permitted for the shades of the saints to look down on sub-lunary matters, I can imagine how the right hon. gentleman would look down on this occasion and smile, that is, if saints are permitted to indulge in that very human practice. There are three points which seem to me to urge themselves on the attention of any on considering this bill, and I must say I heard with a great deal of regret the hon. gentleman from de Lorimier trying to assert that this Senate had traditions by which it was bound that the political allegiance that any gentleman had there was transferred when he came here, to his senatorship. Now, such is not the case, the history of the Senate shows it; and although we are not responsible directly to the people, still we are responsible to the country, and above all responsible to conscience. We are responsible to the inate feeling which every one has of doing what is right and what is just, and I trust that will always be sufficient to account for the deviation which we may have to make from the House of Commons; it is a painful thing to oppose the will of that House in any way. Any hon. gentleman here must feel that it is a most disagreeable thing for him; and only the strongest sense of duty and the strongest idea of what is right would urge him on to take such a stand, particularly when he happens to be himself politically opposed to the party which governs the country. There was no such feeling at the time of the Queen's Jubilee, when Sir Wilfrid Laurier was the central figure; no Conservative uttered a word disparagingly about his honours. On the contrary, the Conservatives joined in the general acclaim and tried to assert themselves as Canadians, as we do on this occasion, and to do what is proper and right. There are, as I said, three points which occur to any one in considering this question. They are the three R's: the road, the route and the remuneration. As to the road, I do not agree, but I do not pretend to set my opinion up against the ministers of the government, fortified as they must have been by engineers, by the best talent which I have no doubt they could obtain. I think that if a trunk line was built, instead of this narrow gauge, by the government, and carried on by them fairly and honestly, this Senate would not hesitate for a moment to vote what they require. I will tell you why. It is asserted that they give away the cream of this country to these gentlemen—because there is no doubt they do give away the cream of the country—they give these people the right to select these claims in any place they wish, and after they do that, what will be left to those who come after them? How shall they build and throw the onus on the country itself when the best part of that country is given away? That I would like to know. There is no one who will take a contract to build a larger road through greater difficulties if these gentlemen have the pick and cream of the whole affair. Therefore, I object entirely to the route. There is no reason why the government should not manage and run a road. We have had experience of government ownership on the Intercolonial Railway. It may not be of the most agreeable nature, but at the same time it is possible, and I have no doubt that that road, under proper management, may yet be made to pay. On the continent of Europe we have countries running roads and there is no reason why the government of this country should not run and manage its road, and let the profit of this road, instead of going to private individuals and into companies, go into the government and to the people. Therefore, I object to it on that point. If it were part of a scheme to carry the road from the points that were named, I have no objection to that. Then, again, as to the route. Looking over the map of that country, and glancing along the difficulties that lie in the way, I put aside anything like Edmonton and Prince Albert, for the simple reason that this is a case of urgency. I admit that it is a case of urgency. The whole outcry of the people of this country was to try and get into that country as easily and as expeditiously and as cheaply as possible; and, therefore, urged by that cry, the government had to

select what they considered the best way. Casting one eye over the map, you can see no better way in which this want can be filled than by taking the route which they did, and, therefore, I have nothing to say against that. The worst of all is the remuneration, and this I confess is the only point on which I disagree with the government and with the party in power. The remuneration which is offered to these gentlemen, who are the contractors, and whom every one has been loud in praises of, and against whom I have nothing to say. They are men of whom Canadians are proud, who have raised themselves to the position in which they are; and probably no gentlemen in this country are better able to carry on that road if the road is to be built than they. But I contend the remuneration is out of all proportion to what is required. I am not going to say anything about what they might do—what people might do is not to be talked of—it is this fact that I look on now, and that is that a large number of people have been thrown into that country and those people are not treated with fair play. The idea of giving these gentlemen millions of acres of land and then limiting a miner to 200 feet is something extraordinary. It reminds me of the story Sir John Macdonald used to tell of a Jew who, going into a shop in the rain, happened being very hungry, to take a piece of pork, and just at the time he took this piece of pork a terrible thunder clap came, and the Jew said: "What a terrible row you are making about a little bit of pork." Now, the strict regulation confining miners to the very small amount of land you are giving, is very extraordinary as compared with the vast amount that it is proposed to give to these gentlemen. If the government would modify their proposition with regard to that, if they would not freeze out of this frozen country all the men who have gone there through such great tribulations, I would not have so much animosity against this bill; but they are taking away even the very wood without which they cannot carry on their mines. The mining in that country must be on the surface of the soil; the surface must be heated; eternal frost prevails to the depth of sixty feet. The only way to thaw that out, so far as we know at present—science may devise some other way in the future—is by burning the wood which is in the neighbourhood on the banks of the rivers, and the bill gives these contractors the right to all that wood. Not only that, but taking the man with his claim of 200 feet who happens to go in there, and is perhaps at the extremity of his means, perhaps all his hopes are about to be dashed to pieces—when these gentlemen finally finish him up by saying: "You cannot touch this wood; it belongs to us," and the miner cannot get out of it. They receive these lands in fee simple, and fee simple gives them absolute power and control of it for ever, and all that is contained thereon, so that there is no possibility of any man who may be prospecting there, and who may have secured a claim, to enjoy the fruits of his labour. That, I think, should be provided against. There is no provision for it in the bill. Why limit men to 200 feet in this vast extent of country. Give them all the feet they want, give them 500 or 1000, or whatever amount is wanted. I think it will be forced on the conscience of the government and on the hon. leader of the House that the difficulties are so great in the way of settlers going in there, and the extraordinary difficulties they have to overcome, that he will see that it is necessary to remove this bill for the present and substitute for it—if they intend to substitute anything—something which will be more honourable and impartial, and which will give the people of this country a chance to possess the inheritance that God has placed in their hands. I thought I would just mention that as my particular reason for voting against the bill. I do so with extreme reluctance, as I think the Senate ought to try to assist the administration in governing this country. They are entitled to every consideration, and when any one thinks that the members of this House are swayed by the principles they may have had in former times in casting their votes in this chamber, they are terribly mistaken.

Hon. Mr. O'DONOHOE—I desire to say a word on this important occasion. I have come to the conclusion that the Senate of Canada is at one of its most important epochs. Hon. gentlemen know that much has been said about the Senate of Canada, but, in my humble opinion, we will be for ever doing our duty on great questions of this kind. This is the most important question that has ever presented itself before our country. It is the greatest question

that has ever come before the Senate of Canada, and what is it? It is the biggest steal that was ever attempted to be forced upon the people of Canada.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. O'DONOHOE—I wish hon. gentlemen not to forget that I am a Liberal by nature and by force of the circumstances of my whole life, but as a Liberal I am against the Liberal who forgets his principles. I am with the Liberals, and will be with them as long as I live, but this is the worst deal that I have ever known in my life. We know that the Senate of Canada is an honour to this country, and will be an honour for ever. I see some of my old friends around me, and I stand up for the honour of this Senate. I am in earnest. There is no Irishman in the whole world more in earnest than I am in the interest of my country, Canada. Where is that interest more thoroughly fixed at the present time than it is in the hon. gentlemen composing this House? I am one of those. I love this Senate. Sir Oliver Mowat said he loved it and that he hoped he would die here, but Sir Oliver preferred dying at home. But now there is a question before us and we are called upon as senators to deal with it. No question has ever been raised in the whole world equal to the measure before us, and the senators with their grand old heads will have to pass upon it. And what do my friends say? What does the hon. Secretary of State say about this? He says this whole land is no good. Did you ever hear of a man that had anything to sell depreciate its value? My hon. friend the Secretary of State disparaged the Klondike in strong terms. Is that the way a man does when he is transferring something he is selling? Does he say it is no good? That is what my hon. friend the Secretary of State has done, and I say he has gone all wrong, because we are giving this country away and my hon. friend the Secretary of State says it is no good. Should he not rather say a word in favour of it? Common sense should indicate to us that this is one of the worst deals that ever was made in this world. It is a steal from beginning to end. I do not say one word against the government of Canada, and I am going to stand by them, but this is the worst deal that was ever made in the world.

Hon. Mr. MACDONALD (P.E.I.)—At this late period in the debate I feel that anything I could say will not add to what has already been said respecting the bill now under consideration. I feel at the same time that each one of us should give expression to the views he holds respecting this matter, and the views of those who have opposed the bill have been so well and clearly expressed already that it is impossible for me to add anything to them. Therefore, in anything that I may say I shall deal very briefly indeed with the matter. To my mind it appears that the amount of land we are giving in consideration of this small bit of road is entirely out of proportion to the value that we receive for it, a piece of road 150 miles long, and 600 miles from the objective point we intend to reach, a road of three feet gauge which cannot cost a great deal of money. In this country it could be built, stocked and fitted out with all the appliances for running for from eight to ten thousand dollars a mile. Of course, in that country it will cost more, but to imagine it will cost anything at all approaching the value we are giving for its construction under this bill is out of all reason. When we consider that under this bill we are giving 3,750,000 acres of land, which is reputed by those who know most about it to be some of the most valuable land in the world, for the construction of this piece of road and that besides the land we are giving other considerations which are almost as valuable as the land itself—I say we are acting a very bad part and that if we, by our vote, approve of that, it would not be in the interests of the people whom we represent. Under the contract with Mackenzie & Mann they have the right to select this land. It has been said by some hon. gentlemen that it was of such a wonderful extent that it might reach round the world under certain conditions. That is certainly one way of putting it. Let us look at the contract and the position in which the contractors are with respect to the government regarding the location of that land. They can take it in blocks twenty-four miles long by six miles wide, and that is divided between the government and the contractors. The contractors have the choice of the location. They can take those blocks within their district wherever they please. They will have a better knowledge of the value of the mining locations in that district than the government can have. I am told they have

at present men engaged to go in there for the purpose of finding out the best locations in which to place these tracts of twenty-four miles, and under their contract they can take up forty of these different locations. In the district which has been exploited by those who have gone there and from which a vast amount of gold has been taken, in the valley between the Indian River and the Klondike, there are 684,000 acres of land. But what is that compared with the land we are giving them? If they put down their locations of twenty-four miles there they would not have half enough land in that section. They have to extend to other places, and by the reports that we have from mining engineers, geologists, and mining experts who have gone in there on behalf of the government, we know that there is a very great extent of country in that section which is gold bearing and of great value, and although a large part of the tracts of three miles by six which the contractors are to take up on these different locations may not be mineralized, still, if even the front part in any one location in the gold-bearing tracts is of the same value as the locations where fortunes have been found, on Bonanza Creek and the several other creeks in that country, one of these locations will be more than sufficient to pay the whole cost of the line which they are to build. When that is the case, we are giving far too much for what we are to receive under such a contract. It is true that a great many people are going into that country, and I ask the House to consider for a moment the amount of money they are taking with them. It is said that a hundred thousand people are going there. Some estimate the number higher, but if the number is one hundred thousand people, and the amount they take there is $1,000 on an average, that is $100,000,000 taken into that country by these people. What time is it going to take those people to get $100,000,000 from that country? I doubt if in the next two or three years we will see that amount of money returned to this Dominion from that region. It has been said that there is great urgency for the construction of this road. I am not prepared to say that when the government were about to enter into this contract there was not urgency. They were at that time under the impression, and it was stated in the public press, and by many people coming from that part of the country, and there was likely to be starvation in the Yukon district. But we see from later accounts from there that the danger has been removed, that there are sufficient supplies there now, and that those who go there are taking with them supplies for twelve months. And, further, where the different trading companies engaged in trade with that country, and the supplies now going there, arrive at Dawson, there is no doubt that there will be sufficient food taken into that country to supply the population going there. Further than that, we see that it is not such a very difficult matter to get out of that country as many supposed some time ago it was. We see that people have arrived in this part of the Dominion who left Dawson about a month ago. Compare that with the difficulties, at the time of confederation, or very shortly after that, in getting to the north-west of this country, even to such a place as Battleford, which was the seat of the government in the North-west in the early days of confederation. It was then more difficult to get to that part of Canada than it is now to get from Vancouver to the city of Dawson. Under these circumstances, I do not think there is any such urgency for the construction of that road at present, as was perhaps thought to be the case at the time the government entered into this contract. On the other hand, if it is really the case that the country is so valuable, it may be necessary, in the interests of the Dominion of Canada, that a railroad should be constructed into it, and if that railroad is constructed on fair and reasonable terms, not such terms as are given to the contractors under this bill, but terms which would receive the approval of any reasonable man, I for one would be prepared to give my vote to assist the government to carry out that project, even if it was to be done by means of money from the treasury or on the credit of the Dominion, if it was found necessary and desirable to build a road into that country. We have had various routes discussed here, but it appears to me, from anything I have heard—and I have listened with a good deal of attention and without any preconceived objection to anything that was said by the government or by advocates of other proposed routes into that country, and I believe that the proper and most advantageous route for the Dominion—for the people of the eastern section of Canada

at any rate, for those whom we represent more especially—is from some point in an eastern direction from the coast, so that the advantages of the trade of that country might be brought to this part of Canada, and the Peace River district and other regions that have been spoken of as possessing such fertility opened up. That would furnish employment for a railroad to be constructed into that country. There are some other clauses of the agreement made with those contractors which I think are very objectionable also. I will refer for a moment to the conditions under which they take up the mineral lands which are to be given them for the construction of this road. They receive those lands and pay a royalty of but one per cent on the minerals taken out. What is the position of other people who have gone to the Yukon and expended their time and energy there during the past few months, and will continue to expend it for months to come in prospecting the country with a view to getting some return for their labour by finding a claim that will repay them for their trouble? We understand from those who follow that business that a man going into that country cannot go there and at once take up a claim. He may find in a gulch, or some such place, a good many miners at work, but he has to find a location where he can commence to work himself. It will require quite a time and much labour for him to prove whether that claim is of any value. But before he can go and look over the country and see whether there is a place where he can take up a claim, he must procure a license, for which he has to pay $10. And he may find that there is no value in the claim he has been working for months, and have to move to some other place. After finding a likely place he must get his license recorded and pay $15 for his entry. He has to pay $15 a year rent, and if his little location is not sufficient for him to carry out all he intended to do, he must pay $100 for a tract of land behind him in order to procure wood for carrying on his work. That is what the miner has to encounter. After he has got this far advanced in his work, the contractors come along and pick up property in the very place where he has been working his claim. We will say he is away out in the centre of one of these tracts belonging to the company, or one of the government reserves—what is that man's position? The contractors owning the land on every side of him, a block 3 by 6 miles, may sell ten, fifteen or twenty claims, or any number they choose, out of their tract, and the miner, who is on his solitary claim there surrounded by their land, has to pay all the taxes I have enumerated, his ten dollars license, his fifteen dollars for entry, and fifteen dollars a year rent, and then, after he has taken out twenty-five hundred dollars, the government claim ten per cent on every dollar he takes out above that amount, while the contractors, with their men working along side of him, taking out ten times as much as he can, have only to pay the government one per cent. Now, what is the position of the working miner in comparison with that of the contractor? I tell you that the hard-working miner will become a hewer of wood and a drawer of water for the contractors, and in a very short time, if this bill is passed and the contract becomes the law of the land, the men who hold that contract would be the owners of that country. The miners would have no chance to live there under such unfair class legislation. There are a good many other points in this bill which perhaps might be criticized, and with which I am not fully in accord, but with respect to the quantity of land and the regulations enacted by the government for the miners, as compared with those under which the contractors would work, I cannot agree. Under those circumstances, I feel that I would not be doing my duty as a senator of Canada if I did not give my opposition to this bill, and vote for the motion for a six months' hoist,

Hon. Mr. COX—With your permission hon. gentlemen, I will preface the remarks I have to make by reference to a personal matter. Newspaper rumour, and at least two hon. gentlemen in the other chamber, in the course of their address, conveyed the impression that I was a partner in or in some way interested with Messrs. Mackenzie & Mann in the agreement now under discussion. I therefore, desire to say that I am not and have never been directly or indirectly interested in it to the extent of one dollar. It is to be regretted that the real question at issue has to a large extent been lost sight of by the introduction of matter altogether foreign to that with which we have to deal, resorted to, in some cases I

fear, for the purpose of creating prejudice against the government and the contractors. For instance, the hon. gentleman for Brandon did the Minister of the Interior very grave injustice by the use of the following words. I will read from the speech of the hon. gentleman:

> Many people have wondered how it was that Messrs. Mackenzie & Mann were singled out from amongst all the other contractors in the country to have this particular bonanza, this most-favoured contractors' treaty thrust upon them. Perhaps some of you may be under the impression that this is Mr. Sifton's first railway deal, that he is a novice at railway-building, and that in this matter he met Messrs. Mackenzie & Mann for the first time. You are very much mistaken. Mr. Sifton was for a number of years a member of the celebrated Greenway government in Manitoba, and anything that aggregation does not know about subsidizing and building railways with most-favoured contractors is not worth knowing. The Dauphin Railway in Manitoba was constructed by Messrs. Mackenzie & Mann for Mr. Sifton, under circumstances which were to what I might call the mutual satisfaction of Mr. Sifton and these contractors. And I do not hesitate to say that were the inner workings of that deal known to the public it would make a situation mighty uncomfortable for more than one government. But even the outside history of that deal is interesting reading. The road is 100 miles long. If you ask Messrs. Mackenzie & Mann what they got for building it, they will tell you: Oh, a land grant of 6,400 acres a mile and a cash bonus of $40,000 a year for 20 years from the Federal government. How much will you ask from the Provincial government? Not a cent, they will reply. And it is strictly true, but when, in your rude, inquisitive way, you probe this matter a little further, you will find it to be a fact that the land grant and the Dominion subsidy, which amount to $800,000, is, according to the opinion of the experts in the country, sufficient to build and fully equip that road. But this did not satisfy our liberal and large-hearted Minister of the Interior, who was then Attorney General of Manitoba. He thought that was not enough for these contractors; he therefore put through a deal whereby he practically made them a present of $8,000 a mile, by guaranteeing the principal and interest on their bonds to the extent of $800,000. I say he practically made them a present of it, because he did not even take security on their land grant, all the security he took being a lien on the road, and that is a second mortgage, as the Dominion subsidy ranks first.

This was intended to and did convey to hon. member of this House, the impression that both the Minister of the Interior and Mr. Mackenzie had colluded together to defraud the province of Manitoba, of which the Minister of the Interior was then Attorney General, and that the same two gentlemen were now entering into a corrupt bargain to defraud this country. I will now briefly state the facts as to the Lake Dauphin road which may be verified by reference to the records. In 1895, the late Dominion government granted aid by way of a bonus to the extent of 6,400 acres of land per mile, to what is now known as the Lake Dauphin road, for a distance of 250 miles. They also entered into an agreement to pay $80,000 per year for a period of twenty years, to be repaid by the carrying of men materials, mails, &c., for the government at the usual rates, the accounts to be adjusted at the expiration of twenty years, the government taking a lien upon one-third of the land grant for the due performance by the company of its part of the contract. This was afterwards divided into two sections of 125 miles each. The Manitoba government, by statute, was authorized to guarantee payment of principal and interest in bonds to the extent of $8,000 per mile for not exceeding 125 miles, the bonds to be secured by first mortgage on the road, and its earnings not second mortgage, as stated by the hon. member for Brandon. The government have not had to pay one dollar under this guarantee, the company having paid the interest on the bonds as it matured, and if they fail to do so in future, the government can take possession of the road and would have it at a price far below its value. It is already earning more than the interest on the bonds. The bargain was an exceptionally good one for the province, and there is nothing whatever to justify the insinuations that were made against the two gentlemen named.

Hon. Mr. BOULTON—It leaves the contractors a clear profit of 640,000 acres of land and $40,000 a year. The railroad was built on the guarantee of Manitoba of $8,000 a mile, and that is the only thing that is certain. The land grant of 6,400 acres a mile and the $40,000 a year are a clear profit to the contractors.

Hon. Mr. COX—If the contractors make a big profit, and there is no doubt they will, from whom do they make it? From the Dominion Government?

Hon. Mr. BOULTON—From the people of Canada.

Hon. Mr. COX—The land grant was from the Dominion Government. It is not right to blame the Manitoba Government for it, or the then Attorney General of that government. The only thing that the Manitoba Government gave to the contractors, that was of any value to them, was their endorsement on the bonds that enabled them to

negotiate them at a better rate of interest than they would have been able to get if they had not been guaranteed.

Hon. Mr. MACDONALD (B.C.)—That was not a part of the first contract; that guarantee was an after thing, was it not?

Hon. Mr. COX—That is what they did give them. The Manitoba government guaranteed the bonds which was the first charge on the entire railway and its earnings. The road is worth a great deal more than the bonds that the Manitoba government guaranteed. They did not give them one dollar, nor are they likely to ever have to pay them one dollar, because the lien they have taken upon the road is more than sufficient to pay it. I refer to that matter in justice to the hon. Minister of the Interior, who is not here. I have known the hon. member from Brandon a great many years as an honourable man, and I do not think he would make that statement deliberately knowing the same to be untrue; but I say that the political prejudices, if I may use that word, or his desire to make a political point against an opponent, leads him to do a very great injustice to an hon. gentleman who is not present in this House, and I think it is to be very much regretted that that should be done in speaking of a matter of such very great importance, and saying he practically gave some $800,000 when he ought to have known that he did not give one dollar or incur one dollar of liability, practically. The hon. gentleman from Shell River made some statements equally misleading in reference to the contractors, or purchasers, or owners of the Toronto Street Railway Company.

Hon. Mr. McCALLUM—I thought the hon. gentleman was stopped by the Speaker. If my hon. friend is going to deal with that question, he also should be called out of order.

Hon. Mr. COX—I know the hon. gentleman from Shell River will not find any fault with me. I believe he made a mistake. I understood him to say that the present contractors have floated the Toronto Railway upon the public for $9,000,000, while it costs them only $1,600,000. I happened to be along with Mr. Angus, one of the trustees in verifying the expenditure of that road, and I know as a fact that it cost over $4,000,000 in actual cash that went into the transaction; that is being sold to the public at what practically represents $9,000,000. But that is no reflection upon the contractors, nor upon the city, nor upon anybody else. The electric tramways in the city and in the country have so developed beyond the expectation of any person that that $4,000,000 has jumped into nine or ten millions; and the foresight, energy, ability and business astuteness of Mr. Mackenzie, who foresaw tha tand took the benefit of it, is no reason why an important matter in which he has been engaged should be brought up for the purpose of reflecting on his character or standing. The contract was let by public tender in the face of very close competition. A number of Toronto gentlemen, who thought they knew a great deal and thought they were able to judge as to its value—and I was one of them—thought that we were offering a very big price for it, but it turned out that we were quite below the tender of Mackenzie and his associates, and from the large profits they afterwards realized we know now that we lost by not having the faith and foresight they had.

Hon. Mr. BOULTON—There are nine million dollars securities on that road now.

Hon. Mr. COX—There are six millions capital and $3,200,000 bonds, but, as I said, the property has jumped into value; it is worth nine millions of dollars.

Hon. Mr. BOULTON—To the public?

Hon. Mr. COX—Yes, to the public. It is the very best tramway service on the continent.

Hon. Mr. ALMON—The Speaker decided that it was out of order to discuss the Toronto railway. We want to come to a decision on the case which is now before us, and if we are going to discuss all the electric railroads in the cities of Ontario, I do not know when we will come to a decision.

Hon. Mr. McMILLAN—It is a matter in which the hon. member from Halifax has no stock.

Hon. Mr. COX—We would be very glad to have him interested. I wish I had got interested sooner. It will, I am sure, be admitted by every member of this honourable

House that the administration of the affairs of the Yukon country for the next twelve months is one of very great importance, of momentous importance to the country, and carries with it serious responsibilities. If the agreement before us is approved, it leaves the responsibility with the government of the country, with the gentlemen who, within the last twenty-one months, have received their commission from the public voters of this country. If the bill is not approved, it puts that responsibility upon the members of this Senate. Now, hon. gentlemen, is there anything in that agreement that justifies this House in assuming that responsibility?

Hon. Mr. MACDONALD (B.C.)—Lots of things.

Hon. Mr. COX—I have no doubt that the hon. gentleman thinks so or he would not vote against it. Personally, I want to say, before I record my vote in its favour, that I do not think there is anything in the agreement to justify this House in taking out of the hands of the other House the responsibility of administering the affairs of that country. It is fraught with very great responsibility and with very great importance, and I for one do not think that we ought to take the responsibility of that upon this House. Different routes have been suggested and various objections have been urged against each of them; but there are fewer objections against the one now proposed than against any of the others. Let me start at Dawson City; it has not been denied, so far as I have heard, that we have about 600 miles of navigation from Dawson City to Teslin Lake, the whole of the 600 miles being exclusively in Canadian territory, the proposed road of 150 miles also being through Canadian territory. This road brings us 150 miles nearer to the Pacific coast; it also brings us 150 miles nearer to an exclusively Canadian port on the Pacific coast, but at that point we have 150 miles of navigation on the Stikine River. And suppose, for argument's sake, that the attitude of the United States might cause difficulty or trouble in the use of that navigation—which is highly improbable, still, if they did, the 150 miles as contracted for brings us that much nearer to an exclusively Canadian port. It brings us also 150 miles nearer to Ashcroft on the main line of the Canadian Pacific Railway, if it is decided to build the line any further. In other words, this line of 150 miles would be a portion of a line from Port Simpson to Dawson City. It would be a portion of a line from Ashcroft to Dawson City; and it would in the meantime make a connecting link between the navigable waters on the Stikine River and the waters leading from Teslin Lake to Dawson City. And the necessity of getting into that country at the present time with the least possible delay, appears to me to justify the contract that is before us. Various opinions have been expressed as to the value that should be put upon this land. The land has been valued at all figures, as low as five cents an acre—and one hon. gentleman last night, addressing this House, valued it at millions, billions and trillions of dollars. It is just one of these things that may be valued at any price, and the figures that are put upon it are purely problematical. I am not disposed to undervalue it. I have a very high opinion of the mineral wealth of this country, and particularly of the mineral wealth of our British Columbia province, and of the lands in our western and north-western country. I am inclined to think that a large amount of wealth will be taken from the lands that it is proposed to give to the contractors for the construction of this road, but I would like to ask this honourable House, who will get that wealth? It will be the miners who may be there; it will be the merchants and the farmers who raise the produce to feed those miners; the merchants who supply them with clothing; the manufacturers and their employees who supply them with the implements and tools necessary to do that work, and this amount, whatever it may be worth, be it large or small, will be distributed amongst the people of this country, and if it so happens, and I think it really will happen, and should happen, that the contractors get a large percentage of that profit, who will be any the worse off?

Hon. Mr. BOULTON—Did the public in Toronto get the wealth from the Toronto Street Railway?

Hon. Mr. COX—Yes, sir; they did.

Hon. Mr. BOULTON—Did they get nine million dollars?

Hon. Mr. COX—Yes, I bought stock when it was 25 cents on the dollar, and

properties I have in the outlying parts of the city that were not of any value are increased in value; and many others besides myself have gained by it. I would like to ask the hon. gentleman who would have gained anything by it if it had been a horse tramway as it was a few years ago? Some property now valuable would be still farming lands, or market garden lands. In many ways the city has increased and developed and extended and improved by the construction of the Toronto Street Railway. While the contractors made a large amount out of it, scores of people have derived profits out of it, and the public are receiving the benefit of it. Mechanics who are unable to get homes are now able, by the use of the tramway, on payment of three cents, to get two or three miles out of the heart of the city into nice comfortable and convenient homes of their own, and live in a much more healthy locality than they would have been able to if the railway had not been built, as they would have been huddled together in the centre of the city, with horse tramways. I say the development of the country would do a great deal to enrich the whole community and everybody in it. The hon. member from Shell River (Mr. Boulton), as well as myself, will get some benefit from the opening up of that country and the development of it. Would it not be better, if there is ten millions a year taken out of that country, that the contractors should get every dollar of it than to have it imbedded there in the rocks of that country? The contractors cannot hold it. You cannot keep money tied up in any way; if the contractors made large amounts of money out of that, it would get into the country and spread over the Dominion, and we would all get a share of it; and it would be better that the farmers, merchants, manufacturers, mechanics and labourers who contribute to take that wealth out of the rocks should get their share of it, and the country will be enhanced by it. If the contractors should make so much money that, as was playfully said in the House of Commons the other evening, Lord Yukon takes the place of Lord Strathcona and entertains Canadians and others in the capital of the world, will that do us any harm? Or if Lord Klondike takes the place of Lord Mount-Stephen.

Hon. Mr. BOULTON—It depends on who he is.

Hon. Mr. COX—Perhaps, as I said before, the hon. gentleman from Shell River might be the one.

Hon. Sir MACKENZIE BOWELL—Or it might be Mackenzie & Mann?

Hon. Mr. COX—I do not know and I do not care, as long as some man goes to the other side. As long as I see the wealth of the people of Canada increasing, I do not care who it is. If I do not get any larger share of it than to insure the man's life for $15,000 or $20,000, that is all I want. He might take a policy in the Imperial, of which company the hon. gentleman is a director. The hon. leader of the Opposition read several letters yesterday from prominent men in the country, indicating the trend of public opinion with regard to this matter, and when I received a letter this morning I thought it would be a good opportunity to read it to show that whatever wealth comes out of the Yukon will be distributed among the people of this country. It is addressed to myself, and reads as follows:

March 28th, 1898.

Hon. Geo. A. Cox, Toronto.

DEAR SENATOR COX,—Judging by newspaper reports, it is apparently conceded that the Yukon Bill will be defeated in the Senate, and although at this stage, I do not suppose that any amount of argument or the submission of any number of facts in favour of the measure will have any effect, nevertheless its defeat will deal the heaviest blow at the extension of Canadian trade that manufacturers and merchants have experienced in many years.

As you are aware, I have more or less knowledge regarding the trade of British Columbia and the coast cities, and I do not hesitate to say to you that the expected action of the Senate will most undoubtedly result in building up the Puget Sound ports to the detriment of Vancouver and Victoria.

I visited the Pacific coast both in March and August last, and at that time the Canadian Yukon trade was practically nil, although Seattle, Tacoma and Portland were crowded with miners and prospectors, and every vessel going north was overloaded to the danger limit with those rushing to the Canadian gold fields after Canadian gold, but transported in Yankee vessels, and outfitted entirely in the United States.

The steamer "Portland" and other so-called "treasure-ships" hailing from Seattle were bringing down the wealth accumulated by American miners in the Canadian Klondike, and Seattle was advertised the world over, as not only the most advantageous outfitting port, but the point to which all the gold wrung from Canadian soil was being brought, and it was claimed that the treasure vaults in the National Banks of that city were overflowing with the natural wealth which was our birthright.

I endeavoured to secure business for our company, believing that as one of the largest industries in Canada, we should in some way benefit, but found that owing to the United States coasting laws and customs regulations, we could not at that time secure even a

fractional part of the trade that should have accrued to us.

As soon, however, as the intention of the Government to have built the Stikine-Teslin Railway became public, the whole situation was reversed, and every Canadian merchant and manufacturer is experiencing the benefit of large orders for Yukon requirements, and thousands of Canadian merchants are being employed on this work, so much so that at present it is difficult to engage mechanics or operatives at any point, the whole industrial population being well employed.

When it was known that a railway was to be built, over which Canadian goods could be transported without the harassing difficulties experienced at Skagway, Dyea, or by the Yukon River route, Canada came to the front. The world over, it was made known that all bound for the Klondike could travel the entire distance under the British flag, and command the traditional safety and protection guaranteed by the Union Jack. Vancouver and Victoria were lifted from depression, and to-day their streets are teeming with a population that is continually buying and moving north. Their merchants are wiring repeat and repeat orders to Ontario and the east for more goods in ever-increasing quantities. Our Canadian lines of transportation are over-taxed with the demand on their facilities for carrying men and merchandise to the west and to the north, and I leave it to any man who is in touch with the pulse of Canadian trade of to-day to say that our present commercial self-reliance, our faith in the future of our trade and our self-confidence in our ability to meet all demands on us, if we are only given half a chance, was not borne out of the confidence we all had that no matter how our political parties might differ on every other point, that in national sentiment and the desire to conserve our own resources for our own people, they stood solidly shoulder to shoulder. Apart from our selfish trade interest, can we not also confess to a feeling of patriotic pride when we know that the Canadian Pacific Railway has purchased a fleet of ocean steamers to ply between Vancouver and Wrangel, is building a fleet of river steamers to ply between that point and Glenora, that our government has made provision for a railway from Glenora to Teslin Lake, and that large numbers of river boats will be there available for transportation direct to the gold fields, so that once again Canadian determination and pluck will have, inside of twelve months, overcome what appeared to be insurmountable obstacles to the control of our own commercial interests.

The Conservative party, to which, as you know, I owe allegiance, has in the past incurred much criticism when advocating a "forward" policy calculated to promote our industrial independence, as when they, in the face of opposition, carried to a successful conclusion the building of the Canadian Pacific Railway and the Sault Canal, and in the light of the present, have they not for ever earned the gratitude of Canadians for their unyielding determination to act for Canada first.

I am afraid that the intensity of my interest in this matter may have led to my writing you at too great length, but the satisfaction of the knowledge that we have already secured orders for over $30,000 worth of machinery for river boats to be used on the Canadian Yukon route, is tempered by the fear, sordid though it may be, that as a result of the action of the Senate, we may lose any further extension of this trade.

As you are perhaps aware, the Polson Iron Works and the Bertram Engine Works, of this city, have also been working overtime to fill orders for boats and machinery for the Stikine route, and to my own knowledge, many other factories throughout this province and Quebec are working overtime to fill the demand for picks, shovels, axes, woollens, clothing, boots, hardware, and every other description of machinery and merchandise that is being ordered from the coast in the expectation that it will be shipped in our own vessels over our own route, and the profits thereof remain with our own people.

It may not be too late to prevent an error, which, if committed, will be so far-reaching in its deplorable consequences that history will regard it as the lost opportunity of a century, and I trust that you will do all that one man, standing for his country, can do to sound a note of warning that may find an echo, if not in the hearts, in the intelligence of Canadians at large.

Yours truly,

* * * *

He need not have told me about his allegiance to the Conservative party, because if it had not been that he was such a strong Conservative I, perhaps, would have been in the other chamber. He stumped the county against me, and I was only defeated by sixteen votes. I know that he controlled more votes than that out of his own shop, but still I am satisfied and feel much happier in this chamber.

Hon. Mr. BOULTON—I would like to ask the hon. gentleman if there is anything to prevent the construction of this road going on even if this bill is thrown out?

Hon. Mr. MILLS—Yes, certainly.

Hon. Mr. COX—Yes, this honourable House is in the way.

Hon. Mr. BOULTON—If it is put on a proper basis I think it could be done. If they could be sure of half the business they say will be done, they could build the road and make a profit.

Hon. Mr. MACDONALD (B.C.)—I want to point out that there is not a word about that 4,000,000 acres.

Hon. Mr. DEVER—Order, order.

Hon. Mr. COX—I would like to hear what the hon. gentleman has to say.

Hon. Mr. SULLIVAN—Was that letter written spontaneously, or was it in reply to a request?

Hon. Mr. COX—I could not tell you, but I will give the name of the gentleman.

Hon. Sir MACKENZIE BOWELL—I think I know it.

Hon. Mr. COX—He is one of the most active Conservatives in the country, and has done good work for his party.

Hon. Sir MACKENZIE BOWELL—He is a very respectable man.

Hon. Mr. COX—He is at the head of a manufacturing establishment employing about 800 men—one of the grandest manufacturing concerns in this country.

Hon. Sir MACKENZIE BOWELL—He does not say one word about the terms.

Hon. Mr. MILLS—Yes, he approves of the bill.

Hon. Mr. COX—I do not care what value you put on the land, I say it is not worth anything to us, and at this point I want to make a confession—something that I tried to do but failed. I did try, and tried my very best and thought I was doing it from patriotic motives. I was so foolish as to be one of the syndicate who tried to defeat the Canadian Pacific Railway, and I am very thankful I was not successful. I am very glad that the government of that day had not the second chamber to defeat their project.

Hon. Mr. BOULTON—You may be wrong again.

Hon. Mr. COX—Perhaps I am wrong in supposing the second chamber is going to defeat it.

Hon. Mr. PERLEY—How can the hon. gentleman expect me to vote against the bill when he will not give me the name of that man?

Hon. Mr. COX—I will give it to the hon. gentleman. I would not like to give the name to the House without permission, but I am willing to give it to any hon. gentleman. I can assure the House that he is a lifelong Conservative, and when I ran in West Peterborough for the House of Commons, I attribute my defeat to the fact that that gentleman stumped the county against me.

Hon. Sir MACKENZIE BOWELL—That is the best evidence of his good sense.

Hon. Mr. COX—Yes, and I would like the Senate to take his advice. I compare the opposition to this transaction to some extent with the unwarrantable opposition, if I may use that term, that was used against the construction of the Canadian Pacific Railway. If it had been successful in defeating or delaying the construction of that road at that time, it would have done this country an incalculable injury. I believe the gentlemen who constructed that road, and who have so much assisted in developing the resources of this country are entitled to all the wealth that any of them has got out of it, and to all the honour there is in connection with it, and I am glad that two of these gentlemen grace the House of Lords.

Hon. Mr. McMILLAN—I am afraid a good many who were at that time in the same position as my hon. friend would not be so honest as to make the confession.

Hon. Mr. COX—I hope with all my heart, that this House will not make the mistake that we made at that time. When the hon. gentleman from Acadia (Mr. Poirier) was speaking last night of the very large value to be placed upon the land, it reminded me of the great diversity of opinion that existed as to the value of the lands which were being given to the Canadian Pacific Railway. It will be admitted by all that the value that has been taken out of these lands already—and only a very small proportion of them are yet occupied—can be counted by the hundreds of millions of dollars. My hon. friend from Wolseley (Mr. Perley) will bear me out in the statement that only a fraction of the wealth of that western country has yet been developed, and yet hundreds of millions of dollars of produce have been taken off those lands that were valued at a very small amount, and hundreds of millions more will yet be obtained. And to whom will it go? It will go to the citizens of this country and the citizens of other countries who will come here to develop it. It has been demonstrated that the wealth is in the lands, that there are untold millions yet to be extracted from them. And yet that wealth will go to the people who dig it out, and these three or four million acres of land are developed and the wealth—and I do not care how much wealth is taken out of it—goes to enrich every man, woman and child in the country, and to benefit them directly or indirectly in some way. I say let it be developed; let the contractors make money out of it. If they make as much money as is stated that they will make out of three or four million acres, there are hundreds of thousands of

acres yet to be developed, and I do not believe it is possible to cover a fraction of the mineral wealth of that country with the three millions which is to be selected by the contractors. Put it down there where they like, and have all the base lines and restrictions where they like, and there will be still unlimited wealth in that country, and in the millions of acres yet unoccupied and fertile lands to the east of it waiting to be developed to feed the hundreds of thousands of people who will yet be occupying that western country. I cannot understand how any person can justify opposition to this project so much calculated to develop the resources of that great country. I wish that something could be done to delay the fatal vote which I am afraid is going to be taken to-night, and to postpone the matter for further consideration. Let the parties get together, and do something to avert the great injury that is going to be done to this country by the blow which will be struck at the manufacturing and mercantile interests of Canada by throwing out this measure.

It being six o'clock, the Speaker left the Chair.

After Recess.

Hon. Mr. MILLS—Let me say, hon. gentlemen, that I regard the bill and the motion made by the hon. member from Victoria as both of very great importance to this House, and to the country. I was for 30 years a member of the House of Commons. I have seen and heard during that time many warm contests and many heated observations; but I must say that for what seems to me an exhibition of a cool and determined spirit of political partisanship, I have never seen in the House of Commons so fierce a spirit exhibited as I have witnessed in this House by several hon. gentlemen during this discussion. I hope that the Senate is not going to delude itself with the notion that it is not actuated by political feeling, for I am perfectly sure in my own mind—and I think when the discussion that has taken place on this bill in this House is read in the country, there will be no two opinions upon that question, that in respect to those measures which emanate from a Reform administration, they are not likely to be received with very much generosity. We were told there were men in the old Greek republics who, on account of their hostility to others whom they regarded as political rivals, were ever siding with Philip of Macedon, and it does seem to me that in this discussion we have had exhibited a strong inclination on the part of some hon. gentlemen to cast their political influence in favour of those measures of public policy, those works and undertakings, that would place the Yukon country and the trade of that country under the control of our powerful neighbours, instead of being under the control of the people and government of this country. Let me take the case of the mover of the motion now under consideration for the six months' hoist. If there be a province in this Dominion that would be specially helped in its industrial enterprises, in the extension of its commerce, in the stimulation of every branch of industry by this measure that province is British Columbia. It seems to me that whatever doubts there might be in respect to any other portion of the Dominion, there can be no doubt whatever as to the position of British Columbia, and yet my hon. friend who sits on the other side of the House, from the province of British Columbia, has offered to this measure his most determined opposition. He has criticised it most unfavourably—I was going to say most unfairly—certainly most unfairly from my point of view, and the hon. gentleman in doing so, I cannot help thinking, must feel that he is causing a serious detriment to the province of British Columbia.

Now, look at what has been said? Both hon. gentlemen in this House who are here from the North-west Territories, and several other hon. gentlemen have declared that this road would be of no substantial advantage to the people east of the Rocky Mountains. I do not agree at all with that view. They said it would be a road advantageous to the people of the United States and of British Columbia, and I wondered how my hon. friend could defend his action in this House before the people in British Columbia when almost every speaker who supported his motion pointed out that that would be the province, among all the provinces, that would be specially benefited by this measure. This is a blow against the trade of British Columbia. It is a proposal, when carried, and I suppose it will be carried, that will help the United States, that will help the people of San Francisco and Seattle to control the trade of the Yukon

country, and to do this at the expense of the people of British Columbia. My hon. friend is, in fact, whether in intention or not, an ally of that gentleman who is here and who supported the cities of the Pacific coast, and as one of the editors of the San Francisco *Examiner* went up to the Yukon country for the purpose of making a report on the conditions of things and to aid the city of San Francisco in acquiring the trade of that country. What did that gentleman say when he was here? Why he said if the mining regulations of the government were brought into force in that country the population would soon settle the question, not by obedience to the law, not by seeking the repeal or amendment of them, or a change in a constitutional way, but with Winchester rifles—the sort of talk that was reported to us before the government was actively engaged in promoting this enterprise. Those people who are seeking to control the trade of the country, seeking to close the avenues by which we are to gain admittance to our own territory, with the intention of governing and controlling that country, find in hon. gentlemen who are supporting this six months' hoist motion the most efficient allies they could acquire on the continent of North America. That is the condition of things; my hon. friends, whether they will or not, whether that be their object or intention or not—and I do not attribute to them the direct intention of undertaking to betray the interests of this country, but any man who has thought out this question, any hon. gentleman in this House who has seriously considered the question instead of giving his mind a holiday on the subject, can come to but one conclusion, and that is that if this measure is defeated, if this Senate undertakes to take the work of administration in that country out of the hands of the government, to disable them and disqualify them in this respect for the discharge of an important public trust to the people of this country and to the sovereign of the British Empire, have but to persist in the course which they have taken, they have but to carry the motion of my hon. friend and they will put it in the power of the United States to exclude almost every dollar's worth of goods and all the products of this country going into the Yukon, and they will enable us, if we hold the country at all, to hold it by the grace and favour of the government at Washington. The motion to destroy this bill is a matter in which this House is unfortunately more interested than the government. I suppose hon. gentlemen remember very well the answer of Mr. Stephenson when it was proposed to send the first locomotive over the railway track to Manchester. Some one asked him what would be the effect if a cow came upon the track, and he said it would be a very bad thing for the cow. I think when hon. gentlemen are undertaking to place this House in antagonism to the House of Commons, to the government, and to the people of this country, they are taking a course which is not to the advantage or the honour of the Senate of Canada. This is an important question for the country, and for this House. It is an important question to the country because there has come a tide in the affairs of this Dominion, of which, if they were permitted to take advantage, would most materially contribute to its prosperity. If my hon. friends deny us that opportunity, if they say advantage shall not be taken of it, if they say no avenue of trade shall be opened to that country, then these hon. gentlemen are inflicting a serious blow upon the commerce of Canada and its various skilled industries, a more serious blow than has been struck at any time since this union has been established. I say it is an important question for the Senate, because there is a strong bias exhibited in this discussion to hinder the bill and defeat this measure, a measure, in my opinion, necessary to the work of administration in the Yukon district. The government have said to the House that, in their opinion, this is a necessary measure. The government are responsible for the administration of the affairs of this country. It is less than two years since there was an appeal to the country, and there was returned a House of Commons opposed to the former administration and expressing its confidence in the present administration; no election has taken place at any time since the government has been formed which shows or tends to show that the confidence which the people expressed in June, 1896, has been withdrawn. Since then, twenty-two elections have taken place, and not one of those elections has gone in favour of the friends of hon. gentlemen opposite. I say, therefore, that there is nothing to warrant the majority in this House in voting against this bill. The declaration has been made over and over

again that the government upon this question do not represent the country. How do they know that?

Hon. Mr. McCALLUM—You could easily let us know if you have the confidence of the country?

Hon. Mr. MILLS—Does the hon. gentleman suppose that the Crown is going to dissolve the House of Commons to satisfy his whim? Does he suppose that because he chooses to say the government no longer possesses the confidence of the people that therefore we ought to put the country to the expense and the turmoil of a general election? Is that the view which my hon. friend has of the constitutional duties that devolve upon him as a member of this House? They may be the views of my hon. friend: they are not my views. The government have said it is their duty to adopt what they regard as the necessary means to accomplish the end which this bill brings before this House. They have fully considered that subject. My hon. friends opposite may have come honestly to a very different opinion, but under the provisions of our constitution, and our constitutional system, the duty of deciding that is with the government. It is the opinion of the government and not the opinion of my hon. friends that must prevail. Can they for a moment suppose that any government worthy the name of government—any government having a sense of self respect will, after having been supported by a majority in the House of Commons, the representatives of the people, those who bear the taxes and the burdens that measures of this sort may impose—do they suppose that the majority in this House is to determine the question of administration against the other two branches of the legislature, against the Crown and against the majority in the House of Commons? It was well said on one occasion by Macaulay, in discussing how far there should be open questions in the work of government, that there is one class of questions which specially belong to an administration, and that is the class of questions that have to do with the administration of the affairs of government, that class of questions which are closely associated with the work of the executive government. Now we have in the Yukon district a large territory that is being occupied for the first time. It is necessary to provide a government for it; necessary to provide efficient means for the maintenance of law and order; necessary to provide easy means of access to that country, and so far as we could do so, control the trade of that country. This we have endeavoured to accomplish. We came down with our measure. We have two courses open to us, to ask for an appropriation of money or to take what, under the law of this country, is a part of the public revenue, a portion of the public land, and we decided in favour of the latter course. On that question there was no difference of opinion, and I venture to say that every Liberal member, and many who are not Liberal members, in the House of Commons, preferred an appropriation of public land to an appropriation of public moneys. What does this House declare on this matter—I am speaking of the majority who have expressed opinions in this discussion? My hon. friends say: "Why, you are giving too much lands." Some say: "You ought not to have given lands at all." Others say: "We want no road at all." My hon. friend from Monck (Mr. McCallum) declared we did not want a road into that country.

Hon. Mr. McCALLUM—I said nothing of the kind.

Hon. Mr. MILLS—My hon. friend has forgotten what he said.

Hon. Mr. McCALLUM—No, I have not forgotten.

Hon. Mr. MILLS—Others maintain that we should make an appropriation of public moneys. I say that is not a question on which this House judges. That comes before this House in no other sense than a supply bill. It is in that respect practically a supply bill, and you propose to take out of the hands of the administration, whose life depends upon the vote, not of this House, but of the House of Commons, and out of the hands of the House of Commons the question whether this shall be an appropriation of lands or money. Further than that, a motion for a six months' hoist is practically a motion to put the trade of the Yukon country beyond the reach of the people of Canada. We have had over and over again discussions on that line. We have had over and over again, during this debate, a declaration

that we ought to seek admission to that country by the Lynn Inlet and that our railway ought to go into that country from the Lynn Inlet. A few hon. gentlemen have spoken about the Edmonton route, but they have spoken of it as rather an abstract speculative question than a question of practical politics. They know it would involve the construction of at least fifteen hundred miles of railway, and they know if they were building a mile a day it would take five years to build from Edmonton to the Yukon country. So that is a matter, on a question of urgency, that must be set aside altogether at the present time. And so my hon. friends turn their attention away from Edmonton, not to a road within British territory, not to a road that would be under Canadian control, not to a road where we could determine what the commercial policy should be of the country in respect to the commerce and trade and travel that passes over that route, but to a road beginning in the United States territory at Lynn Inlet and which the government of the United States could control. That has been the position. These hon. gentlemen profess—and I suppose are serious in their professions—to be devoted to British interests and the maintenance of British rights. I supposed that this country had practically taken a new departure with regard to the maintenance of the integrity of the empire and the interests of the empire when the Queen's Diamond Jubilee took place. We had a few on each side who favoured more effective defences of this country. No one could seriously interest any large number of persons on either side of the House in that question. I thought I saw a change—what I believed to be a change for the better—a change which would have the effect of interesting the people of the United Kingdom in this country and everything that affected the well-being of Canada. But here we have a question upon which it is perfectly manifest to every one who has chosen to look into it that the people on the western coast in the great cities of the United States are endeavouring to seize the trade of the Yukon country, and to control it and to control the wealth of that country, and we have a large number of gentlemen declaring that that is the best course to take—to support a railway which would accomplish that object. Has any hon. gentleman taken the trouble to look at the bills that are before this House? Here we have a bill that I dare say will be considered after this one is disposed of to incorporate the Pacific and Yukon Railway Navigation and Mining Company, a bill which declares that this company—and a declaration in perfect accordance with a dozen speeches which have been made in this House—is for the general advantage of Canada, and a bill which says that the company may lay out, construct and operate a railway of the gauge of three feet, and that bill is being moved by gentlemen who have declared in the discussion of this subject that a railway with three feet gauge is nothing more than a tramway, and yet they are pressing that measure here and pressing in what company? Why pressing along with Mr. Hamilton Smith who was here and who was actively working to defeat the policy of the government upon this question in the interests of commercial men in the United States upon the Pacific coast. Let me say this—and I say it with a great deal of regret—that there has been, in several of the speeches that have been made in this House, an exhibition of a spirit of very fierce party bitterness. I say that the speech by my hon. friend who moved the six months' hoist, the speech of my hon. friend from Monck, and the speeches of the three hon. gentlemen who spoke in this House from the North-west Territories, were all in a tone of fierce party hostility, nearly every one of them suggesting that there is something wrong, that there is something dishonest, and not merely an error of judgment.

Hon. Mr. MACDONALD (B.C.)—I did not say so.

Hon. Mr. MILLS—I do not know that the hon. gentleman did.

Hon. Mr. MACDONALD (B.C.)—I accused no one.

Hon. Mr. MILLS—I do not intend to include the hon. gentleman from British Columbia.

Hon. Mr. McCALLUM—Does the hon. gentleman say I said there was something wrong?

Hon. Mr. MILLS—What did my hon. friend mean by his allusion to the Minister of the Interior with regard to the exclusion of Mr. Hamilton Smith? If my hon. friend

did not mean to impute any wrong motive to any person I shall be glad to hear it.

Hon. Mr. McCALLUM—I described the possibilities under this bill. I said nothing at all imputing motives to anybody. But I can say to the hon. gentleman to-day, as I said before, that there is nothing to prevent the Minister of Justice and the Secretary of State being partners in this concern, having stock in this railway, and I am surprised that my hon. friend who knows so much about the independence of Parliament, should put in an amendment to exclude the members of the House of Commons when he is allowed to go in himself. That is all I said about the bill—that the possibilities were that you could do so if you liked.

Hon. Mr. MILLS—The hon. gentleman seemed to think there was something very suspicious that the members of the House of Commons should be excluded and the members of the Senate not excluded from entering into partnership in this company. Let me read the provision upon which my hon. friend commented:

> No member of the House of Commons of Canada shall be be admitted to any share or part of the said contract or to any benefit to arise therefrom.

That is the declaration in the contract. Let me call the attention of the House to the provisions of the Act relating to the Senate and the House of Commons, section 15 of that Act provides:

> This Act shall not extend to disqualify any person as a member of the House of Commons by reason of his being a shareholder in any incorporated company having a contract or agreement with the Government of Canada, except any company which undertakes a contract for the building of any public work, and any company incorporated for the construction or working of any part of the Canadian Pacific Railway.

That does not say one word about the exclusion of senators. It is a provision in an Act revised in 1886. My hon. friend was in the House and did not at that time propose to extend that disqualification to the Senate.

Hon. Mr. MILLER—He could not do it if he tried.

Hon. Mr. McCALLUM—Why then exclude the members of the House of Commons?

Hon. Mr. SCOTT—The law excludes them.

Hon. Mr. McCALLUM—And you allow the senators to go in, as an invitation to try and induce the men of this country to support this bill—to put another weapon in Mackenzie & Mann's hand to try and carry the Senate.

Hon. Mr. MILLS—Let us see whether my hon. friend is right in that imputation. I point out to him that there is the same inclusion and exclusion in the Act relating to the constitution of the Senate and House of Commons. Let me read a portion of the next section:

> In every contract, agreement or commission to be made, entered into or accepted by any person with the government of Canada, or any of the departments or officers of the government of Canada, there shall be inserted an express condition that no member of the House of Commons shall be admitted to any share or part of such contract, agreement or commission.

I wish to call the attention of my hon. friend to this, and to give him a piece of information which he does not seem to have possessed. He will see that the government are required, by the provisions of that section, in making a contract for the construction of a railway, to insert in that contract a provision declaring that no member of the House of Commons shall be admitted to any share or part of such contract or agreement. The government simply did this: in the provision of the contract they made the contract conform to the law.

Hon. Mr. McCALLUM—I think the hon. gentleman wants to be fair ——

Hon. Mr. MILLS—I am fair.

Hon. Mr. McCALLUM—Let me say one word on this point. How did the hon. gentleman come to omit it in the first contract, and amend it afterwards? How did he come to put it there in the second place? This bill was introduced in parliament without such a clause, and it was twenty days after that that clause was put in excluding the members of the House of Commons, and yet nothing was said about the Senate.

Hon. Mr. MILLS—Let me tell my hon. friend why we could not put anything there about the Senate. The qualifications and disqualifications of the Senate are fixed by the British North America Act. We cannot impose on the Senate disabilities other than those which are imposed by the law.

Now, in drafting the contract these words had from oversight been omitted, which the law required shall be inserted, but the law on the subject is clear as noon day. It is stated in express terms that this shall be a part of every contract entered into for the construction of any public work or undertaking, so that my hon. friend will see that the provision which excited a suspicion in his mind is a provision that the law requires shall be inserted in the contract.

Hon. Mr. BOULTON—I should like to ask if that excludes any one from being a shareholder in a mining company which arises out of the acquisition of those lands.

Hon. Mr. MILLS—My hon. friend will have to consult his solicitor on that point. Now, I say this: the spirit in which my hon. friend discussed the question, and the spirit in which it was discussed by some others, was an exhibition of party bitterness unrestrained by a sense of responsibility, because my hon. friend knows that this House cannot be legally controlled by public opinion. If the House of Commons do wrong it can be brought to account; if the government go wrong it can be brought to account, and therefore, under our constitutional system, the intention is to govern in these matters subject to their responsibility to the House of Commons. While their conduct may be criticised in this House, it is an extreme and unusual course for the Senate to undertake to override the public policy determined upon by the government and to mark out for that government a different course. Does my hon. friend suppose that is permissible? Let us look at what the constitutional system is: if the government on this question had been beaten in the House of Commons there was one course open for them, and that is to tender their resignation, and permit another government to be formed to carry out the views which the House had expressed, but my hon. friend cannot turn out the government by any vote in this House, and does he suppose that the government, that are entitled under the constitution to remain in office, will for a moment consent to abandon that course which their judgment tells them is the proper course to pursue under the circumstances, and accept from this House a declaration of what the public policy should be?

Hon. Mr. McCALLUM—We do not want you to do that.

Hon. Mr. MILLS—What is it that the hon. gentleman wants the government to do? He proposes that this measure shall not receive a second reading. He proposes that this measure, which was to be an instrument in the hands of the government to enable them to properly administer the affairs of that country, to secure to the people peace, order and good government, and to promote the trade and prosperity of this country, shall not become law, and my hon. friend, therefore, puts it outside the power of the government to undertake to carry out in that country the policy which every one, who has carefully considered the question, must believe to be in the public interest.

Hon. Mr. McCALLUM—The question was never submitted to the people at all.

Hon. Mr. MILLS—My hon. friend forgets that it was submitted to the people's representatives, and they are the exponents of the people's wishes, and so far as the public are concerned, their view must be taken as the view of the people.

Hon. Mr. PERLEY—I should like to ask the hon. gentleman in what particular they have done that? Have they carried out one pledge they made to the people?

Hon. Mr. MILLS—I will discuss that on a proper occasion.

Hon. Mr. PERLEY—Exactly so.

Hon. Mr. MILLS—I am discussing at the present time the motion of the hon. gentleman from British Columbia that this bill shall not be read now, but shall be read this day six months. There was exhibited in this chamber, by some hon. gentleman opposite, no great regard for the reputation and good name of the Minister of the Interior, but there was shown a special interest in a gentleman from the Pacific coast, Mr. Hamilton Smith. Mr. Hamilton Smith, let me say, may be a very clever and enterprising man; he may be very wealthy or he may not be. I do not know his circumstances; it is a matter of no concern of mine; but I do know this, that he had no communication with the government. We do not profess to read the thoughts of men's minds

or the hearts of men, and when Hamilton Smith came here he had no communication with the government or any member of the government with respect to railway communication into that country. He was here for some time before the contract was entered into. There was a gentleman here, Mr. Kersey, who wished to enter into a contract and the hon. leader of the Opposition complains that the government gave Mr. Kersey no particular information. Supposing the government had asked Mr. Kersey to tender, and that is practically what he was invited to do, it was not their business to say how much land or money he should receive per mile. It was his business to say how much he was willing to take. There were other parties who were in communication with the government, and although we were ready, perhaps a few days earlier, to have entered into a contract with Mackenzie & Mann, that was delayed for the purpose of enabling Mr. Kersey to complete his negotiations with capitalists in England, and to make us a tender, if it was in his power to do so. Now, he did not do that. He was not restricted as to the amount of land he would be expected to take for the construction of this road, but he told us this, that rich as those lands are in minerals he could not raise the necessary capital to go on with the undertaking upon the land grant alone. Now, that was Mr. Kersey's position. He thanked the government for the courtesy with which he had been treated, and withdrew from further negotiation, because his friends on the other side of the Atlantic failed him. Now, in the case of Mr. Hamilton Smith, he said nothing until after the contract was entered into. He wrote a letter. In that letter he condemned the all-Canadian route to which the government had committed themselves, and he undertook to point out how much more advantageous it would be to construct a road from Lynn Canal. His proposal was a United States proposal, not a Canadian proposal. It was a proposal to build a road that could be controlled by the United States, that would be in the interest of United States commerce, and to build that road with aid from the public treasury or the public domain of Canada.

Well, hon. gentlemen, that was a proposition that the government could not for a moment entertain. It would be a betrayal of the public trust, instead of undertaking to serve the public interest, if we had for a moment listened to a proposition of that sort, if it had been open to us. What then was the next thing done? Then followed the introduction of a bill into the United States chamber which was a proposal to cast discredit or doubt upon our right to navigate the Stikine River so as to affect these negotiations and prevent Messrs. Mackenzie & Mann floating their scheme on the London money market, if they had made the attempt and if they had got the bill through the two Houses with that expedition which we all supposed would have been the case at the time these negotiations were had. Let me tell hon. gentlemen that is what their friend is doing. That was inspired, I have reason to believe, by some hon. gentleman to get a charter to build a road through United States territory controlled by Congress and by the executive government of the United States for admission into the Yukon country of Canada. I should like to know, if that road were built, what chances we would have to build a Canadian road? Why it could only be done by payment out of the public treasury of Canada, and when we would undertake to build a road, we would have the regulations made with the United States relaxed in order to embarrass and hinder our success, that the work would be abandoned in order that the United States government and the people might be able to control the trade of that country in their own interest. It is a matter of amazement to me that any number of hon. gentlemen of this Senate, who reflect upon the subject, could ever for a moment entertain a proposition of that sort, yet that is what is proposed. The hope of this country, the possibility of the extension of its commerce and its trade, the protection of its interests and the maintenance of law and order in that country, depend very largely upon this measure, and the hon. gentleman opposite, and those who are supporting him, whether intentionally or unintentionally, are nevertheless contributing to this end—the control of that country by United States cities on the Pacific coast. Now, let me say this further. The hon. gentleman from Westmoreland (Mr. Wood), in speaking upon this subject, spoke against this Stikine route. He spoke in favour of the railway being built from the head of Lynn Canal. My hon. friend seemed to think that this road if built would be controlled by the United States.

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman allow me to interrupt him, and ask this question: Did not Mr. Smith, in his letter of the 18th February, offer to build by the Stikine route on much more favourable terms than Mackenzie & Mann?

Hon. Mr. MILLS—Let me ask my hon. friend what signifies a proposition made by Mr. Smith after he knew the government had entered into a contract, a completed engagement with other parties?

Hon. Sir MACKENZIE BOWELL—You have discussed this point, why not this one? You are now pursuing the course of the Irishman of answering one question by asking another.

Hon. Mr. MILLS—A very proper course under the circumstances. I say it is a matter of no consequence what offer was made. It would prove nothing if he had offered to build the road for nothing. I discussed the other proposition for the purpose of showing what Mr. Smith's design was. Mr. Smith came here for the purpose of defeating the attempt to establish a Canadian route under Canadian control, and then sought to secure the construction of a road from the head of Lynn Canal—

Hon. Sir MACKENZIE BOWELL—He offered to build the other as well.

Hon. Mr. MILLS—Whatever he could do he did to defeat the policy and object of the government, and I regret very much that my hon. friend, or any hon. gentleman in this House, should give his influence in favour of a proposition of that sort. Now, my hon. friend from Westmoreland (Mr. Wood) declared that we might just as well go to the head of the Lynn Inlet to construct a railway as to begin at Telegraph Creek on the Stikine River. My hon. friend's contention was that the Americans had the same right to impose duties upon us at Wrangel, or any other port where goods might be transhipped, as they had to impose duties on us on goods at Dyea and Skagway. I said that is not so, and I shall undertake to establish that that is not so. My. hon. friend yesterday, in discussing this subject, undertook to show that the government of the United States might make regulations, but those regulations must be consistent with the right of free navigation, and so my hon. friend could not for a moment maintain that the United States government could impose duty. He said more: he said no one with a grain of common sense could argue in that way, and my hon. friend said it was an idiotic contention. I will not go that far; I will not say that my hon. friend from Westmoreland has not a grain of common sense; I admit he has a great deal more than a grain, but I say on this question he was mistaken.

Hon. Mr. LOUGHEED—Is my hon. friend aware of the fact that in the discussion on the Hansbury bill before the United States Senate a statement was made that the law officers of the State Department gave it as their opinion that the United States could impose duties at Fort Wrangel, notwithstanding the treaty of Washington?

Hon. Mr. MILLS—I am not aware of it, nor do I care whether they did or not. I know that is not law, and I know that no United States law officers will, in seriously arguing this question, or maintain any such law. I hold in my hand Mr. Wheaton's work. Mr. Wheaton is a United States authority of great eminence; there is none higher. He is an authority in the United Kingdom and upon the continent of Europe as well as in the United States. Let me read what Mr. Wheaton says on this very subject:

It was a principle that the right to a thing gives a right to the means without which it should not be used, that is to say, that the means follows the end. Thus a right to navigate a river draws to it a right to moor vessels to its shores, to land on them in cases of distress, or for other necessary purposes, &c. This principle was founded in natural reason, was evidenced by the common sense of mankind, and declared by the writers before quoted. The Roman law, which, like other municipal laws, placed the navigation of their rivers on the footing of nature, as to their own citizens, by declaring them public, declared also that the right to use the shores was incident to that of the water. The laws of every country probably did the same. This must have been so understood between France and Great Britain at the treaty of Paris, where a right was ceded to British subjects to navigate the whole river, and expressly that part between the island of New Orleans and the western bank, without stipulating a word about the use of the shores, though both of them belonged then to France, and were to belong immediately to Spain. Had not the use of the shores been considered as incident to that of the water it would have been expressly stipulated, since its necessity was too obvious to have escaped either party. Accordingly, all British subjects used the shores habitually for the purposes necessary to the navigation of the river, and when a Spanish governor undertook to forbid this, and even cut loose the vessels fastened to the shores, a British vessel went immediately, moored itself opposite the town of New

Orleans and set out guards with orders to fire on such as might attempt to disturb her moorings. The governor acquiesced, the right was constantly used afterwards, and no interruption ever offered.

That is the doctrine, and my hon friend will see the right to tranship and to moor are incidents to the right and navigation of the river.

Hon. Sir MACKENZIE BOWELL—Transhipment is not used under the provisions.

Hon. Mr. MILLS—The word transhipment is not used, but words broad enough are used; the word transhipment is expressly used by Philimore. I do not think it was necessary to bring in several volumes on this one subject when the very broad expression is used which certainly includes the one I refer to.

Hon. Mr. WOOD—Does he presume to say that we could tranship goods at Wrangel without being subject to the rules and regulations of the United States government?

Hon. Mr. MILLS—I have said nothing of the sort; I said that the United States government, under the express provisions of the treaty, have the right to make rules and regulations, but those rules and regulations must be rules and regulations consistent with the free use of the river. They may make rules which will prevent a ship from Canada stealthily smuggling goods; but they cannot subject a vessel to the customs laws by putting a duty on British goods; that would not be the free navigation of the river.

Hon. Sir MACKENZIE BOWELL—That is the tariff, not the customs law.

Hon. Mr. MILLS—That is so.

Hon. Mr. WOOD—I did not say that the United States would impose duties at Wrangel, but I did say that any transhipment which might be made there must be under such rules and regulations as the United States government imposed, and my hon. friend admits now that they would have the right to impose such regulations as would prevent smuggling into the United States territory, and I referred to what Mr. Sifton said in his speech in the other House, that if these rules and regulations were vexatious, we had one relief by being able to tranship at Port Simpson.

Hon. Mr. MILLS—My hon. friend is thinking somewhat loosely on this subject. I point out to him that what he was arguing at the time was that we had just the same rights at Dyea and Skagway as we had at Wrangel, that there is no difference—and I pointed out to him that at Dyea and Skagway they could impose a duty on every dollar's worth of goods landed if they so chose; at Wrangel they could not do so, and my hon. friend dissented from my contention. No one pretended to argue that the government of the United States could not make regulations there; they are entitled to make regulations, the treaty expressly says they may make regulations; but the treaty does not say they may make regulations inconsistent with the free navigation of the river. My contention is that those regulations must be reasonable regulations, and must not have any other object in view than that which the treaty authorizes. Now, several hon. gentlemen have praised the Dyea and Skagway route. The hon. member for Calgary said that when built the Stikine railway would be a United States road. Well, let me say this, hon. gentlemen, the Americans may use it. We are glad to have them use the road; they contribute to its support; they are not likely to travel over it without paying the usual charges. They will, of course, pay the regular duties and charges upon entering the country, when these goods are for disposal in Canada, precisely as they would pay if those goods were landed in Toronto or Montreal; there would be no difference. If they landed the goods, we would get the duties, and if United States goods went into the country to a great extent, we would receive a revenue which would contribute to the maintenance of the government and the payment of the expenses incurred; but beyond that there would be a very large sale of Canadian goods, as there is, even under the existing circumstances, no inconsiderable quantity of Canadian goods being sent into that country. Then, I find the member for Calgary (Mr. Lougheed) and the hon. member for Shell River (Mr. Boulton) both supporting the six months' hoist and opposing this bill; but both are promoting a bill to authorize the construction of a road from the head of the Lynn Inlet. I want to press this upon the attention of these hon. gentlemen who are voting for the six months' hoist, that they are supporting a proposition

to build a road in United States territory which we cannot control.

Hon. Mr. McCALLUM—But we are giving no money or land towards it.

Hon. Mr. MILLS—Money is wanted ; it is sought.

Hon. Mr. MACDONALD (B.C.)—No land grant.

Hon. Mr. MILLS—The House of Commons and the government are not likely to support a land grant under the circumstances, and I think there will be a good many people in this country who, after the speeches made in this House, will thank God they have a House of Commons and have a government in this country sustained by that House of Commons.

Hon. Mr. LOUGHEED—Then the primary object in view is not the building of a railway.

Hon. Mr. MILLS—Certainly, it is the building of a railway on Canadian territory. We do not propose to build a railway in California or in the Southern States or Alaska.

Hon. Mr. LOUGHEED—Nor do you propose to allow foreigners to build a railway into the Yukon, notwithstanding the fact that they ask for no subsidy, either in cash or land.

Hon. Mr. MILLS—No, we do not propose to put the trade of this country into the hands of people at Washington.

Hon. Mr. LOUGHEED—Can the hon. gentleman reconcile the stand he takes with the policy laid down by the minister in the other House in regard to the Kettle River Railway Bill ?

Hon. Mr. MILLS—That bill is in the interest of the Grand Trunk Railway Company. It is a railway company seeking admission to the territory on the Pacific coast.

Hon. Mr. BOULTON—I wish to ask the hon. leader which is most in the interest of the mining industry of this country—to land the goods and passengers at Fort Selkirk or to land them 300 miles by river navigation away from that? I am putting the interests of the miners, who are working in that country, against the other interests he is speaking of.

Hon. Mr. MILLS—It is the interest of the Canadian people, whether in the Yukon country or any other portion of Canada, to favour the construction of a road on Canadian soil that will be controlled by the Canadian parliament, and subject to Canadian policy, no matter whether it be a longer or shorter route than the United States route. Besides that, let me call hon. gentlemen's attention to the fact that the town of Dawson is very near the western boundary of the Canadian territory, that when any expansion takes place in that country it must be eastward.

Hon. Mr. MACDONALD (B.C.)—Alaska territory, you mean.

Hon. Mr. MILLS—Canadian territory east of Daw on, and so every mine that is opened is a mine coming nearer and nearer the part where this road will enter the country. If the mines prove productive, as we all hope they may, if the country is occupied by a large mining population, then this road will be just as convenient to the mining population as if it ran nearer the United States border. Besides that, there is nothing in the world to prevent any railway corporation that has large interests in that country to select a route wherever they please. There is one thing that this contract provides for, and that is that wherever the contractors build a road for their own use, it shall be also open for the use of the miners in that country. My hon. friend spoke some time ago with regard to the use of the Stikine River under treaty of Washington. Let me read a letter which passed in 1873, after this treaty was negotiated, from the Treasury Department at Washington to one of their officers in that section of their territory. It was written in September, 1873, and reads as follows :—

Sir,—I have the honour to inform you that Mr. William Moore residing at Fort Wrangel, Alaska, has addressed a complaint to the British Minister here, in which he states that the United States deputy collector had informed him that he had been instructed by his government that no foreign bottom should be allowed to carry freight through American territory on the Stikine River.

As the 26th article of the treaty of Washington, of the 8th May, 1871, provides for the free navigation of the Stikine River, I have to request you to ascertain, without delay, the truth of Mr. Moore's statement,

and to transmit a copy of the instruction received at your port in relation to the navigation of the Stikine, with a copy of the instruction given to the deputy collector at Fort Wrangel on the subject, and state the practice of the deputy collector with the authority on which it is based.

Hon. gentlemen will see that at that time the rights of the British population were asserted by a British minister, and that the United States government at that time also called the officer to account for having misunderstood his instructions. We have been told over and over again, during this debate, that this is not an all-Canadian route. What do hon. gentlemen mean by this not being an all-Canadian route? Not a foot of this railway is within miles of the United States border. From its initiation to its termination it is wholly in Canadian territory. It terminates on a river which runs through a portion of the United States. Is that a reason for saying that it is not an all-Canadian route? If the Canadian people, under the solemn compact made between the government of Her Majesty and the government of the United States, are entitled to use that river for all commercial purposes in what respect does it differ from a Canadian river? As long as peace continues, that treaty remains in force; it could only be terminated by a war between the two countries, or by their mutual consent, and we are not looking for war, and not looking for a termination of the treaty; but, in any event, we have made the southern terminus of the road at a point from which it may be extended directly south 180 miles to a sea-port in our own territory. The government expected, if this contract was confirmed, to ask parliament for a small appropriation to construct a wagon road; so that if it should become necessary to use it for military purposes, it could be done. It would be adequate for that purpose for the present, and if the Yukon country should prove as valuable as we hoped it might, then the railroad could be extended from Teslin Lake down to the seashore in Canada, and a road would be established which would be used, not only during the season of navigation, but throughout the year. It has been said that our grant of land to this company is a prodigal grant, that we have given more to this company than the company ought to have received for building that road. That railway was estimated by the engineer to cost about $25,000 a mile under ordinary circumstances. But the circumstances are not ordinary. The wages, in all probability, that these contractors will be obliged to pay during the season of construction would be the same wages that miners receive. Unless they approximated such wages, the men could not be retained on the road, and every one will understand under these circumstances, that the road will cost much more than a road of that kind under ordinary conditions. What was the duty of the government? The country did not want to give money; they did not want further burdens imposed on the treasury. That country is being opened up in the interests of the mining class, a large percentage of whom are not British subjects, persons of foreign birth going in there to carry on mining operations, and we thought that the best and wisest course—and in that I know we have the concurrent opinion of the country—was to make that country, if possible, bear the burden of the obligation that we were obliged to incur on behalf of the Yukon district. That is what we did. At all events, that is what we have undertaken to do. And now as to the amount. We felt it our duty to give our assent to such an area as would be pretty certain to secure the financing of the operations of the contractors. That was arranged. There was urgency. There was necessity to secure early admission to the country, and in order to secure that early admission it was necessary that these men should not fail in their financial undertaking. We could have given them one-twentieth of the part of land—yes, we could have given them one-hundredth part of the 3,750,000 acres; we could have given them 37,500 acres, and given them all the placer-mining it is possible for them to receive under this contract, but what would have been the effect if we had given them so small an area of land? They would be likely to fail in the English money market. They had not the same chance of succeeding with a small area as with a large one, and so the government adopted a course which they believed to be best in the public interest. Let me illustrate, going back six miles on each side of the base line, you are not adding anything to the placer mines put in the possession of the company. No placer deposit has been found more than 100 yards in width, so that the greater portion of that land added on each side, which goes to make up the area, adds nothing whatever to the

gold deposit on the lands that pass into the possession of the company.

Hon. Mr. MACDONALD (B.C.)—No one can tell that.

Hon. Mr. MILLS—Certainly, if it is placer mining they can tell. Now, with regard to the quartz mining, every one knows how uncertain the direction or length of the lodes may be, where there is a deposit in the quartz rock. Supposing the prospectors of the company were to find what they regard as favourable indications of gold deposited in the rock, they are obliged then, in order to acquire that property, to lay out a line 24 miles in length and to include that in one of the alternate blocks which they receive. They might not get another on the whole distance except that one. There is no certainty that they would. The chances are quite as much against their receiving one as they are in favour of their receiving more. Let me call the attention of the House to another fact: If you take the opinion of any writers on the subject of gold mining, they will tell you that the mining operations which have been carried on throughout the world, taken as a whole, have not yielded more gold than the value of the labour and capital invested. My hon. friends know this, that they often read reports of very large sums of money taken out by miners and carried back with them to their homes. They are published abroad. Every newspaper reports the success that has attended the fortunate miner, but there are hundreds and thousands who never bring back anything like the amount they have expended to get into the country, and there is no report of their case, and if you wish to know what the value of their mining operations has been, you must include those who fail along with those who succeed, and you must estimate the value of the whole and consider the value of the labour spent and the capital invested in order that they might reach that country. Now, when the company acquires mining lands, the company are not in the position of the fortunate miner, but in the position of all these miners, taken in their collective capacity. That is the test by which you judge what is fair and what is not fair, and let me say this, that when you come to the subject of quartz mining, when you consider the amount of machinery used, the cost of it, the taking of it into the country, the number of men that must be employed in order to make the property acquired valuable, you will see that if the government had actually given the land to a company that were obliged to do nothing else than work the quartz mines, they would have been conferring a valuable privilege, not simply upon those who had received the lands, but upon the entire population which would go into the country in consequence, who would there labour, who would consume the goods and the food imported for their maintenance from other parts of the Dominion. I say that is the position of things. These men acquiring those mines, if they build a highway by which men can reach a market for the products of their industry, and miners can have ingress and egress to the gold fields, they have conferred on this country a lasting benefit. It is not what the government receive from the miners that is of greatest value to the country, it is the trade developed, by what the miners consume, it is the foreign goods that are brought in and on which the duty is paid; it is the home-produced goods that have given employment in the mills and factories where those goods are produced and the freight paid to the railroads that carry them. All these go to make up the considerations which ought to influence an administration. I do not expect that the government will receive a very large amount of money from the miners by the payment of royalties. I do not suppose they will receive a very large amount from the company in the payment of the little royalty charged them, but I do expect, if the road is built and the country occupied and the population go there, whether seeking their own fortunes in placer mining or entering into the employment of the company, that they will by the consumption of the products of other portions of the country largely contribute towards the well-being of the entire population of Canada. There are matters which I think the people who have discussed and criticized this proposition of the government adversely have overlooked altogether—the political considerations. I do not pretend to say that we would spend a large sum of money in the defence of that country. When you consider the larger population that would go thither, the country from which they come, the little restrait that law exercises over them in that country, it is a very great thing with

them that they should feel that it is in the power of the government to exercise control over them if they disobey the law. Many hon. gentlemen have said that these miners coming from the mines of the United States have been law-abiding residents in southern British Columbia. I have no doubt that that is perfectly true, but the mines in southern British Columbia are easily accessible. If they were disorderly or riotous, it would be easy to send in a force there to restore order, and the fact that that country is of easy access has an immense influence over the minds of men in preventing them becoming disobedient to the law and disregardful of the rights of others. Now, that is the condition of things in southern British Columbia; that is not the condition of things in the Yukon country. That is the condition of things which we desire to see established in the Yukon country and that is one of the purposes, and not by any means the least important of the purposes, which the construction of this road would have promoted. Now, let me say a word or two with regard to what some hon. gentlemen speak of as the monopoly clause establishing this road. I do not perhaps understand what it is that hon. gentlemen who have spoken of monopoly mean by that term. I know this, that every railway that has ever been built is a monopoly where it is not actively competing with some other means of transit and travel, and even where there are competing points, usually railways come to an understanding with each other and agree upon their charges, and so the monopoly is re-established notwithstanding the multiplication of their numbers. That is the condition of things that exists everywhere, and that will continue to exist until the government assume some jurisdiction over railways with a view to regulating their charges; but in this respect the railway constructed into the Yukon country does not differ from any other railway. Provision is made that high charges may be imposed for a limited period of time. Every one who is anxious to see a railway constructed into that country will admit that that is a reasonable provision. If you have few persons travelling, if the gold deposits should not be what we believe them to be, if it should prove to be less valuable than we supposed, if the population should diminish in numbers so that there would be little for the railway to do, then, of course, the charges would need to be higher than they would be under other circumstances. But they are provisions that are reasonable in the interest, not only of the railway company, but of the public, who desire to see communication established and communication sustained.

Hon. Mr. MACDONALD (B.C.)—There is a monopoly in clause 4 of the contract.

Hon. Mr. MILLS—My hon. friend refers to clause 4. It is not a monopoly clause.

Hon. Mr. MACDONALD (B.C.)—It is in the hands of the company for five years.

Hon. Mr. MILLS—Let me read that clause. I am afraid my hon. friend has not read it with care. The clause reads:

> For five years from the first September, 1898, no line of railway shall be authorized by parliament to be constructed from Lynn Canal, or thereabouts, or from any point at or near the international boundary between Canada and Alaska, into the Yukon district.

There is the restriction. There is the area within which that restriction is to operate.

> And for five years from the said date no aid in land or money shall be granted to any person or company other than the contractors and the contractors' company, to assist in building any such railway in that district.

Hon. Mr. MACDONALD (B.C.)—Within that area.

Hon. Mr. MILLS—Yes, within that area, and why not? Do hon. gentlemen think that it would be the exercise of common sense to spend a large amount of money to acquire ingress into that country to furnish facilities for traffic and travel, and then build a competing line to United States territory, to make that railway property less valuable to those who have invested their moneys in it? I say it would be an unreasonable proposition.

Hon. Mr. McMILLAN—In clause 5 of the schedule, hon. gentlemen will see they have a preference to extend the road to Port Simpson.

Hon. Mr. MILLS—Certainly, and I think that was necessary. Hon. gentlemen know well the difficulties that have arisen in connection with the Manitoba and North-western road, by different sections being in the hands of independent companies. When they are to build this road from Teslin

Lake southward to Telegraph Creek, it was only reasonable, if that road was to be extended to Observatory Inlet, 180 miles further, that the additional 180 miles of the road should be constructed by the same company, if reasonable arrangements for that construction could be made. My hon. friend will see that is a proper arrangement, and I think when he examines it closely he will find nothing in it of which he should disapprove. The hon. leader of the opposition, in speaking on this subject yesterday, asked me if we had extinguished the Indian title. That was a very extraordinary question for the hon. gentleman to put. I think he told us in an earlier debate that the government of which he was a member had taken an interest in that country, that they had sent explorers there, that mining operations had been carried on in that region, and my hon. friend, although he had been exercising for several years authority over the country, as far as it was necessary to do so, had not thought it worth while to extinguish the Indian title.

Hon. Sir MACKENZIE BOWELL—We never attempted to sell any lands or give any license; hence there were no titles to extinguish.

Hon. Mr. MILLS—Does my hon. friend know that a large portion of this continent was sold without the title first being extinguished? Take the case of the Hudson's Bay Company. The King granted a charter of the lands in free and common soccage, just in the ordinary form of any other conveyance of land, without extinguishing the Indian title, and left them to do as they pleased with regard to the extinguishing of the title. My hon. friend knows the Hudson's Bay Company transferred a portion of that territory to Lord Selkirk, and he held it for a time, and retransferred it to them. Lands were sold all along the river, and titles acquired, and it was only after the country came into the possession of Canada that steps were taken to extinguish the Indian title to these lands. Every charter that was given, the charter to Lord Baltimore, the charter to the Duke of York, the charter to Wm. Penn, to Mr. Oglethorpe and to the Virginia Company, were grants in free and common soccage in areas large enough to constitute large provinces, without the Indian title being extinguished. It was subsequently extinguished, and the power of the Crown does not depend upon whether the Indian title is extinguished or not. It is not a legal title. It is a mere matter of grace. The recognition by the Crown of a certain right to hunt and fish over the land, and the extinguishment of the Indian title —not its transfer, because there is no such thing as transfer of Indian title—is a mere matter of public policy for the purpose of preserving peace and good-will between the Indians and the white population. In that country the Indians have never given rise to any difficulty, and there has never been any demand on their part and there are certain advantage in leaving things as they are in that regard.

Hon. Sir MACKENZIE BOWELL—Allow me to point out the difference. In the cases of which the hon. gentleman has referred, no provision was made that the Hudson's Bay Company should extinguish the Indian title. In the bargain made between the Canadian government and the British government, signed by Sir Stafford Northcote, Sir George Cartier and other delegates, a special and distinct provision was made that compensation, whatever that might be, to the Indians, should be paid before any attempt was made to sell or dispose of lands in the territories. There is no analogy at all between the cases.

Hon. Mr. MILLS—When we come to discuss that question, the hon. gentleman will find we are acting strictly within our agreement and strictly in conformity to the law. My hon. friend also discussed the independence of this body, undertaking to vindicate the majority of this House from the charge of political bias. My hon. friend said they objected to the Nanaimo Bill of one government and the Short Line Bill of another, and they rejected the Drummond County Railway Bill last session, and did a number of other things, all of which tended to show perfect impartiality. I dissent from that statement of my hon. friend. He knows he and his friends around him did not fight the Conservative government in this House. My hon. friend referred to the Criminal Code being rejected one session. I think it was brought down the last day of the session, it was not considered but it was not rejected. The Senate could not, without prolonging the period for which the session was intend-

ed to continue, deal with the question. I do not pretend that I have laid aside my political feeling and inclination in coming to this House. I do not think there would be any advantage in that. There are certain constitutional duties imposed upon me here that are not imposed in the House of Commons, and I do not ask my hon. friend to give up his strong feeling against us and his strong conviction that there is nothing good comes out of Nazareth. That is a part of his habit and education. But my hon. friend does not forget that in this House a committee was appointed to inquire into the conduct of Mr. Mackenzie, as Minister of Public Works, and that it condemned his choice of the Kaministiquia River as the terminus of the Canadian Pacific Railway. That choice was denounced, and the Port Arthur terminus was preferred, and $900,000 was spent upon the breakwater in order to form a harbour there, and after the railway went out of the hands of the administration and a company was organized, the company vindicated the wisdom of Mr. Mackenzie's action by choosing the Kaministiquia River as the terminus of the railway, and my hon. friend knows that, as things now stand, hundreds of thousands of dollars of public money were wasted by the attempt to cast discredit upon the head of the Liberal administration.

Hon. Sir MACKENZIE BOWELL—But there is a distinction between Fort William and seven or eight miles up the river.

Hon. Mr. MILLS—I know the country very well, and those expenditures which Mr. Mackenzie proposed to make will be necessary there. My hon. friend pretended to say there was no political feeling in that act, and if that stood alone it would be an indication that this House is no more exempt from the political feeling than the House of Commons, although it is exempt from the responsibility and the regard for public opinion, which does exercise a controlling influence in the House of Commons.

Hon. Mr. McCALLUM—That is very strong language.

Hon. Mr. MILLS—The hon. gentleman knows that the contractors who entered into an agreement with the government trusted to the fairness of both Houses of parliament, and in order to make the most of the favourable season of the year in which their undertaking was begun, they expended large sums of money. They exhibited, under great difficulties and adverse circumstances, remarkable energy. They have been distinguished in this country as contractors in whom the labouring men upon railways and public works have the greatest confidence, and towards whom they have the utmost good-will. They have never had any quarrel or difficulty with those in their employment, and they have to-day 2,000 men engaged in undertaking to push this road through in order that the men who are going to the Yukon country to seek their fortune may be enabled to reach there. Thousands have gone to Dyea and Skagway without succeeding in getting through. It is reported—I do not think the numbers are exaggerated—that about 5,000 are on their way up the Stikine River to undertake to go through by the route in which these men are engaged. At the present time I am told—and I believe my authority is perfectly reliable—they have spent upon rails and upon other necessary appliances for the early construction of this road $500,000, and this House, by its vote to-night, proposes to throw all that property upon the hands of these men without compensation. This House, by its vote to-night, proposes to deny to this country access into that district during the coming season, to furnish supplies, to maintain life and to maintain order. This was a duty that devolved upon the government, and the government should be allowed to carry out their policy, whether it was a wise or unwise policy. If wise, the credit would have been theirs, in which this House would have shared, and if unwise, the fault would have been wholly that of the government. The Senate propose to take that matter out of the hands of the government. You propose to shift to your own shoulders the responsibility for every misfortune that may overtake those people and for every loss that the people of this country may sustain, while at the same time you have no executive organization to do a single act in respect of the matter. I have expressed my views on this question in reply to what has been said in objection to the measure of the administration, without any intention of being offensive to any person in this House. I desire to express my strong conviction

that if the hon. gentlemen who have spoken so strongly against this bill think they are not actuated by party and partisan feeling, they are certainly labouring under a very great delusion.

But let me say this, that whether this measure proves mischievous to this country in a great degree, or in a less degree, the fault of that will not rest upon the House of Commons nor upon the government, but upon this House. The eyes of the country are upon the Senate of Canada, not with the view of approving of the course which the majority have intimated their intention to pursue; and my hon. friends will not have very long to wait until they discover that upon this question the public feeling and sympathy is with the government and not with the majority of the Senate. What the people want is to see that road constructed. They may complain if they see proper, whoever pleases may complain, that the government has paid too much; but when you undertake, under pretense of finding fault with the government and censuring the policy of the government, to condemn a measure necessary to the work of administration, then you are going very far beyond that which is the constitutional rule and usage applicable to the case. Whatever may be your action, I know this much, that the government of this country has in this matter done its duty, its whole duty, and has acted in the public interest in submitting the second reading of this bill to you to-night.

The Senate divided on the amendment, which was adopted by the following vote :—

CONTENTS :

Hon. Messrs.

Adams,	MacKeen,
Aikins,	Masson.
Allan,	McCallum,
Almon,	McDonald (Cape Breton),
Armand,	McKay,
Baird,	McKindsay,
Baker,	McLaren,
Bellerose,	McMillan,
Bernier,	Merner,
Bolduc,	Miller,
Boucherville, de	Montplaisir,
Boulton,	O'Brien,
Bowell (Sir Mackenzie),	O'Donohoe,
Carling (Sir John),	Ogilvie,
Casgrain,	Owens,
Clemow,	Perley,
Cochrane,	Poirier,
De Blois,	Primrose,
Dickey,	Prowse,
Drummond,	Reid,
Forget,	Ross,
Gowan,	Sullivan,
Landry,	Temple,
Lougheed,	Vidal,
Macdonald (P.E.I.),	Villeneuve,
Macdonald (Victoria),	Wood.—52.

NON-CONTENTS :

Hon. Messrs.

Cox,	Mills,
Dandurand,	Power,
Dever,	Scott,
Dobson,	Snowball,
Fiset,	Templeman,
King,	Thibaudeau (Rigaud),
Lewin,	Wark.—14.

BILLS INTRODUCED.

Bill (39) "An Act respecting the inspection of steamboats, and the examination and licensing of engineers employed on them."—(Hon. Mr. Scott.)

Bill (53) "An Act to incorporate the Prudential Life Assurance Company of Canada."—(Hon. Mr. Vidal.)

Bill (41) "An Act respecting the Dominion Building and Loan Association."—(Hon. Mr. Power.)

Bill (29) "An Act respecting the Federal Life Assurance Company of Ontario, and to change its name to the Federal Assurance Company of Canada."—(Hon. Mr. Cox.)

Bill (K) "An Act to incorporate the Tobique Manufacturing Company."—(Hon. Mr. Baird.)

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 31st March, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

MANITOBA SCHOOL LANDS.

MOTION.

Hon. Mr. BERNIER moved :

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a statement of the quantity of lands allotted for school

purposes in Manitoba; the quantity of said lands sold, and the prices at which they have been sold; the amount received on that account; the amounts still due to the government; the manner in which this fund is invested and administered; the amount already paid to the province of Manitoba, how much on the capital, if any, and how much on the interest; the amount still at the credit of the province, whether on the capital or on the interest; the dates of payment in each case and the amount of each payment; and also, all the correspondence, papers, memoranda and Orders in Council relating thereto, up to date.

He said: I do not propose to make any lengthy remarks on this motion to-day. I desire simply to draw the attention of the government to the fact that in the other House a resolution will be brought down by which parliament will be asked to hand over to the local government of Manitoba a part of the proceeds of the school land grant. I also desire to call attention to the fact that this school land grant, and consequently the proceeds of the same, are a trust vested in the hands of the Dominion Government for the whole population. We know that at present there is a large section of that population in Manitoba which is deprived of its legitimate rights in school matters. The minority have been deprived for years of their legitimate share of the local government grants and of their legitimate share of the school taxes in the province, and have been obliged besides to pay out of their own funds for the support of their schools. It is proposed to hand over to the local government, in this present unsettled condition of things, a part of that trust, and I desire to express the belief that this policy, under the present circumstances, is unwise and may lead to injustice. I do not think that any portion of these school land grants, or the proceeds of them, should be handed over at present to the provincial authorities, unless the minority in Manitoba is assured of its legitimate share of the same. I wish to point out to the government what our views are, and what the danger is. The chances are that the local government will take that money and use it in its own way and will deprive the minority of their legitimate share of that money.

Hon. Mr. MILLS—Do you refer to the university lands or the general school lands?

Hon. Mr. BERNIER—The general school lands. I hope the government will be kind enough to bring down the papers at the earliest date possible. The resolution I have referred to, as we are all aware, may come before the House of Commons at a very early day, and consequently we must have all the information necessary to discuss the matter fully and intelligently.

Hon Mr. MILLS—I may say to my hon. friend that we have no objection at all to the motion being adopted. I cannot say what time it may take to make a copy of the papers, but I have no doubt the work will be done with as much expedition as possible, and as soon as we can lay them before the House, having regard to other returns that are being prepared, we will do so.

Hon. Mr. LANDRY—I fully concur in the remarks of the hon. gentleman who proposed this motion, and I hope the government will see its way to do justice in the premises. The report of the proceedings which took place in the other House would lead to the belief that a further delay will not be necessary, because I think all these papers were brought down or an answer was given to a question put by a member of the other House. Most if not all of the details have been given, so that we will not expect very much delay.

Hon. Mr. MILLS—Was it this session they were brought down?

Hon. Mr. LANDRY—Yes. The question was put by Mr. LaRivière, I think. At all events, the answer given in the other House may be valuable to us. I think when Manitoba came into confederation it was provided in the Act that was passed that a certain amount of land would be allotted to school purposes. Those lands were to be sold and the proceeds of the sale were to be devoted specially to school purposes. At the time when the schools were put on an equal footing, the legislation brought by Mr. Martin and followed up by Mr. Sifton and Mr. Greenway at the time, had not been the law of the country, but since that time, as we are all aware, that legislation came in force and a considerable portion of the community has been deprived of its schools. If the rumour is true that by the legislation that is attempted to be brought in the other House we are going to deprive one part of the population of its right in the proceeds of these schools, I hope the government of the day, which had so much to say in the last general election in

favour of the protection of the rights of the minority, will see their way this time not to do more injustice than was done by their friends in Manitoba, and they will look twice at the question before putting in the hands of Mr. Greenway what in the spirit of this constitution has been secured to the schools whatever they were at the time. These are the few remarks I intended to make in support of the motion, and we hope that the government will see that justice is done.

Hon. Mr. MILLS—If I understand rightly the observation addressed to the House by the hon. senator who spoke last, these returns have already been brought down in the House of Commons, and if they have been brought down there, they are certainly as available to the members of this House as to the members of the House of Commons.

Hon. Mr. BERNIER—No return has been brought down in the House of Commons, but an answer has been given to certain questions put by Mr. LaRivière, and it is not as complete as I should like to have it.

Hon. Mr. MILLS—Very well, then the return will be brought down.

THE MANITOBA SCHOOL QUESTION

MOTION.

Hon. Mr. BERNIER moved:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate all correspondence, memoranda, papers and Orders in Council relating to the Manitoba School Question, since the 1st of July, 1896, up to this date.

He said: In rising to make this motion I want to say at once that I have no desire of embarrassing the government in anything they may think fit to do with a view of settling that school question; but as every one is aware, the air is full of rumours; it is but fair that we should know how matters stand. Apart from that, I make this motion more especially in relation to the motion I have just made. It may be important to know in what position the school question is as between this government and the government of Manitoba, before we arrive at any decision in the other matter. The position in which the school question may be might influence our decision on the measure. It is the principal object I have in view in making the motion.

The motion was agreed to.

METIS CLAIMS IN THE NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government if it is their intention to make any inquiry as to the claims of the Metis population in the North-west Territories who have claims, or are in any way entitled to government scrip, such as was given to the Metis population after the union of Manitoba in confederation.

He said: I have understood from parties interested in this matter that at the time the last adjustment of those claims was made, there were some parties whose names were not considered, and they desire to know if the government is going to take any action, or how the matter stands.

Hon. Mr. MILLS—The matter is under consideration, I may say to my hon. friend.

A PROPOSED ADJOURNMENT.

MOTION POSTPONED.

Hon. Mr. LANDRY rose to move:

That when the Senate adjourns on Friday next, it do stand adjourned until Tuesday, the 19th April, at 8.30 o'clock in the evening.

He said: I have been asked by a number of members of this House to put this motion on this paper, to give an opportunity to the House to pronounce on the question. I hope the government will treat it as a government measure.

Hon. Mr. MILLS—I would say to the hon. gentleman it is too soon to make a proposition of this kind. We have had before us but the consideration of one measure for several days, and we had better make some little progress with the business before we take into consideration the question of adjournment. We may consider it perhaps Tuesday of next week, if my hon. friend will allow his motion to stand.

The motion was allowed to stand.

THE PLEBISCITE BILL.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government when they intend, if they do intend, to introduce the promised "Plebiscite Bill," and whether the bill will be first introduced in the House of Commons or Senate?

He said: I am prompted to ask this question from the fact that early in the

session it was promised that the Plebiscite Bill would be brought down in two weeks. I should like to know whether it is to be brought down and introduced in this House or in the House of Commons. Though I opposed the government measure which was before us yesterday, I may inform the government if this bill is introduced here, I shall give it my support—I do not care in what shape it may be. I shall vote for it here, and vote for prohibition in the country, and if a bill is brought into parliament to introduce prohibition, I will vote for that, and if it carries, I will see, in the town where I live, that the prohibition is enforced. In my opinion, the Senate is not the proper place to introduce the bill, but whether it is introduced here or not, when it comes before us, the government shall have my hearty support for that measure.

Hon. Mr. MILLS—The bill will certainly be before both Houses this session, but whether it will be first introduced in this House or in the House of Commons, I cannot inform my hon. friend.

PACIFIC AND YUKON RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (F) "An Act to incorporate the Pacific and Yukon Navigation and Mining Company." He said: It is with a degree of trepidation that I beg to move the second reading of this bill. As hon. gentlemen probably know, this bill is one promoted by Mr. Hamilton Smith and his associates for the building of a road from Pyramid Harbour via the Dalton trail to the Five Finger Rapids. It has been discussed so largely in the press and adverted to in this House, that I shall not enter into any explanations.

Hon. Mr. MILLS—I am opposed to this measure and I am opposed to the second reading of the bill. I do not believe it is in the public interest, and therefore I shall not give the bill my support and I shall, so far as I can, fasten on the hon. gentleman and those who choose to support it, the responsibility of having proposed a measure that I believe to be wholly against the public interests of Canada and calculated to promote the interests of traders on the western coast of the United States. When I look at the bill I find it is practically to promote railway construction in United States territory. This undertaking is declared in the bill to be for the general advantage of Canada. I say it is a bill for the general disadvantage of Canada. It is a bill to promote the trading interest of the people of San Francisco and Seattle and to enable them to make, practically, for all commercial purposes, the Yukon country a portion of the western territory of the republic. My hon. friend and a number of others spoke against the government bill that was before the Senate with respect to the gauge. This bill proposes to construct a railway of 3 feet gauge from Pyramid Harbour, at the head of Lynn Canal, into Canada. Now Lynn Canal is at the present time under the jurisdiction of the United States. This bill would enable the United States to control, not the commerce of the United States strip of territory, because the territory owned by the United States even if we concede to them the territory to the summit of the heights which surround the inlet, would be a very small area indeed and no railway would be required for that purpose. The railway is required for the trade in the Yukon country, in a territory wholly Canadian, and this bill is to enable the people who reside upon the Pacific coast in the United States to possess themselves of that trade. There is nothing in the world at any moment to prevent the United States making such regulations as they please. They need not extend any bonding privilege to the people in our country there, nor would they give the bonding privilege unless we made large concessions to their trade which would at least put them on a footing of equality with our own traders in our own country. I say that such a proposition is not one loyal to the interests of that country or loyal to the rights and interests of the Canadian people. If the United States had given to them the control of that territory, whether we would afterwards have any standing in our own country or not would depend upon the concessions that we were willing to make to the people of the United States. We proposed the construction of a railway to give access to that territory, and the hon. gentlemen in this House rejected that proposition yesterday. That proposition would have enabled us to determine upon what terms the United States products should be admitted into that country, but in this bill it is for the United

States government and people to determine upon what conditions the trade and commerce of Canada shall pass from one section of Canadian territory into another section of Canadian territory. It is a proposal to place the trade of the Yukon country under the control of the government at Washington. I am not willing that that should be done. My hon. friend has undertaken to clear the way for this bill by the course taken upon by the government measure and he now proposes the second reading of this bill. I am not prepared to support that motion. I say this legislation would be to the lasting detriment of this country. Let us suppose for a moment that the road was constructed; supposing we undertake to send goods through that territory, if the the United States would charge us duty it would be in their power to do so if they see proper. They could say "you shall not send a pound of goods of any sort across this strip of border land on the coast without paying duty to the United States, unless you permit the goods of the United States to be sold in that territory upon certain condi tions." We would be absolutely at their mercy. We would be under their control, and I say I am not willing to assume so humiliating a position, and one that would be to the lasting detriment of the trade of Canada in that country, no matter how long it might continue an integral part of this Dominion. Why, the country would not be worth holding. We would have no political object in maintaining it. We would have a large expense to incur for the purpose of government, and would derive no possible advantage as a compensation for that expenditure. I ask the hon. gentlemen in this House to seriously consider the character of the proposition that is being submitted to them. You have a gentleman coming here proposing and asking the government of this country to take up this scheme, to construct this railway. You had him going to Washington and succeeding in getting through the Senate a measure threatening us, and, with regard to our treaty rights upon the Stikine River; you had another gentleman coming here from the city of San Francisco, pretending to be a delegate from the United States miners in this country, supporting the scheme, and I say now you have the scheme itself as a result of all these co-ordinate forces acting together against the government of this country. You have now the scheme itself submitted to you and it is for you to say whether you will recognize the right of the people upon the western coast of the United States who are undertaking—and I am not blaming them for it—to secure the trade of the country on their behalf, if we are so very far ready to play traitor to the interests of this country for the purpose of promoting their interests against our own. I cannot believe that this House, notwithstanding the course that it has adopted towards the government measure, are prepared to go that far. I am not prepared to believe that this House is ready to sacrifice the hope of the people of Canada, the industrial classes in Canada to the interests of the people of the United States. In my opinion that cannot be tolerated in this country. That is the course which hon. gentlemen are proposing, and I therefore propose to put the responsibility of adopting such legislation on this House. I move that this bill be not now read the second time, but that it be read the second time this day six months.

Hon. Mr. MACDONALD (B.C.)—Without passing any opinion on the bill before the House, I would mention to the hon. Minister of Justice that there are two charters now in existence, passed by this parliament last year, giving access by the Lynn Canal into the Yukon country, and that whether this charter now before us passes or not, it makes no difference, and I apprehend no difficulty. The government of this country have the whip hand in this matter. Supposing the United States to-morrow should put any obstruction on our commerce going in by a railway from the Lynn Canal, this government could very easily stop their products going in at the boundary and say: "We will remove our custom-house and not admit your goods if you restrict us in this way." So that the Minister of Justice is quite wrong. But what is of much more importance is the fact that there are now three local charters in British Columbia, given by that government, to build towards the Yukon. There are two charters on the Stikine route and there is a grant of a million and a half acres of land and three hundred and twenty-five thousand dollars, attached to one charter, and there is another charter with 750,000 acres and certain concessions to the Cassiar Central

Railway. The government to-day, or the contractors who are supposed to be on the ground now, can very easily arrange with the other two companies to carry a road by the Stikine River if it is found to be a practicable and proper road, and that is a matter the government should take advantage of at once and negotiate with the holders of those charters. I am perfectly willing to let this bill go before the Railway Committee and be discussed there. It will take some time before the charter can come up and we will see how things are developing in the meantime. I am not for or against the bill, but I wish it to go to committee and I shall vote against a six months' hoist.

Hon. Mr. BELLEROSE—In looking over this bill I at once became convinced that I could not vote for it. The views I took of the government bill—and I expressed them in this House—were to the effect that I would never give my vote to a bill presented by the government to open a road to the Yukon district on the western side of the Rockies.

Hon. Mr. PERLEY—Hear, hear.

Hon. Mr. BELLEROSE—The reason I gave was that it was giving the advantage of the trade of Canada to United States people only and the whole of Canada except British Columbia would be deprived of the advantage of the trade in the Yukon country. British Columbia is on the other side of the Rockies, and should that province desire a road going north towards the Yukon, it has full power to construct it, but as to this parliament incorporating companies to build such roads, I believe we ought not to allow such a thing to be done, and if it is possible for the government to prevent the two other companies that have been chartered last year from going on with their road, I should think they ought to do so and I would be ready to support them. As I said before, I was against the government bill particularly on account of the land grant. But I had others which I made known to this House on the 29th of March last. But the main reason was the fact of the road being on the western side of the Rockies. I could not conceive that a country like this would make a road which would be to the sole advantage of our neighbours and deprive our people of the advantage of the great trade and commerce which will be the consequence of the opening up of the Yukon district. So in all those cases, if I am present, I shall vote against all these demands for incorporations for bills on the other side of the Rockies.

Hon. Mr. PERLEY—Whilst my hon. friend has put my name down as seconder of this motion, I may say that it was without my consent but simply as an act of courtesy to him I allowed it to be done. You will remember in my speech in regard to the government measure I was opposed to any road on the same ground as the hon. gentleman who has just resumed his seat. I do not apprend there will be any danger of starvation in that country and therefore there is no urgent necessity for a railway to prevent such a calamity. I am opposed to building a road on the coast with Canadian funds, because I do not believe the trade of Canada will justify it. I do not thoroughly understand the purport of this bill as the Minister of Justice does, and I am quite willing to be guided in that sense by his judgment and let them take the responsibility of rejecting the bill.

Hon. Mr. ALMON—I may say that my sympathies are very much with Mr. Hamilton Smith in the way he has been treated, yet I cannot bring myself to vote in favour of the bill of my hon. friend. I think there is a great deal in what the Minister of Justice says, that this is putting the trade of the Yukon into the hands of the Americans, and I do not think they should have trade which is ours and ought to belong to us, and in which they would not reciprocate with us. I do not understand very much about this bill, but I am unwilling to vote in its favour. I wish very much that the matter could be more fully discussed.

Hon. Mr. BOULTON—I do not share the view of hon. gentlemen who have expressed themselves so far on this question, and I do not think that the grounds that the hon. Minister of Justice has taken in opposition to this charter are tenable from a sound standard. What is the proposition of this bill? It merely asks the privilege of building into Canadian territory as far as Fort Selkirk, crossing 15 to 20 miles of United States territory in order to get there. The ocean port is theirs, the railway is ours, with the exception of 15 or 20 miles.

Hon Mr. MILLS—They claim 35.

Hon. Mr. BOULTON—That is a question that has to be settled yet. What is the condition in that western country? The Americans own the great territory of Alaska, west of the 141st meridian; it is closed to them for 8 or 9 months in the year. They cannot possibly, excepting during three months, get in anything at all to carry on their operations.

Hon. Mr. MILLS—Then they are under our control.

Hon. Mr. BOULTON—We can say we won't let you get in; you have your long River Yukon open for three months of the year, and if you are not satisfied with that we won't let you in through our territory. That is the position the hon. minister just proposed to assume to a neighbourly nation. If you take that Alaska territory in conjunction with our own Canadian territory, both territories being about equal in size and both under the same condition during the winter time, they can only be reached by means of a railway in the winter time. The distance from Pyramid Harbour to Fort Selkirk is about 288 miles, 260 or 270 of that, according to the location of the boundary, is in Canadian territory; then from Fort Selkirk down to the 141st meridian is about 250 miles. Now, should the United States government block that road which is a means to carry produce into their mining country west of the 141st meridian, they are going to injure themselves more than us, and I should say would not refuse to enter into the most friendly arrangement. They contribute to the transportation on Canadian soil to the extent of something like 550 miles to reach the 141st meridian. Now, are we going to be so blind as to say to them: "We refuse to accept your trade to the extent of 550 miles through Canadian territory?" And what for? That I cannot possibly conceive, because we are trying to force United States trade out of that country and into our own.

Hon. Mr. BELLEROSE—Does the hon. gentleman believe that it will compensate for the great trade of the Yukon district which we will lose by that?

Hon. Mr. BOULTON—I have not come to that point. I quite agree with my hon. friend from the stand he takes in developing Canadian trade from the east as the most economical and most profitable and the most successful that can be carried on either from the east or west of the 141st meridian; but I am now discussing this point from the question of two neighbourly nations, both of whom have interests in that country, and one of which is absolutely, for 9 months of the year, excluded from communication with its own people west of the 141st meridian, unless we grant the concession to them that is asked under a bill of this kind. Now, I am not prepared to say to the United States, "we won't let you have access to your territory because any trade that is developed by this concession is going to build an ocean port on the Pacific coast out of whatever Canadian trade may pass through it." That is the stand that the leader of this House takes on this question. Is that a statesmanlike position to assume? Is that the position for this House to assume—that is from the standpoint of neighbourliness to the United States? The geographical position is very peculiar in that they own the long strip of coast line. The argument that they may close their doors, and that they may put obstructions and all that sort of thing in our way to utilize the 550 miles of transportation that it opens up to us does not count in the matter, because we have far greater advantages to give to the people of the United States in the development of that road that they have to give to us.

Hon. Mr. BELLEROSE—This has been done before. When we passed the Canadian Pacific Railway incorporation bill, did we not do the same thing, prevent any road from being opened south of the Canadian Pacific Railway? Do you think I disapproved of the government measure because it had that monopoly clause? Indeed I did not. It is only right, and it is only using ordinary means of protection to ourselves to restrict the powers of those who may defeat our views. Have not the Americans some ports from which they can have a road through Alaska? I believe they have.

Hon. Mr. BOULTON—The monopoly clause of the Canadian Pacific Rilway is not a parallel case. Under the monopoly clause of the Canadian Pacific Railway, we had a perfect right to build down to the United States boundary, in a southerly direction, so

as to draw the trade of the United States to the Canadian Pacific Railway, but the monopoly clause prevented us from building a road in a south-easterly direction, which would take the trade of the Canadian country into the United States.

Hon. Mr. MILLS—I would ask my hon. friend if we were to start from a Canadian port and build in Canadian territory into the Yukon territory, whether the United States could not use our road just as well as they could use this?

Hon. Mr. BOULTON—I am coming to that point. What I wish to point out in connection with what my hon. friend has just said is this, that the Grant Trunk Railway has its commencement in Chicago, Ill., and its terminus in Portland, Maine. It is a Canadian road, yet we do not see the United States declaring that the produce of the western states shall not pass through Canada. Although competing railways have often threatened to do away with the bonding privilege it is only a bugbear. Our neighbours do not deny us the right to carry freight through their country, nor do we deny them the right to carry freight through ours. Why should the bugbear be raised in Alaska when it has no influence down here in the east? I have not the slightest fear of anything of the kind. I listened with a good deal of interest to what the hon. minister just said with regard to our ocean ports. I am as loyal and patriotic a Canadian as there is anywhere: I want to see our country have every advantage that our geographical position gives us, but when you talk about building a road from Glenora as a competing route to a line from Pyramid Harbour, you are doing something very much as if you were trying to make water run up hill. From Portland Canal up to the Lynn Canal is about 300 or 350 miles. If you tried to make an ocean port at Portland Canal for the purpose of developing the Klondike region you would have to convey all your freight and traffic, whether from Canada or the United States, if you limit transportation to that route, over 600 or 700 miles of railway when we have already an ocean route. The southern part of Teslin Lake is at the 60th parallel; Lynn Canal is on the same parallel, so you are actually proposing to build a railroad through a very difficult and expensive country in order to compete with an ocean route which will place you further on your road than you would be when you reach Teslin Lake. You are taxing the trade of Canada and of the United States for that purpose, and if you go no farther than Teslin Lake it is only a summer route. You are taxing the miners who live in that country, for the same purpose. You are adding to the cost of transportation and the cost of all supplies. The success of a country like that depends upon the economy with which the mines can be worked, so that from that standpoint I do not think the objections that the hon. leader of the House has raised are valid. I am not opposing the action of the government in this respect with any desire to obstruct. It is an honest criticism that I am making on this matter. I am applying the best judgment I can to indicate the best location for a line which will most successfully develop that region.

Hon. Mr. ALMON—Do you think that the United States government would have given the Grand Trunk Railway and the Canadian Pacific Railway the right of passing goods in bond through the state of Maine if they had not Portland as a seaport? Do they not know that by doing so they build up Portland at the expense of St. John and Halifax? Do you think that if Canada owned Portland that the United States government would allow us the privilege of passing our goods in bond through Maine? I am inclined to think not.

Hon. Mr. BOULTON—In reply to that, we have the Canadian Pacific Railway, which leaves our border at Moosejaw and goes for 2,000 miles through United States territory and crosses into Canada again at Sault Ste. Marie. There is a road which passes through United States territory from one part of Canada to another part of Canada and to a Canadian seaport. The United States make no objection to that. They get the advantage, whatever it is, of the transportation of freight and passengers through their country on the Canadian Pacific Railway. As you all know, the Canada Southern Railway runs through Ontario in the same way, taking advantage of our geographical position. We have the advantage of our geographical position, and we utilize it for our own benefit. If we are precluded from using our Montreal port for

six months of the year, that is the misfortune of climatic difficulties which present themselves, but I do not conceive for a moment that it is a sound argument against the introduction of this measure that the United States people are going to do something after we build this road that will block us from using it. I say that Vancouver, Victoria and all those coast cities will be immensely benefited by being able to utilize railway connection that takes you to the heart of that district up to Fort Selkirk, where I believe the government are going to establish their headquarters, and tax the country to build five or six hundred miles of railway to compete with the ocean route between Portland Canal and Lynn Canal. This bill before us is different from the bill we discussed and rejected yesterday. What we discussed yesterday was the remuneration we were giving. It was not a question of building 150 miles of railway that the government thought was advisable. I do not think that was the intention of the Senate at all. It did not enter into the question.

Hon. Mr. MILLS—My hon. friend himself argued that this Lynn Canal route was a better route. He proposed himself to go by this route rather than by the all-Canadian route.

Hon. Mr. BOULTON – If there was a railway from Lynn Canal and one from Telegraph Creek, which one would you use? I have no hesitation in saying you would use the one from Pyramid Harbour.

Hon. Mr. MILLS—So the political consideration of controlling our own territory is no consideration at all, according to the hon. gentleman's contention. I dissent from that, and I say one of the objections to this line is, that if you build it you put it in the power of the United States government and people, if they are so disposed, to defeat your control of the Yukon territory.

Hon. Sir MACKENZIE BOWELL—It is the same with the other.

Hon. Mr. BOULTON—We are not now discussing the question of subsidizing the road; we are only discussing the right of parties to come before this parliament and ask for the privilege of constructing a public work in that country. When the question of subsidy comes up, if it should come up, I am not disposed to advocate anything in that direction, because I know perfectly well, whether you start a road from Portland Canal or Lynn Canal, or Telegraph Creek, or any other point on the coast, three-fourths of the trade will be from the United States. That goes without saying. There is not sufficient trade in our own ports, as compared with the trade of California and Washington and Oregon, to justify us in assuming that more than 25 per cent of the trade will be Canadian, and therefore I do not think it would be right for the government to put its hand into the treasury and use the public money of Canada for the purpose of subsidizing a work that is going to be used by trade three-fourths of which is from the United States. But I am not going to say to our neighbours that they shall not have the right to enter that region by the most economical route, simply because we mistrust them in all our dealings with them of a national character.

Hon. Mr. BELLEROSE—Is it not our duty to pass such measures as will reserve to Canada our own trade and prevent foreigners from taking it away from us?

Hon. Mr. BOULTON—That is what I conceive to be the duty of hon. gentlemen.

Hon. Mr. BELLEROSE—Suppose we give this company power to build this road, will there be any reason then to build a road from Edmonton, 1,300 miles in length, to the Yukon district to furnish communication with the Yukon from the coast. The difference in freight alone would prevent the use of the road on our side of the Rocky Mountains.

Hon. Mr. BOULTON—What I say is this, that the true policy for this country to pursue is to permit any private capitalist that choose, without financial aid from the treasury, to do their best for the development of that country, and to retain all the money we have for the development of our western country and the construction of the Edmonton route. The Edmonton route will beat the ocean route as soon as we have it constructed. I proved that the other day by showing that the freight by the Yukon route, all water, was ten dollars per bag on flour, and that we

could transport a bag of flour by the Edmonton route all-rail for five dollars, and make a handsome profit; and will have not only, the Canadian Yukon territory to supply, but also the adjoinging Alaskan territory in the same way. When we build the Edmonton route we are going to have an immense advantage in the trade that will be developed on both sides of the 141st meridian. Now, so far as friendliness is concerned, I have a bill on the order paper to amend the mining regulations which permit United States citizens to come in here and mine without taking the oath of allegiance. The United States government require a Canadian to take the oath of allegiance and separate himself from his country in order to obtain the same privilege in their country that we give perfectly free in Canada. That bill, when it comes to be discussed, I propose to ask permission to withdraw, because the United States government, I see, since that bill was put upon the order paper has adopted a different policy in Alaska, as the following telegram, which appeared in the press this week, shows:

WASHINGTON, March 25.—An agreement has been reached by the conference committees of the House and Senate on the Alaskan land bill to insert a provision allowing Canadian miners the same rights in Alaska as are given by the Canadian government to the American miners. Canadians will not have to be naturalized to take up mines in Alaska.

Hon. Mr. MILLER—You must have scared them.

Hon. Mr. BOULTON—It shows the influence this Senate is able to exercise in any public measure that is brought before it. Whether that is the cause of the action of Congress or not, I cannot say.

Hon. Mr. POWER—The hon. gentlemen of the United States Senate are like the coon in the story: Our hon. friend from Shell River has only to point his blunderbuss at the United States Senate and immediately it comes down.

Hon. Mr. BOULTON—I said nothing at all about a blunderbuss or anything of the kind. I have introduced a bill to amend our mining regulations on the 11th March. I see a telegraphic despatch on the 25th March that the very thing asked for on behalf of Canadian miners has been acceded to by the concurrence committee of both Houses of Congress. It is a coincidence. I am not claiming anything. I introduced that amendment on behalf of Canadian miners, and it was in their interests I did it and I am only saying so far—whether the bill introduced here had any effect, or whether it was a spontaneous act on the part of the United States Senate I am not prepared to say, but I am only quoting that in order to show that there is not an unfriendly disposition on the part of the United States people, if they are only approached in the right way, but if we say we are going to do our level best to use our power in our Yukon country to exclude them naturally they will use their power to exclude us. I heard the hon. leader of the opposition, when he was Minister of Customs, tell us that it was customary in the Rossland district to charge so much a day for an officer to accompany any United States goods that were passing from one point in United States territory through our country to another point in the United States. They were charged $3 a day, and in the same way the United States government charged our people $3 a day. There we have a precedent for the action of the United States. In Alaska they charge, I believe, $9 a day. In going across to Lake Bennett they had to cross Dyea Pass, which is a very difficult one. I am only pointing that out to show you that, so far as putting our Canadian miners upon exactly the same footing as the United States miners in Canadian territory, the United States people were willing to go hand in hand in developing that country to the very best of our united ability, and I do not think it is wise for us to show any unneighbourliness by defeating a measure which is asking no subsidy form the government, but let it go to committee and be amended if desirable.

Hon. Mr. ALLAN—I have no intention of discussing the merits of the bill before us. I will hold myself entirely free as to the course I shall take, and that course will depend on how matters will eventuate and when we find out whether we are going to have an all-Canadian route into the country and therefore until I know that I shall hold myself free to vote any way I desire.

Hon. Mr. LOUGHEED—The impression seems to prevail in the House that the applicants for this bill are United States citizens, and should be treated as foreigners, as indicated already by my hon. friend the Minister of Justice, who seems to have

developed very quickly a strong antipathy against our neighbours to the south.

Hon. Mr. MILLS—I did not say a word objecting to this bill because they were United States citizens or British subjects. I object because it is a measure in the interest of the United States.

Hon. Mr. LOUGHEED—The burden of my hon. friend's complaint for some days has been that Mr. Livernash was the alleged representative of certain United States journals, and addressing members of this House exercised a certain influence over them in his statements, I think I can say with the greatest degree of confidence that the leader of the House is mistaken in his statements of Mr. Livernash's position, and I further more say that my hon. friend was inaccurate in making the statement that Mr. Hamilton Smith influenced the authorities at Washington to introduce the hostile legislation, if you call it so, that has recently emanated from the Senate. My hon. friend has made that statement in connection with this bill, and made it in such a very emphatic way, and I venture to say that my hon. friend is only hazarding the assertion that these gentlemen in any way represent the United States citizens as indicated by him. As I was about to say the promoters of this bill, as hon. gentleman will ascertain by reference to the bill, are all English capitalists. The promoters are:

The Right Honourable Horace Brand Townsend, Baron Farquhar, the Honourable Herbert Cokayne Gibbs, Francis Alfred Lucas, Joseph Harry Lukach, Rochfort Maguire, Harry Mosenthal, Lionel Phillips, John Edward Dudley Ryder, Gerald Dudley Smith, Hamilton Smith.

Hon. Sir MACKENZIE BOWELL—They are not Yankees.

Hon. Mr. LOUGHEED—Hamilton Smith I might say, is a mining engineer occupying a very distinguished position, and considered one of the most eminent men in his profession. Mr. Mosenthal is head of the firm of Mosenthal & Son, one of the largest mercantile firms in London. Mr. Lucas is managing director of The Exploration Company, which has a paid up capital of 1,100,000 pounds sterling. I might say the Rothschilds are very heavily interested in this exploration company, and owing to the fact of the association of Mr. Smith with this company, I apprehend the premier imagined the firm of Rothschilds were being made use of for the purpose of influencing gentlemen in the House of Commons and in this chamber in reference to this bill. The Right Honourable Lord Farquhar was until recently the head of the large banking firm of Sir Samuel Scott and Company, London. Mr. Phillips is a member of the great mining firm of Warner, Bate & Co., probably one of the richest firms in the world. Cokayne Gibbs is a member of the well known banking firm of Anthony Gibbs & Sons, London. Mr. Ryder is a capitalist, and one of the directors of the exploration company. Therefore, hon. gentlemen will observe that the promoters are gentlemen occupying the highest financial position in the commercial world, and gentlemen respecting whom the Dominion of Canada should congratulate most heartily in interesting themselves in developing the resources of this Dominion, and particularly the resources of that vast and undeveloped country, the Yukon district. So much for that. My hon. friend objected by saying that the policy of this government has been or will be to preclude any railway going into the Yukon country from a United States port. Consistency is certainly something to be greatly admired in individuals, and above all not only to be admired but is indispensable and absolutely necessary in a government. Let me point out to the hon. gentlemen the gross inconsistency of the position taken by the leader of this House and taken by his government in the policy he has just enunciated as the policy of his government. My hon. friend raised as another objection to this bill, the fact that we propose to make connection with the American system of railways and are thus diverting Canadian trade to the United States ports. He further points out the fact that the road is a narrow gauge road and should not receive the support of parliament. The celebrated Teslin Lake road is a narrow gauge road also and the approach to the Teslin Lake road is through United States territory, I find before me a bill which was introduced in the other House and which has recently received the support of the government, namely the Kettle River Railway Bill. After my hon. friend has laid down the policy of the government—an anti-United States policy and a pro-Canadian policy—let us see what those consistent gentlemen are doing in regard to the bill lately introduced in the Commons. The Kettle River Road

is intended to run from a point on the international boundary line into Canadian territory and to run in and out of United States territory into Canadian territory and said by some to tap Canadian trade and to turn it into United States channels.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. LOUGHEED—The first thing we find in this bill which has received the support of the government is the statement which my hon. friend objected to a few minutes ago and was the first objection he took, namely that it was declared to be a work for the advantage of Canada. In section two of the Kettle River bill we find this statement :

The undertaking of the company is hereby declared to be a work for the general advantage of Canada.

Will my hon. friend explain the position which he takes in the one and the inconsistency of his government in the other ? In the first place we find this company proposes to lay out, construct and operate a narrow gauge road. The 4th clause reads :

The company may lay out, construct and operate a railway of a gauge of [not less than three feet, and of not more than] four feet eight and one-half inches, from a point on the international boundary line at or near Cascade city, in the Cariboo-Kootenay district, in the province of British Columbia, thence running in a westerly and southerly direction, following the course of the Kettle river, to a point on the said international boundary line at or near Carson city, in the said district, and also a line of railway from Midway, on the said international boundary line, in the said district, in the said province, thence running northerly, following the course of Boundary Creek, to a point distant not more than twenty miles from said Midway.

Will you permit me to draw your attention to the powers which the government propose giving to this same foreign corporation, the applicants for which are Americans. The names are as follows : Charles Thomas Dupont, Daniel Chase Corbin and Austin Corbin. They are men who are known to be among the leading promoters of United States railways in the Western States. They propose giving to these men a power as follows in paragraph 5 of that bill :

The company may also form a connection at the international boundary line in said points, namely, at or near Cascade city, and at or near Carson city and Midway, with the Spokane Falls and Northern Railway Company, a corporation organized under the laws of the state of Washington, and generally with the railway system of the United States.

My hon. friend talks loyalty and patriotism, and about restricting railway enterprise to Canadian territory. Again in paragraph 12 of the same bill :

12. The company may enter into an agreement with the Spokane Falls and Northern Railway Company for leasing to such company, the railway of the company hereby incorporated in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging or for an amalgamation with such company.

A railway which we are incorporating, and which is no sooner incorporated than it becomes absorbed by the Spokane Falls Company organized under the laws of the State of Washington, and generally with the railway system of the United States, and yet my hon. friend talks of limiting Canadian railways to Canadian territory. As I said before, this indicates the inconsistency of the position taken by my hon. friend. It is entirely out of the question for this government or any other government to conceive for a moment that railway communication can be kept out of that western country. Just as surely as the sun will set to-day and will rise to-morrow, so surely will you find railway enterprise entering that country from the Alaska border and from ports on United States territory. The position taken by this House was not that those roads should not run from United States ports but that the Dominion should not contribute any of its resources and should not alienate vast tracts of land for the purpose of building up lines in that country for the aggrandizement of United States transportation companies at the expense of the Dominion of Canada. This is the policy which this House I submit laid down by its vote last night, and not the policy that that immense tract of country must necessarily be tied down to railways running from Canadian points within the interior of British Columbia. I do not hesitate for a moment to say that my own personal inclination would lead me to favour the building of a road from a point in the interior of British Columbia and thus if possible excluding United States trade. We cannot accomplish impossibilities no matter how much we may desire that our desires should be effectuated. It is impossible to keep out United States railways from that section of the country. There must be reciprocal treatment between the government of Canada and the government of the United States

in regard to the development of that country. The interests of both lie side by side in that country; only a fictitious or geographical line separates the one from the other. The United States government as we very well know possesses advantages in regard to the opening up of that country by its waterways of which we must avail ourselves in time. If the government should determine to build up a Chinese wall along the 141st meridian and along the boundary line between the territory of Canada and the United States to my mind it is something that is perilous to accomplish and the sooner hon. gentlemen recognize that the better. My hon. friend brought down his Teslin Lake bill to this House and the government staked their policy on it—that urgency demanded the building of a railway into that country. That was the fundamental principle of that bill and upon that principle hon. gentlemen built up the laboured arguments and appeals which were not only made in this chamber and the other but throughout the liberal press of the Dominion. Is the position taken now by the government consistent with the underlying principles which they promulgated on the Teslin Lake bill?

Hon. Mr. MILLS—Certainly.

Hon. Mr. LOUGHEED—I say most decidedly not. My hon. friend never dreamed for a moment until the presentation of this bill—until its doom was practically sealed that it was contemplated to carry the road to a point in British Columbia.

Hon. Mr. MILLS—The contract provides for it.

Hon. Mr. LOUGHEED—No; the contract provides that the line shall be built from Telegraph Creek to Teslin Lake. The policy of my hon. friend has not been to assist the road to Observatory Inlet. My hon. friend knows the government has not foreshadowed its policy as to how that section of road from Telegraph Creek to Observatory Inlet is to be built.

Hon. Mr. MILLS—But it has foreshadowed its policy that there should be such a section of road and these contractors were to have the first opportunity to build it.

Hon. Mr. LOUGHEED—Will my hon. friend say that the government have pledged themselves to the policy of building a road from Observatory Inlet to a point on the Stikine River through the tract of country over which an exploratory line has never been run, regarding which no information can be given to us as to its geographical features, and regarding the physical disadvantages of which they can say nothing? Will my hon. friend say he can appeal with reason to a chamber of intelligent men and say that the government have pledged themselves to build the two hundred and some odd miles of railway over a tract of country respecting which they have no information?

Hon. Mr. MILLS—180 miles.

Hon. Mr. LOUGHEED—Say 180 miles. My hon. friend does not presume to say it is within the realm of possibility to build that which he says is the policy of the government. I say their whole policy, and it is the only intelligent policy my hon. friend could bring down to this House or the other, viz., that the rapid development of that country and the emergent features of the situation demanded the building of a road and the country was called upon to sacrifice something for it. We were called upon to sacrifice resources of 4,000,000 acres of gold-bearing land for the building of that road. Why? The question of alleged starvation which was facing the people there and other urgent reasons so elaborated by my hon. friend. Therefore I say the position taken now is absolutely in contradiction with the position first taken by the government when the bill was introduced, namely, that it was introduced for the purpose of meeting an emergency. Now these gentlemen asked for a charter to build from the Lynn Canal to within a point of 200 and some odd miles of Dawson City. As I have already pointed out to hon. gentlemen the stability of those promoters financially is of so unquestionable a character that not a shadow of doubt can prevail in the minds of hon. gentlemen as to their ability to carry out this undertaking. In the next place I would direct the attention of the hon. gentlemen to the fact that they ask no bonding powers. Their financial ability to build this road is of so high a character that they ask simply for powers to stock the road and they are prepared practically to put the money up themselves, because they ask no bonding powers. Now I ask my hon. friend if his government is prepared to take the

responsibility of refusing a large number of English gentlemen representing the largest financial aggregation that has appeared in any bill here—to build a road, for which the government claim the greatest need.

Hon. Mr. POWER—With respect to the bonding privilege, the hon. gentleman claims that there is merit in this charter that it does not provide for bonding privileges. If the hon. gentleman will look at the tenth and eleventh clauses of the bill, he will find that substantially the power is given. Clause 10 reads :

> The capital stock of the company shall be eighteen millions of dollars, and may be called up by the directors from time to time, and in such amounts as they deem necessary.

And clause 11 reads :

> The directors under the authority of the shareholders given at any annual meeting or at any special general meeting called for the purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock of the company are present or represented by proxy, may convert ninety thousand shares, representing nine million dollars, or any less number of shares of the capital stock of the company, into preference stock ; and the holders of such preference stock shall be entitled to receive a preferential dividend.

Hon. Mr. LOUGHEED—It would be utterly impossible to organize a company without issuing stock. Stock is a badge of the amount of interest of individuals in the company. How would my hon. friend organize a company ? How would the interests of these constituting it be in any way indicated ? However, I simply point this out that they have no intention of issuing bonds, but simply of subscribing for stock, paying up their stock, and building the road. They are not in this bill asking from the government any assistance. Therefore, is my hon. friend's government prepared to take the responsibility of saying to the people of the Dominion of Canada, and saying to the thousands that are rushing into the Yukon country, and saying to those representing the millions of trade going into that country, under no consideration will we permit capitalists to build a road from the Lynn Canal, even though it be the only recognized route which has yet been indicated as coming within the domain of sound commercial investment ? Or is my hon. friend, on the bald cry of loyalty to Canada, going to insist upon alienating 4 million of acres, or possibly some millions of money in building a road from an impracticable point and along an almost impossible route ? Is this to be done simply for the purpose of precluding capitalists building from a point on the international boundary line ? Is my hon. friend going to take that position ? As I said to my hon. friend the other night no matter where you build from the interior of British Columbia, if you cross the Stikine River by a route, and you are bound to cross the Stikine River, if you adhere to your determination to utilize the route outlined in the Teslin Lake bill—there is no way of excluding American trade from entering at the Port of Wrangel and going up the Stikine River and transhipping its goods on that road which, at an immense sacrifice to the people of Canada, you have built for the purpose of promoting trade interests to the extent of 90 per cent American and 10 per cent Canadian. I say emphatically that no other conclusion can be drawn from that fact. If the government of Canada, at the public expense, will build a road entering from or crossing the Stikine River, American trade will seek that route, and it is just as advantageous to American trade as to Canadian trade.

Hon. Mr. MILLS—With this difference that if it is American trade it will pay duty and customs tax to Canada.

Hon. Mr. LOUGHEED—Will they not do that in this case ?

Hon. Mr. MILLS—Upon such terms as they decide to impose on you.

Hon. Mr. LOUGHEED—No, it seems to me it must be obvious to any hon. gentlemen in this House that the American government will be only too pleased to give bonding privileges at once to Canadian trade for the purpose of taking that advantage which they must necessarily enjoy of the great bulk of American trade proceeding over any route which may be built either from the Alaska coast or tributary to the Alaska coast. Therefore, I say, in view of that fact there is no alternative ; there is no way my hon. friend can possibly preclude American trade from going into that country. As I said before I am strongly in favour of a route from the east of the Rockies but it is utterly impossible if you build from a point in the interior of British Columbia to preclude American trade from proceeding up the Stikine River and paying its duty as

they are paying to-day and thus taking advantage of a public work constructed at full cost to the Dominion of Canada. It is a most unusual thing, almost unprecedented, that this House should absolutely pronounce itself upon a private bill on the second reading. I know the principle of the bill is usually discussed, but I would ask hon. gentlemen to suspend their judgment on this bill till it goes into the Railway Committee until we can have an opportunity of having the promoters of this bill present who will explain to this House in a very much more lucid and satisfactory way than I can possibly do the merits of the road as well as particularly the geographical one which I submit are not the least of the considerations that should guide us to the building of the road. I hope, therefore, hon. gentlemen will permit the bill to have a second reading and go to committee.

Hon. Mr. McMILLAN—I think the House would be acting inconsistently if it went back on giving the second reading to this bill. While I admit that the question of encouraging the trade of the United States into the Yukon territory did have some effect upon the minds of hon. gentlemen, and a little on my mind too, though I admit that there were other questions of more serious importance, such as the immense quantity of land there we were giving way to Mackenzie & Mann. Now this is a bill that asks for no subsidy; it does not ask even for the privilege of bonding the road, as has been stated. It is the duty of this House to be consistent with its action last night to encourage the building of a road into that section, more especially on account of the dangers that were pointed out to us last night by the leader of the House of people starving there and of preventing bloodshed taking place in that country.

Hon. Mr. MILLS—My hon. friend will see that he could not send in a policeman or ammunition, and that the whole country would be under the control of the United States if this road is built while we have no Canadian roads.

Hon. Mr. McMILLAN—I admit all that, if they would act towards us as they did when we were sending them through the Sault Ste. Marie Canal, but there are a great many Americans there and it does not follow that they would travel in with their accoutrements; they could go in there as civilians, and the Yukon territory would certainly be in a better position even in that way than it is at present. Moreover, it will have a further effect; it will prevent Messrs. Mackenzie & Mann, or any other company from taking advantage of the situation and asking the government for a bonus or a subsidy in order to build a road into that country.

Hon. Mr. POWER—What about the Edmonton route?

Hon. Mr. McMILLAN—I am in favour of the Edmonton route; I am in favour of a road from Ashcroft or any of these places in British Columbia; but at the same time, I think that we would be doing a very improper thing in this House if in this House we were to reject the application of a wealthy company who are seeking the privilege simply of building a road from a United States port into this Yukon territory where we have quite an advantage; the moment they enter our country through the Alaska district, where it joins Canada, we can impose a duty on imports; we have a customs-house and the railway would not be entirely in the hands of the Americans. For this reason I feel that, acting consistently with my vote last night, it is my duty to support the second reading of this bill.

Hon. Mr. McCALLUM—A bill must be very faulty indeed if in this House you do not allow it to go to committee. We have heard a great deal about how the people are going to starve in that Yukon country. That was one reason why we were asked to give away millions of acres of land to build a railway from the Stikine to Teslin Lake. Now, as I look at it, I want the government to take the responsibility of these starving people. They have the power in their own hands to prevent it——

Hon. Mr. SCOTT—Now?

Hon. Mr. McCALLUM—Now. In the first place my hon. friend the Minister of Justice asks that this bill be not read for six months. Why not let it be read the second time and send it to the committee? He has the power in his own hands to kill it elsewhere if it passes this House. He can call that confiding majority at the other end

of the building to defeat this bill. I, for one, shall vote to send this to the Railway Committee, and put it through this House and let the responsibility rest on the proper shoulders, because the government have the power in their own hands, if they dare to exercise it before the people of this country, to defeat a bill to authorize the construction of a railway that is not going to cost the country anything.

Hon. Mr. MILLS—It authorizes a capital of 18 millions of dollars for a tramway.

Hon. Mr. BOULTON—There were 14 millions on the 150 miles.

Hon. Mr. McCALLUM—Well, are we going to pay it? These people only ask permission to spend their own money, and they are opposed by a government which, without consulting anybody, without advertising for tenders wanted to give away the people's inheritance for accomplishing the same object. Let the government call on their mechanical majority in another place to reject this bill, if they like; I shall vote not only for the second reading and to send it to committee, but I will give it all the support I can in the committee and in this House in order to leave the responsibility on the proper shoulders. I would not for a moment presume to advise this Senate what they should do; but I tell them this, in order to be consistent with themselves they ought to pass this bill, and leave the responsibility with the government in the other House.

Hon. Sir MACKENZIE BOWELL—I must first express my regret, not that the hon. gentleman moved the six months' hoist, because that is the privilege of every member, but at the reasons which the hon. gentleman gave for making the motion. Before referring to anything else, I should like to point out what, to my mind, is of very grave importance to the country. The hon. gentleman moved the six months' hoist on the ground that this railway has its western terminus in United States territory. The contention of the Canadian government, and the contention of the British government so far as we know, is that Pyramid Harbour, Dyea and Skagway are in Canadian territory. Now if the six months' hoist is carried by the Senate on the ground that the place from which the projected railway is to start from the coast is not in Canadian territory, will it not be a direct palpable acknowledgment of the contention of the United States government that the boundary line runs farther to the north and east than we contend it does? and is it not virtually a surrender of the contention which we are now making, and have been making, that we own two or three million acres of land or rocks, or whatever it may be, that are now in the possession of the United States? How would we be met—how would the arbitrators be met—if we were to put such a statement on record? The arbitrators would be met first with a declaration that the United States have been in possession of that territory, floating their flag over it for a number of years; and then the next contention would be that the Senate of Canada rejected a bill for the construction of a railway, upon the grounds that that portion of Alaska from which it was to start was in United States territory? Should we affirm by our votes that we acknowledge that contention? The hon. Minister of Justice, one of the most prominent members of the cabinet, whose opinion would be asked upon a question of this kind, being a question of law, would it not be said that he had himself acknowledged, by the motion he had made and the vote which he had demanded in one of the highest legislative bodies in the country, that that country did not belong to us. I am not prepared to say what course I would pursue upon this bill or any other. There is a great deal of force, to my mind, in the remark made by the hon. member for Monck. However, that is a question we can discuss in the future, and I put it to the Senate and to my hon. friend himself, knowing the character of the United States negotiators whenever there is any contention as to rights between any country and themselves, and more particularly between Canadian rights and United States rights, whether this is not placing in their hands a very strong argument in favour of their contention?

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman says no. What does this motion mean? You are asked to vote for the motion which he has placed before the Senate. Why? Because he says the starting point of this railway is in the United States,

while Canadians claim and are prepared to contend before any tribunal or arbitration that it is not in the United States, but belongs to Canada; and our representatives can be met, and will be met, if I know anything of United States diplomacy and diplomats, with the statement that the Minister of Justice, the highest legal authority in Canada, made a declaration in the Senate that that disputed strip of country was in the United States, and that he succeeded in carrying a motion for the rejection of a bill for that reason, thereby acknowledging that we had no territorial rights; and the vote which he asks us to record commits the Senate of Canada to that declaration. I need not say that when we look back into past history we find that in all international transactions the United States take every little advantage that can be taken. We have had boundary disputes with them before, and we know there is nothing that stands in the way of United States diplomats when they want to secure a portion of this country. If there was no other reason for rejecting the motion of my hon. friend the Minister of Justice, I think that alone would justify the Senate in saying no, we will not commit ourselves even inferentially or indirectly to the declaration which has been made. I think it is very likely my hon. friend, when he made his motion, never thought of that.

Hon. Mr. MILLS—My hon. friend is not accurately stating what I said. I was speaking of the territory in the United States, not with regard to any legal claim we may set up.

Hon. Sir MACKENZIE BOWELL—I understand that very well. I do not want to play upon technicalities.

Hon. Mr. MILLS—That is what the hon. gentleman is doing.

Hon. Sir MACKENZIE BOWELL—I do not think my hon. friend will accuse me of quibbling in the matter. I say the inference will be drawn by those who negotiate in the future, if we affirm the statement made by my hon. friend that we have surrendered, as far as our votes go, our right to that territory.

Hon. Mr. MILLS—I should like to ask my hon. friend if we should permit a road to be built from that point to the Yukon country, and the effect would be to build it at once within the territory held by the United States, whether he would not strengthen the United States contention infinitely more in that way than by simply affirming for the present that that territory is in the possession of the United States?

Hon. Sir MACKENZIE BOWELL—I say most distinctly not. If we act upon our contention and lay down the principle in the charter for the construction of the road, it is an assumption of our right to that territory. It would be only a stronger affirmation of the principle we lay down, that we have a right to authorize the construction of a railway in the territory that we claim.

Hon. Mr. MILLS—Just the reverse.

Hon. Sir MACKENZIE BOWELL—I am afraid my hon. friend and myself, in this as in other matters, will have to continue to differ. I leave it to the Senate to say whether I am correct or not. I think it would be better to adjourn the debate in order that we may consider this question from the different standpoints that have been raised, more particularly from the point which I have taken the liberty to indicate to my hon. friend. It may be presumption on my part as an ordinary layman to attempt to teach, or even to suggest, what the law is on questions of this kind; but I claim to possess a little common sense, and knowing the character of the people with whom we have to deal, if they can draw inferences from statements which are made by so high an authority as the Minister of Justice, they will be taken advantage of by the people of the United States when this question comes to be settled. I am not going into the general argument as to the Canadian route any more. I can understand my hon. friend from de Lanaudière (Mr. Bellerose) and my hon. friend from Wolseley (Mr. Perley) in the position they took. They claim that no road should be built except from an undisputed Canadian point, whether it be on the Pacific slope, in British Columbia, or from some point in the North-west. While they act on that principle, no one can find fault with them. The superlative loyalty of my hon. friend the Minister of Justice is somewhat amusing. I am not speaking of my own. I stand on that question in the same position as the hon. gentleman from Shell River. Our past record will speak for us. But when my

hon. friend speaks of the imposition of a duty at Skagway or Dyea he intimates that our neighbours are ready to act on the principle of non-intercourse.

Hon. Mr. MILLS—Not at all.

Hon. Sir MACKENZIE BOWELL—If we go with a cargo of goods to Pyramid Harbour, a port which is open all the year round, and place the goods in bond to be shipped through to Canada, to be consumed in Canada and not in the United States, and the authorities there say no, we will not permit you to bond the goods going through, neither will we permit you to employ a United States officer to accompany them as is done now in the southern parts of British Columbia and has also been done in the eastern portions of Canada in past years, that is nothing more nor less than a declaration of non-intercourse. They can do precisely the same thing I believe at Wrangel if they are so disposed, without interfering with what you call the navigation of the river. But even if they cannot do so, they can put other obstructions in the way. As the hon. gentleman from Shell River has pointed out, if the United States government desire, as they do and have been doing for half a century, to send goods up the Yukon River, they have to cross the Canadian boundary before they can reach those portions of Alaska which have lately been discovered to possess placer mines and other rich deposits. Now, supposing they would say to us at Pyramid Harbour, "you shall not go beyond this unless you pay duty," all we have to do, if retaliation becomes necessary, is to simply say to these people when they reach the boundary line of the Yukon, "thus far you go, but no further without paying duty," and then if they would carry out the customs regulations, and the interpretation put upon customs laws, the moment they reached the Alaskan border they would again charge duty, because the principle of the custom law is this, that the moment goods brought into a country pay duty, they then become *de facto* the goods of that country, and if returned to the country in which they were manufactured or grown, they have then to pay duty again ; or in other words, if any one from the United States comes here and buys a horse from you, and takes it to the United States, he pays duty there ; and if you go to the United States six hours afterwards, and buy that horse and bring it back to Canada again, you buy a United States horse, bought in the United States territory, and you have to pay the duty on it, as if it had been foaled in the United States. So that, taking the position of my hon. friend the Minister of Justice, I venture the assertion —though with some little hesitancy—that it is as untenable a position as any man could take who has the slightest knowledge of the workings and operations of Customs Acts. I want to draw the attention of the House to the fact that when you speak of the Customs Act and the tariff you are speaking of two distinct and different things. The tariff Act is an Act which imposes on goods coming from one country to another a certain tax. The Customs Act is an Act which regulates the trade of the country, and the manner in which it should be carried on. My voice would not permit me last night to point that out to the hon. Minister of Justice. When he spoke of the Customs Act he meant the tariff. I must confess that I felt a little amused when, in answer to the hon. gentleman from Shell River, the Minister of Justice said, "What? At eighteen million dollars?" Now to those who knew nothing about the matter, it would imply that the eighteen million was to come out of the pockets of the people of the Dominion of Canada.

Hon. Mr. MILLS—It does not matter at all.

Hon. Sir MACKENZIE BOWELL—It matters to us whether Mr. Hamilton Smith and his friends put their hands in their own pockets, and take out eighteen million dollars, and build a road up there, or if you come to us and say, "I want eighteen million dollars to build that road." Perhaps it would make no difference to the hon. gentleman ; he may be rich, but to ordinary mortals it is a very different matter. I am not going to discuss the merits of this bill. I will act upon the suggestion that I first threw out, and, rather than have a decisive vote one way or another in the House on the question of a six months' hoist—I don't think it will be carried—I will take the opportunity of moving the adjournment of the debate.

Hon. Mr. SCOTT—My reasons for opposing this bill are not personal. I recognize the directors named in the bill as not only highly respectable, but occupying a high financial position, and able to properly carry out the undertaking; but the main objection is that it militates against the construction of a Canadian route. If this bill becomes law, the very existence of it is at all times an embarrassment to the promoters of a railway through Canadian territory. There is no doubt about it that to reach Dawson it is much cheaper to go in by this route than by the Stikine, or through any of the inlets in British Columbia. But our policy—and we thought the policy of the country—was to establish an all-Canadian route.

Hon. Sir MACKENZIE BOWELL—Better begin somewhere else than at Wrangel.

Hon. Mr. SCOTT—That was to meet the present emergency, as has been explained over and over again. It was not intended that it was to be eventually the terminus of the line. Hon. gentlemen will give the government credit for some degree of penetration. If hon. gentlemen will refer to the 5th section of the contract they will see that the contractors were to have the preference for a given number of years of the right to construct the extension of the line. We regarded it as a matter of very great urgency that we should get in at once, but to commence the line at one of the inlets in British Columbia would have involved a very long delay—perhaps two or three years.

Hon. Mr. BOULTON—Did not the government give authority to these contractors to build a road from Pyramid Harbour?

Hon. Mr. SCOTT—No, we refused. We said we would not build it for five years. We thought in five years we would have an all-Canadian route, but if you build from Pyramid Harbour you will not have an all-Canadian route.

Hon. Mr. McCALLUM—Let the bill pass here and the responsibility will be assumed in the other House.

Hon. Mr. SCOTT—I think we should have some intelligent opinions on the subject ourselves. The hon. gentleman says when we object to this bill we give the persons, who are to be hereafter named to discuss the question of boundary, an opportunity of saying it was a concession on our part. The fact of the road being built and large investments having been made by United States citizens, as they would be United States citizens, would indicate a very much stronger possession, because it would be contended that a large expenditure of money had been made.

Hon. Mr. LOUGHEED—The hon. gentleman places a wrong construction entirely on paragraph 11. My hon. friend has really given the power to build from the Lynn Canal, but states that that power shall not be exercised except by the Governor in Council.

Hon. Mr. SCOTT—That does not affect the question at all.

Hon. Mr. LOUGHEED—The hon. gentleman said it did not give the government power.

Hon. Mr. SCOTT—The main objection is that it is contrary to public policy. It would deprive us of the opportunity of building a road through Canadian territory, because if that road is constructed at once it cuts off all the advantages a Canadian route would have. It would no doubt shorten the distance very materially, and, so far as this question of boundary is concerned, hon. gentlemen will recollect that for over twenty years Canada has been pressing the United States to agree to a boundary. They have steadily refused from year to year to enter upon the question, and have simply forced their own possession further back every year. We were just on the eve of a collision. The mounted police supporting the customs authorities took possession of what we thought was the extreme eastern limits of the boundary, the height of land, yet the United States officers say, "you should move, and, if you do not, we will make the customs laws so difficult for you to overcome, that you will select some other route." Ninety-five per cent of the whole trade of that country is now in the hands of the United States. We are endeavouring to secure some part of it for Canada.

Hon. Mr. McMILLAN—You are paying too much for it.

Hon. Mr. SCOTT—You cannot pay too much for it. It is important from two points of view. It is necessary for our people having some standing in that country, and for participation in the advantages that flow from the trade of that country. I have no doubt whatever it is worth a million dollars to the two companies that now have the exclusive trade, that we threw out that bill last night. I venture to say that it is worth a million dollars to the Alaska Company and the American Commercial Agency. Hon. gentlemen know very well, if they read the papers and the accounts from that country, that not four or five prices, but ten prices are charged for everything. There is not $5,000 worth of goods in and around Dawson that is not in the hands of United States traders. They charge whatever price they like. A barrel of flour was sold at $100, which was bought originally for $5.

Hon. Mr. McCALLUM—Is there only one United States company?

Hon. Mr. SCOTT—Two companies. They have the whole trade of that country. We got a little of it a short time ago, under the plea that we were going to build a road in over Canadian territory. The argument of the hon. gentleman from Shell River sounds very well, but he refuses to recognize conditions. One would say they have to travel so much further through your territory, surely you can bring pressure enough to bear on them to allow you reasonable advantages across their borders. But that is not the fact. We cannot quarrel with the United States. We do not propose to bring on a local rupture. We have treated them in the most generous way possible. We have allowed their miners to go in there and take up about 90 per cent of the wealth of the Yukon. It is largely in the hands of Americans. No nation could have been more generous to another nation than Canada has been to the United States, and yet you see the difficulties we have encountered. A member of the government went to Washington to make an arrangement. They were very plausible at Washington, and they saw the reasonableness of our proposals; but we find the regulations they made are not carried out. Every few months we are threatened with the abolition of the bonding system. It is not now on any firm basis. The Grand Trunk Railway and Canadian Pacific Railway stocks get a shock every now and then, when influences are brought to bear at Washington. If we had some standing at Washington, there would be some force in the argument of the hon. gentleman; but when we are entirely in their hands, as we were until a few days ago when we succeeded in getting access to the Yukon through the Stikine, we had to accede to whatever conditions they chose to impose. And now if you do not take a United States officer to accompany you across the United States fringe of country, you have to pay 5 per cent duty. It is very unfair and very unreasonable.

Hon. Mr. McCALLUM—I do not see what that has to do with the question.

Hon. Mr. SCOTT—That is the whole point. If this bill becomes law and this road is built, you will not be able to build a road through Canada, because there will not be traffic enough to make it pay. The hon. gentleman is such a theorist he will not observe conditions. If the hon. gentleman's theory was correct, why should we have a line running to St. John and Halifax, when it is cheaper to get our goods through by New York and Portland.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. SCOTT—Portland stands in the same position to Canada that Pyramid Harbour does to the Yukon, because it is the nearest ocean port to the point of consumption. Pyramid Harbour is the nearest point you can get to by sea to reach Dawson.

Hon. Mr. McMILLAN—If this road will serve the purpose, why on earth do we want a road through Canadian territory that will cost a great amount of money?

Hon. Mr. SCOTT—For the reason that we have no control over the United States end of the road, and they would impose just such conditions as they pleased. If you wanted to send in a regiment of soldiers, you could not do it.

Hon. Mr. McMILLAN—That will not be necessary.

Hon. Mr. McCALLUM—The hon. gentleman is right about that. He threw a certain responsibility on this Senate less than 24 hours ago. On us rests the respon-

sibility of defeating that bill. I say to the hon. gentleman that the responsibility is on him if he does not let this bill pass, because it is in his hands. If there is going to be any starvation in that country, and the government defeat this bill, when it is in their hands, they are responsible.

Hon. Mr. SCOTT—This line is not going to be built by the 1st September, and there is no justification for the bill on that ground. If this bill becomes law it reduces the opportunity for our financing any independent line through British territory, and if this road is once built, it is not at all probable that any road will be built through Canadian territory, except at the actual expense of the government. There is the whole point in a nutshell. It is for this House to say whether they are going to place the government and people of this country in that position.

Hon. Mr. BOULTON—With regard to the authority given to contractors to build from the Lynn Canal, I should like to correct the hon. Secretary of State. Clause 2 of the contract says that the company has authority also to build a line of railway from the waters of Lynn Canal to Fort Selkirk, or thereabouts by way of Chilkat Pass.

Hon. Mr. SCOTT—Go on.

Hon. Mr. BOULTON :—

> Also branch line of railway from any points on the company's railways to any property owned by the company, also lines of railway from any navigable waters to any property owned by the company; provided that the power to to build said line from Lynn Canal to Fort Selkirk, and said branch lines and said lines from navigable waters shall not be exercised without the consent of the Governor General in Council.

You are giving that power, and next year you may relax it.

Hon. Mr. SCOTT—We do not propose to relax it. The reason for that is that the contractors wanted to build a road from Pyramid Harbour. They said: "We will build from Pyramid Harbour, and we will not want anything like that subsidy." We said "no, we want our road on Canadian territory built first."

Hon. Mr. McMILLAN—They did not want any bonus at all then?

Hon. Mr. SCOTT—No, they wanted a much less subsidy.

Hon. Mr. WOOD—While I do not think this bill should pass into law in exactly its present form, yet I feel in favour of letting the bill have its second reading and go to committee. The Secretary of State has urged that this road should not be built, because it has its terminus in Pyramid Harbour, which is, at least, in disputed territory; it is not known whether this belongs to Great Britain or the United States. I should like to say, in addition to what I said the other day, that, in my judgment, looking at the commercial advantages of this road, we must recognize the fact that it cannot be very long before this road will have to be built. It will be a commercial necessity. The Secretary of State says that we should leave it till we have an all-Canadian route—that we should have the all-Canadian route first. What advantage would it be to build an all-Canadian route first? We cannot operate an all-Canadian road with any profit whatever after this road is built, and the only way you can induce capitalists to invest in an all-Canadian route is to guarantee them against the building of a competing road on this line. Besides, it appears to me that the government, or those who oppose this bill, whether government supporters or not, have very much changed their opinion since last session. Last session two companies were incorporated to build lines from the Pacific coast to the Yukon territory, and both those companies started in the Lynn Canal, and so far as I am aware, there was no objection by any person, of either political party, to these lines, because their terminus on the Pacific coast was on territory the ownership of which was doubtful. I endeavoured to point out, in my observations a few days ago, the immense disparity between the commercial advantages of this route and the route which the government proposed by the Stikine and Teslin Railway. It must be evident to everybody that in the interests of the Yukon territory, those who go in there should have the shortest, easiest and cheapest mode of ingress and egress. It must also be in the interest of the people who go there that their trade should be transported both in and out in the speediest and cheapest possible manner. Now, there can be no question and any one who looks

at the map cannot doubt that a road constructed on this line will afford facilities which no other line from the Pacific coast—I am speaking of those lines solely now—could possibly afford. As a comparison between this line and the Stikine-Teslin railway route ——

Hon. Mr. POWER—I wish to call the hon. gentleman's attention to the fact that the Stikine-Teslin route has been disposed of.

Hon. Mr. WOOD—I am arguing about this bill.

Hon. Mr. POWER—The hon. gentleman is arguing on the bill, which was defeated yesterday.

Hon. Mr. WOOD—If the government have abandoned the idea of communication by that route, I am willing to drop it. The advantage of the route from the head of the Lynn Canal is that it avoids the whole transportation up the Stikine River for 150 miles, and the transportation from Lake Teslin to the junction of the Lewes and Yukon Rivers, a distance of about 400 miles. This, I say, is probably as favourable an all-Canadian route as we could get from the Pacific coast, but the cost of transport over that route, considering these disadvantages, would be probably double what it would be over the line contemplated by this bill.

Hon. Mr. MILLS—Then the hon. gentleman's meaning is that an all-Canadian route is not to our advantage, and that this is the best road from the Pacific coast that can be constructed for Canada.

Hon. Mr. WOOD—I beg the hon. gentleman's pardon. If he has reached that conclusion from what I have said it was not what I wished to convey. What I was trying to say was this, that the cost of getting in, whether for passengers or freight, by the all-Canadian route, would be very much more than by a route such as is proposed by this bill, and whatever may be the interest of Canada, I was arguing for the interest of the Yukon territory and the people who went in there that they should have the cheapest and shortest and best road possible. I hope I have made myself understood. With regard to this question of interfering with Canadian trade which, if I understand the hon. leader of the House and the hon. Secretary of State as well, is their main objection to this bill. Their desire is to retain this trade for Canada in some way, and if they allow the construction of this road instead of accomplishing that end they think it will divert the trade to the United States. In my opinion these hon. gentlemen have utterly failed to establish that point. Supposing this road is built, the ocean is free to all. Steamers can communicate with the road as well from Vancouver and Victoria as from San Francisco. The distance is shorter, and they should be able to take Canadian freights to the ocean terminus of this road and deliver them cheaper in the Yukon region than the Americans can. The people who operate the railway will certainly make no distinction against Canadians, so far as freight rates are concerned. In the one case, if the United States goods cross the line they will have to pay duty and the Canadian goods will go in free. The hon. Secretary of State referred a moment ago to these regulations which he says the United States, impose, requiring every person going in with Canadian goods from Skagway and Dyea to have a United States officer accompanying them at a cost of nine dollars a day. I saw a report in the papers not long ago that the arrangement made with the minister at Washington was working satisfactorily.

Hon. Mr. SCOTT—No.

Hon. Mr. WOOD—I may be mistaken. That was the newspaper report. At all events, that arrangement is rendered necessary simply because there is no railway. They have to transport those goods through United States territory where there is no railway, and that renders it necessary that they should be accompanied by a United States officer while, if there was a railway from that port, and supposing it is United States territory, the goods would be taken from the ocean steamer, placed on a car, sealed up and go through without any cost whatever. The whole cost results from the very fact that we have no railway and the building of this railway will obviate that very difficulty. The hon. leader of the House suggested that this railway and the transportation of freight over it would, in some way, be under the control of the United States officials. I cannot understand how he establishes that point. This will be a railway chartered by this parliament; if

it is built it will be under the control of this parliament. It will be subject to any conditions which the Railway Committee of the Privy Council may see fit to make, and they will certainly have it in their power to prevent any discrimination over this road which would be against the interests of the Canadian people. I favour the second reading of this bill and its going to committee. I think it should be amended, if it is allowed to pass. The amount of capital has been spoken of. I am not prepared to express an opinion at the present time as to whether that is too much or not. They ask for a variety of powers to build wharfs and docks and to engage in mining operations. That is a matter which will have to be dealt with by the committee, and if the capital is too much it should be reduced. There is one other point which should be considered. As I stated at the outset, in my opinion at least, to meet the present condition of things in that section of the country, a railroad somewhere in this locality is needed and should be built as speedily as possible. The government will find, if they refuse to charter a road now, that some road will have to be built and will be built in a short time. I think, therefore, that if this bill is allowed to pass there should be some provision compelling the company to enter upon the work of construction at once and push it forward with all possible rapidity. They ask for five years.

Hon. Mr. LOUGHEED. I might say to my hon. friend that in the letter I recently received from Hamilton Smith he said that in the event of their company being given power to build the road, they would be prepared to construct as much as 100 miles of the line this season.

Hon. Mr. WOOD—That is a matter which would have to be considered in committee.

Hon. Mr. POWER—I am opposed to the motion to adjourn the debate. We have spent the whole afternoon discussing this bill. I think we all know now pretty nearly how we should vote, and I object to the proposal to adjourn, because it would mean that we should probably spend another afternoon discussing the matter, and then if the bill should ultimately go to the committee, they would have to spend a good deal of time over it. The matter has been sufficiently discussed now to enable hon. gentlemen to give an intelligent vote on the subject, and it will save the time of the committee and the House if the opinion of the majority is that the bill should not be read the second time.

Hon. Mr. MILLS—I wish to say a few words on the motion for the adjournment of the discussion. I am opposed to that motion. The House last night rejected the government proposition. I want to know, my colleagues want to know, and the country will want to know, whether this House is marking out what it regards as a necessary public policy on this question by which, instead of an all-Canadian route, there shall be a road built from a point in the United States into the Yukon. The hon. member for Westmoreland (Mr. Wood), who is supporting this bill, as well as the hon. gentleman who has moved it, declares that this is a proper line on which to build a road, and that if it is built the trade will go this way. The hon. gentlemen consider that this is a shorter and more direct road into the Yukon country—at all events, to the portion of it which is settled—than the all-Canadian route, and so the hon. gentleman proposes that there shall be first built a road from the United States territory into the Yukon country, which would for all time control the trade; and if it became necessary later, supposing we had the good fortune to retain the country without an insurrection or disturbance, to build an all-Canadian road, it would not only have to be heavily subsidized to be built, but would also have to be equally heavily subsidized in order to be maintained. For, if the hon. gentleman is right, a road built through Canadian territory into that country is a road which, because of its length, neither Canada nor the United States would sustain. And that also is the contention of the hon. member from Shell River (Mr. Boulton). Now, I say if that were true, are you going to overlook the important question as to whether you will retain in your own hands the means of maintaining your authority in that country? There is no use shutting our eyes to the fact that, if the road is built into the Yukon country from a United States point, or a point in the possession of the United States; the use of it by the people of Can-

ada will depend wholly upon the forbearance and the policy of the United States in that regard. Now, we know what pressure is used by the people living on the western coast of the United States; we know that even where we have agreed upon regulations with the United States, and have made large concessions to them in order to secure facilities for our own trade, the pressure of public opinion of those who are interested in San Francisco and Seattle has been such that the United States have not been able to carry out the regulations agreed upon. I say, in the face of that, let us not disguise from our eyes the actual situation. You are proposing for all commercial purposes to annex that territory to the United States, and if you incur the expenses of government, it is an expense of government without any other advantage than the mere honour of governing. I am not willing that that shall be our position, and if the Senate of Canada is prepared to sustain a measure which points in that direction and which is a matter of public policy, the sooner we know it the better. My hon. friend has deprecated the idea that I should have alluded to the fact that this territory, at this initial point, is in the possession of the United States. It is so; we cannot disguise from our eyes the fact. We are dealing with the United States, in respect of admission into our country, because that portion of territory at the head of Lynn Canal is in their possession, and if you were to start a railway from that point, and it should be a commercial success, as hon. gentlemen have mentioned on that side of the House, what would be the effect? Large towns of United States people would be built up at Dyea, Skagway and Pyramid Harbour who would be loyal to the government of the United States; and whatever might be your legal claim, not only would the possession continue in the United States, but the legal claim would go with the possession, for you may depend upon this, that if you have a large United States population and a United States city established there, maintained by the trade and commerce which the Canadian territory behind gives to the inhabitants of that city, you are practically assisting in the conveyance of that country to the United States. I am not willing to take that position. My hon. friend says that my loyalty is a new-born loyalty. I deny that; I have never expressed any other sentiment with regard to the maintenance of the integrity of the empire and the maintenance of our rights with respect to the United States than those I have expressed here since this discussion began. I have said there is not a rock, even if it were not larger than sufficient for a fisherman to dry his net upon, if it belongs to us, but that I would maintain our possession to it. Further than that, I say that no more disastrous course could be adopted in respect to the future of this country, no mistake that the English government has ever made, would so contribute to putting impediments in the way of our prosperity and our interest upon the Pacific coast, as the passage of the bill which the hon. gentleman has now before us. I am not prepared to adjourn this debate. I want to know, and the government want to know, what the position of the Senate is upon this question, for, so far as we are concerned, this proposal differs as widely as day does from night from any proposition which the government can support.

The Senate divided on the amendment to adjourn the debate, which was agreed to on the following vote :—

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MOUNTED POLICE PENSION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (13) "An Act to amend the Mounted Police Pension Act." He said: As the law stands at present, a mounted policeman has to serve 25 years before he is entitled to superannuation. It has been found a rather long period and it is proposed to substitute 20 years service instead of 25. That is the only change in the law—the substitution of 25 for 20—the effect being that a policeman after serving 20 years will be entitled to superannuation.

Hon Mr. POWER—I should like to ask the hon. Secretary of State exactly what this allowance is. Is it a pension, as is given in the British army, or a superannuation allowance such as is given in the Civil Service?

Hon. Mr. SCOTT—I do not know the provision; I will ascertain before the bill goes to committee.

Hon. Mr. BOULTON—It is in the line of a pension.

Hon. Mr. CLEMOW—I think 20 years is perhaps too long.

The motion was agreed to, and the bill was read the second time.

GOVERNMENT HARBOURS, PIERS AND BREAKWATERS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill(28) "An Act further to amend the Act respecting government harbours, piers and breakwaters." He said: This bill makes certain amendments in two sections of the Act, chapter 84 of the Consolidated Statutes, I will read the section as it stands and point out the changes that are made. Section 2 reads:

The Governor in Council may appoint or direct such officers or persons as he thinks proper, who shall have, under the direction of the Minister of Marine and Fisheries, the charge of the works hereby placed under the management and control of the said minister, and who shall collect the tolls and dues thereon; and the Governor in Council may determine the remuneration to be allowed them respectively for such services and such remuneration.

These are the additional words "shall be retained from the tolls and dues collected." That is the only change in that section. Then section 5 is also changed. "After deducting remuneration mentioned in section 2 of this Act" then the words are added "the remainder if any." At the end of the section the additional words are "and such expenditure has been incurred." They are just such changes as are necessary to render the administration of the law more efficient.

The motion was agreed to, and the bill was read the second time.

CERTIFICATES TO MASTERS AND MATES OF SHIPS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (37) "An Act further to amend the Act respecting certificates to Masters and Mates of Ships." He said: This bill contains certain amendments to section 17, and an additional section. The law as it now stands reads:—"If upon any investigation duly authorized by the government under the Salvage Act," and so on, and the charge is: "If upon any investigation duly authorized by the minister under the Wrecks and Salvage Act." It is purely a matter of departmental administration. There is no object in being obliged to go to the Governor in Council for authority to make the investigation. It has been provided it shall be done under the investigation of the minister. The Act ends with section 25 as it now stands, and it is proposed that this additional section shall be added:

The said Act is hereby further amended by adding the following sections thereto after section 25:—

25. The minister, upon a report of a duly appointed and qualified examiner of masters and mates, may grant a temporary certificate as master to an applicant sufficiently qualified by his knowledge and experience to take charge of a steamboat of not more than ten tons, gross tonnage, and certificated to carry not more than ten passengers, plying within specified limits in the minor inland waters of Canada,—which steamboat and limits shall be described in the certificate.

(2.) Such temporary certificate may be issued and be in force for a term not exceeding one year, but may be suspended or cancelled for cause by the minister.

(3.) For every such temporary certificate the applicant shall pay the sum of five dollars.

(4.) No person who holds a certificate issued under this section, and no person who employs him as holding such certificate, shall be liable to any of the penalties provided by this Act if he is acting on the vessel and within the limits specified in the said certificate.

This provision has become necessary because all that the law ought to require, all the skill and knowledge that it bestows upon the party is experience on a small boat running on some inland waters, requiring no knowledge of navigation, requiring simply the mechanical knowledge of the person who has charge of an engine. Under this section, the minister will be authorized to issue a certificate to such party, being simply the practical experience that is required, and not the experience of a skilled navigator, and his power of course is confined to the vessels of the class and on the waters that are described. In some instances vexatious proceedings have been taken against parties possessing all the skill that is required, and there is no option with the magistrate, although he may know the person was qualified for the work he was engaged in, but to impose a fine. This enables the certificate to be issued in such cases, and it seems to be a necessary and just protection against vexatious proceedings.

Hon. Mr. PROWSE—What tonnage did the hon. gentleman say?

Hon. Mr. MILLS—Ten tons.

Hon. Mr. PROWSE—The size is certainly very small. This change in the Act, in my opinion, requires an individual who has charge of that boat to be always in her and no person else can take charge of her. It is only a pleasure boat, anyway, ten tons, and no one can take that boat anywhere, not half a mile, except it has a certificated master. We know that the engineering skill required for managing a little boat like that does not amount to anything. It only requires a little common sense. This will necessitate a master being on the vessel all the time.

Hon. Mr. MILLS—Under the law as it now stands, the party requires to pass a regular examination, and have a certificate.

Hon. Mr. PROWSE—For that sized boat?

Hon. Mr. MILLS—Yes, or any size. This is a liberalization of the law—an extension of the right, not a restriction, and if it does not go as far as my hon. friend desires, it still goes in the direction he mentioned.

The motion was agreed to, and the bill was read the second time.

SAFETY OF CERTAIN FISHERMEN BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (G) "An Act for better securing the safety of certain fishermen."

(In the Committee.)

On the second subsection, second clause,

Hon. Mr. PROWSE—I would suggest that the hon. gentleman exempt the fishermen fishing in the straits of Northumberland from the operation of this clause. The straits are narrow, and there is no necessity for such a measure there. They only go out for a mile or so. I consider this is absolutely necessary for fishermen fishing on the banks out of sight of land, and in that case, the provision is not sufficient. That is, there is not sufficient water or bread. The expense of a larger supply of bread would be trifling: but I would suggest that the fishermen in the straits of Northumberlend should be exempt from the operation of the Act, and the provisions might be increased for the bank fishermen.

Hon. Mr. POWER—The hon. gentleman will see, if he looks at the first clause of the bill, that it hardly affects fishermen in the strait of Northumberland. It relates to deep sea and bank fishermen only, and would not affect the fishermen the hon. gentleman spoke of.

Hon. Mr. PROWSE—There are banks in the straits.

Hon. Mr. POWER—It was distinctly understood, when this bill was before the Senate in former sessions, that it would not affect such fishermen as the hon. gentleman mentions. With respect to the quantity of water and bread, it might in some cases be desirable to have a larger quantity, but this was the quantity agreed on by the House when the bill was discussed before. There was quite a discussion on the subject;

several members took part in it, and this was the quantity fixed. I thought, as the bill had gone through that session, it was better not to change in quantity.

Hon. Mr. PROWSE—There are several banks in the straits and boats go out there to set their trawls and could easily get back to their vessels or to shore. So far as provision for boats on the banks is concerned, it is only where a storm, or fog comes on, and they lose their vessel that a supply is needed. A boat may be driven about for days or weeks, and sometimes the men are found dead in their dories for want of provisions.

The clause was adopted.

Hon. Mr. MASSON, from the committee, reported the bill without amendment.

CANADIAN YUKON MINING REGULATIONS BILL.

WITHDRAWN.

The Order of the Day being called for the second reading of Bill (E) "An Act to amend the Canadian Mining Regulations for the Yukon."

Hon. Mr. BOULTON said: Since I moved the first reading of this bill on the 11th March, I find that the object of the bill has been attained in so far as the amendments are concerned. The object of the bill was to put Canadian miners on a footing of equality with United States miners. Since the first reading I see that a concurrent committee of the Senate and House of Congress in Washington has practically granted all that was asked for in this bill. Now the Canadian miner and the United States miner have equal rights in Alaska, and that is certainly a position that we welcome with very great pleasure. The United States and Canada have joined interests in the new region that is being developed, and I am quite sure that is a remarkably good evidence of the disposition they are showing. I ask permission to withdraw the bill.

The bill was withdrawn.

UNION BANK OF CANADA BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (24) "An Act to amend the Charter of the Union Bank of Canada."

He said: This bill is simply to change the shares of the Union Bank, which are now sixty dollars, to one hundred dollars. This was unanimously approved of by a resolution passed at the general meeting of the shareholders in June last. It also provides for a disposition of one share, or a fractional part, that may be held by any shareholder after the change has been made.

The motion was agreed to, and the bill was read the second time.

HUDSON'S BAY AND PACIFIC RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. BOULTON moved the second reading of Bill (22) "An Act respecting the Hudson's Bay and Pacific Railway Company." He said: This is a bill for the purpose of amending some of the clauses in a charter that has already been granted to this company.

Hon. Mr. POWER—I think the hon. gentleman might give us a little more information.

Hon. Mr. BOULTON—The object of this bill is to repeal certain portions of the clause and substitute therefor the following:

The company may lay out, construct and operate by electricity or steam power, or both, a railway of the gauge of four feet eight and one-half inches, from a point at or near Port Churchill, on Hudson's Bay, through the territory north of the Churchill River, to deep water at or near Fond du Lac, on Lake Athabasca, and from Port Churchill aforesaid, on Hudson's Bay, through the territory north of the Nelson River to to the Grand Rapids of the Saskatchewan river, near the north-west end of Lake Winnipeg; thence through the territory of Saskatchewan to Prince Albert, in the said territory; thence continuing through the said territory and the territory of Alberta to Edmonton, in the last mentioned territory; and may also lay out, construct and operate a line from Edmonton to a point on the boundary of British Columbia at or near the Yellow Head Pass.

It is to connect the waters of the Hudson Bay with Edmonton; it is merely a little rearrangement of the original charter. It has been passed by the House of Commons, and the House of Commons amended it by making the terminus at Edmonton instead of at the Pacific coast, as was contained in the original charter.

The motion was agreed to.

SECOND READINGS.

Bill (74) "An Act further to amend the Petroleum Inspection Act."—(Hon. Mr. Scott.)

Bill (29) "An Act respecting the Federal Life Assurance Company of Ontario, and to change its name to the Federal Life Assurance Company of Canada."—(Hon. Mr. Cox.)

Bill (73) "An Act further to amend the Gas Inspection Act."—(Hon. Mr. Scott.)

INLAND REVENUE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (75) "An Act further to amend the Inland Revenue Act." He said: This is to define the expression "beer," "wash" or "wort," and makes the terms clearer for the officers charged with the collection of the duties. It also reduces the quantity movable in one package to ten gallons; at present the quantity is not less than twenty-five standard gallons. It was found that the trade are anxious that that quantity should be so reduced and so there is no objection to it. The third paragraph is the mere introduction of certain words in order to make the Act clearer.

The motion was agreed to, and the bill was read a second time.

ALBERTA AND YUKON RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (H) "An Act incorporating the Alberta and Yukon Railway, Navigation and Mining Company." He said: This is a bill having in view the construction of a road skirting the foothills of the Rocky Mountains, with branches extending to Calgary and Edmonton, and thence into the Peace River and Yukon districts.

Hon. Mr. MILLS—Has any survey or estimate been made as yet?

Hon. Mr. LOUGHEED—Nothing definite.

Hon. Mr. MILLS—No plans?

Hon. Mr. LOUGHEED—When we go into the Railway Committee it is time enough to submit them.

The motion was agreed to, and the bill was read the second time.

DOMINION BUILDING AND LOAN ASSOCIATION BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (41) "An Act respecting the Dominion Building and Loan Association." He said: This is a company which was incorporated under the Revised Statutes of Ontario as a building and loan association. Some two years ago, I think it was, it received a charter from the Dominion government, and I understand that the business of the company has become very large, and they do not think the name of the company is altogether suitable to company as it now stands. They propose to change the name of the company from "The Dominion Building and Loan Company" to the "Dominion Loan Company."

The motion was agreed to, and the bill was read the second time.

PACIFIC AND YUKON RAILWAY, NAVIGATION AND MINING CO.'S BILL.

Hon. Mr. LOUGHEED—Before the House adjourns I would like to fix a day for the second reading of this bill, the debate on which was adjourned this afternoon. In coversation with the clerk of the House, he seems to be under the impression that there is no precedent for re-instating this bill upon the order paper, and that it necessitates a notice of motion for its restoration. It seems to me a precedent should be established or that this point should be cleared up, so that no difficulty would hereafter arise in regard to it. Our rules do not specifically make provision as to what shall become of a bill that has been adjourned. I find it laid down in Bourinot, at page 306:

> If a bill on the Order Paper is taken up and the debate thereon adjourned it does not go to the foot of the list of the next day, but keeps the proper place on the public bills and orders to which it is entitled under the rules just cited.

Hon. Mr. MILLS—That has no application to this case.

Hon. Mr. LOUGHEED—I submit it has. On page 304 Bourinot says :

The Orders of the Day are divided into "government orders" and "public bills and orders." All government measures appear in the former; all motions and bills in the hands of private members appear in the latter.

Hon. Mr POWER—They have a special hour for private bills.

Hon. Mr. LOUGHEED—I say that the analogy is one which is peculiarly applicable in this case and which we should follow.

Hon. Mr. MILLS—I would just call my hon. friend's attention to the fact that the matter he has cited has no relevancy to the question which came up this afternoon. What he is reading about is a debate, not a bill, and my hon. friends will see that the motion made this afternoon was that this debate should be adjourned.

Hon. Mr. LOUGHEED—We are talking about a debate, not a bill.

Hon. Mr. MILLS—And the debate was adjourned and there was no period to which it was adjourned, and so the motion of my hon. friend disappears from the order paper altogether.

Hon. Mr POWER—The proper course for the hon. gentleman from Calgary to pursue would be to put a notice on the paper that he would move to have this motion for the second reading of his bill placed on the order paper for some particular day. It is off the order paper, but the hon. gentleman can get it on again by giving a regular notice.

Hon. Mr. LOUGHEED—I have no doubt about that, but it seems to me that when a debate is adjourned it necessarily comes on after the close of business upon the order paper of that day.

Hon. Mr. POWER—It was adjourned sine die.

Hon. Mr. LOUGHEED—It was simply adjourned.

Hon. Mr. SCOTT—The easier way is to give notice.

Hon. Mr. LOUGHEED—Then I give notice that I will move to have the bill placed on the order paper for Monday next, and that it be the first order of the day.

BILL INTRODUCED.

Bill (32) "An Act respecting the Ontario and Rainy River Railway Company."—(Hon. Mr. Clemow)."

The Senate adiourned.

THE SENATE.

Ottawa, Friday, 1st April, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

LIQUOR PERMITS IN THE NORTH-WEST TERRITORIES.

NOTICE OF MOTION.

Hon. Mr. PERLEY—I beg to give notice that I will—

Ask the government on Monday next who advised the Lieutenant Governor of the North-west Territories to grant the liquor permits given in the return laid before the Senate on the 29th of March last, also who got the permit for taking liquor into the Yukon district on the 27th November last or thereabout, with number of gallons covered by such permits, and who recommended the Lieutenant Governor to grant them.

The custom, in the olden times, under the administration of Lieut. Governor Dewdney was to limit the quantity to a maximum of two gallons as a rule, and there was no sale in connection with it. It was for domestic, or medicinal or mechanical purposes, and no man could get a permit from the Lieut. Governor to bring two gallons or any small quantity of liquor into the territories without having somebody to recommend him as a proper person to bring the liquor in. In the return brought in the other day I notice the quantities run as high as 4,000 gallons and somebody had to recommend the party getting the permit to the Lieut. Governor of the North-west territories. I understand it has been issued by the recommendation of the Department of the Interior. I have taken a little trouble to inquire, and I want to know if this information is correct and who gave the recommendation which authorized the government to issue the permit.

CORRESPONDENCE AND MEMORIALS FROM PROVINCIAL GOVERNMENT OF P.E.I.

MOTION POSTPONED.

The Order of the Day being called

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all correspondence and memorials from the members of the Provincial Government of Prince Edward Island who composed the recent delegation from that province; and will inquire what action the Federal Government has taken in response to such applications?—(Mr. Macdonald, P.E.I.)

Hon. Mr. MILLS—I ask my hon. friend not to press that motion, for the reason that we have received the papers from Prince Edward Island in which the claims of that government against the government of Canada are set forth, but no reply has been made by this government, nor has the government had time to consider the papers and statements. It would be unusual to bring down the statements on the one side without having the other. In fact, the correspondence on the whole subject is still incomplete, and therefore I hope my hon. friend will not press his motion under these circumstances.

Hon. Mr. MACDONALD (P.E.I.)—I will allow the motion to stand till this day week.

SAFETY OF CERTAIN FISHERMEN BILL.

THIRD READING.

Hon. Mr. POWER moved the third reading of Bill (G), "An Act for better securing the safety of certain fishermen."

Hon. Mr. ALMON—I should like to ask the hon. member for Halifax if there is any machinery in this bill which will enforce the carrying out of the clauses.

Hon. Mr. POWER—There is the same machinery which exists to enforce other provisions of the Fisheries Act; there is a penalty imposed for the non-observance of the law which can be imposed at the instance of any person.

Hon. Mr. ALMON—Is there any provision that compels the inspection of vessels before they leave, in order to ascertain whether they have the compasses and the requisite supply of food and water?

Hon. Mr. POWER—The owner of any vessel which goes to sea without these is liable to a fine of $200; and the captain who puts a boat out to sea without the compass and the required amount of food and water is also liable to a penalty of the same kind; and these penalties are imposed under the provisions of the Fisheries Act.

The motion was agreed to and the bill was read the third time and passed.

INSPECTION OF STEAMBOATS AND LICENSING OF ENGINEER'S BILL.

SECOND READING.

Hon Mr. SCOTT moved the second reading of Bill (39) "An Act respecting the Inspection of Steamboats and the Examination and Licensing of Engineers employed on them." He said: This is a bill for the purpose of codifying the law relating to the inspection of steamboats and the examination and licensing of engineers. Since the last genenral Act on the subject the law has been amended almost every year until it is rather difficult to discover what the Act does mean, and so it was codified. The changes are, in many instances, only verbal. There is no material change in the bill, but it can be gone more fully into in committee.

The motion was agreed to and the bill was read the second time.

SECOND READING.

Bill (53) "An Act to incorporate the Prudential Life Assurance Company of Canada."—(Mr. Vidal.)

MOUNTED POLICE PENSION BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (13), "An Act to amend the Mounted Police Pension Act, 1889."

(In the Committee.)

Hon. Mr. SCOTT—The only change in this is the reduction of the term of service from twenty-five to twenty years to entitle a mounted policeman to be superannuated. The amount of the superannuation is arrived at by taking one-fiftieth of the annual pay for each completed year and allowing the superannuation on that basis.

Hon. Mr. MILLER—Why do you not bring them under the regular Superannuation Act?

Hon. Mr. SCOTT—They have not been contributing to the superannuation fund. I find there will be really very few entitled to superannuation under this legislation. Practically only seven men could take advantage of the Act.

Hon. Sir MACKENZIE BOWELL—That is under the present Act?

Hon. Mr. SCOTT—No, under the 20 years. I do not know that there would be any under the law as it stands now; there is a clause that after 15 years service, if a man becomes disabled and incapable of further service, he is entitled to superannuation on the same basis. I was making a calculation of what it would be, assuming a man served 20 years at 50 cents a day, and it would amount to about $74 a year. I am taking his income at $183. One-fiftieth of that is $3.66; multiplying it by 20 make $74.

Hon. Mr. ALMON—Does the mounted policeman get any grant of land?

Hon. Mr. SCOTT—I believe not.

Hon. Mr. ALMON—He ought to get a grant of land.

Hon. Mr. GOWAN, from the Committee, reported the bill without amendment.

GOVERNMENT HARBOURS, PIERS, AND BREAKWATERS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (38), "An Act further to amend the Act respecting government harbours, piers and breakwaters."

(In the Committee.)

Hon. Mr. MILLS—As I mentioned to the House yesterday, the only changes made in the law by this bill are the concluding words of the section, "shall be retained from the tolls and dues collected." It is the substituted clause 2. That necessitates a corresponding change in section 5, which is embraced in clause 2 of this bill—"after deducting the remuneration mentioned in section 2 of this Act "the remainder if any." Those are the new words. And the concluding words "such expenditure" are new.

Hon. Sir MACKENZIE BOWELL—What defect in the law necessitates the change?

Hon. Mr. MILLS—The clause reads:

> The Governor in Council may appoint or direct such officers or persons as he thinks proper, who shall have, under the direction of the Minister of Marine and Fisheries, the charge of the works hereby placed under the management and control of the said Minister, and who shall collect the tolls and dues thereon; and the Governor in Council may determine the remuneration to be allowed them respectively for such services.

And out of that collection there is authority given to retain from the tolls and dues collected.

Hon. Mr. LOUGHEED—Out of what fund is this remuneration paid now?

Hon. Mr. MILLS—I fancy that a special charge has to be made.

Hon. Mr. MILLER—There is a tariff generally.

Hon. Mr. MILLS—And in this case there is authority to retain and pay it, which, under the existing regulations, cannot be done.

Hon. Mr. WOOD, from the committee, reported the bill without amendment.

A SUGGESTION.

Hon. Mr. LOUGHEED—I would like to make a suggestion which has been frequently made and not observed, that the amendments proposed to be made in government Bills should be printed in italics, so that members would not have to refer to the statutes to ascertain how the amendments affected the original Bill. It would be quite as easy for the government to have the amendments denoted by italics as by the mode now adopted.

Hon. Sir MACKENZIE BOWELL—Or in parenthesis.

Hon. Mr. SCOTT—It would be very difficult to carry out the proposal. I can quite recognize its value, but bills are changed so frequently in the House of Commons, and amendments made there, and the bill from the House is printed from the final amend-

ment, and it would cause delay if the new part had to be printed in italics.

Hon. Sir MACKENZIE BOWELL—You do not mean to reprint the old bill, and then put the new clauses in italics?

Hon. Mr. LOUGHEED—No. In the previous bill there were two lines at the end of the section which constituted the amendment. If we adopted some such suggestion as I have made, any member looking over the bill could ascertain what the amendment is without referring to the statutes.

Hon. Mr. SCOTT—There are frequently lines struck out. For instance, I have a bill in my hand, and if we printed this in the way suggested it would make it rather a caricature.

Hon. Mr. LOUGHEED—It was adopted in reference to the Criminal Code Amendment Bill, and was found very convenient.

Hon. Mr. MILLS—That was referred to a committee of both Houses, and the amendments, as they were indicated in the bill, were amendments that were suggested by that committee.

PETROLEUM INSPECTION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a committee of whole on Bill (74) "An Act further to amend the Petroleum Inspection Act.'

(In the Committee.)

Hon. Mr. SCOTT—The law as it now stands in section 22 affecting the penalties for breaches of the Petroleum Inspection Act reads this way:

> Every person who keeps or offers for sale or use in Canada any petroleum or naphtha, if in packages not marked as herein before described is guilty of an offence, etc.

The new words are "or has in his possession." It is to cover any possible plea which may be put in, and to make it more comprehensive.

Hon. Sir MACKENZIE BOWELL—Does that refer to petroleum that may be in the possession of a man in a household, or would the man having a can of oil in his possession be liable?

Hon. Mr. SCOTT—A man buys inspected oil.

Hon. Sir MACKENZIE BOWELL—Does this bill increase the flash test?

Hon. Mr. SCOTT—No; it is simply making the words more general in the event of a prosecution. A man might have it in his possession, and might say I have not it in use. The fact that he had it in his possession, is evidence that he had it for improper purposes.

Hon. Mr. BOULTON—I should like to see a clause added increasing the flash test.

Hon. Mr. SCOTT—It could not be put in this bill.

Hon. Mr. BOULTON—Some three years ago the flash test was reduced, and out in the west we found it very inconvenient. I would suggest that the government might take into consideration the advisability of increasing the flash test.

Hon. Mr. SCOTT—I will mention it to the Minister. But my recollection is we had this flash test under consideration, and hon. gentlemen will recollect that we were some time in doubt as to the effect of the change, and it was found in the law as it stood many years ago, an error had been committed, and we were simply rectifying the error. There was no reduction of the flash test in reality.

IN COMMITTEE.

Bill (73) "An Act further to amend the Gas Inspection Act."—(Hon. Mr. Scott).

INLAND REVENUE BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the whole on Bill (75) "An Act further to amend the Inland Revenue Act.'

(In the Committee.)

On the second clause,

Hon. Mr. SCOTT—The second clause of this bill reduces the quantity of liquor that may be removed from 25 to 10 gallons. The trade desires this amendment, and no objection presents itself why this amendment should not be agreed to.

Hon. Mr. POWER—I think that we should really have some further information upon this point. I have no doubt that when twenty-five gallons was fixed the department gave convincing and satisfactory reasons why no less quantity than twenty-five gallons should be allowed to be removed, and there is apparently some little objection to allowing a small keg to be removed from a warehouse. A man might carry it off under his arm. I think we should have a little further information as to why the department should change their minds. I have no doubt that the feeling of the dealers all along has been in favour of their being allowed to remove small packages. Why have the reasons become strong enough now to warrant the department in gratifying the desire of the dealers?

Hon. Mr. SCOTT—They say it will be much easier for them to withdraw ten gallon lots and the officials of the department see no objection to it. They say that it in no way affects the question of revenue, nor is there any more danger of the revenue being defrauded; and if they can, they think it quite reasonable to meet the demand of the trade.

Hon. Mr. POWER—I am afraid that the Secretary of State has not shed very much additional light on the subject. I feel this way with respect to bills that come from the Inland Revenue Department, that there must be somebody in that department who devotes his holidays, probably, to devising alterations in the Inland Revenue law; every session we have a number of these alterations, and I do not think that the department should be permitted to make them unless a sufficient cause is shown; and I contend in the present instance no good and sufficient cause has been shown. I am not opposing this clause, but I should like to have from the department some explanation of the reason why they see fit to recommend the reduction of the quantity from 25 to 10 gallons.

Hon. Mr. SCOTT—There is really no explanation that can not be easily understood. I suppose that year by year the department are learning from experience how far they can safely make concessions to the trade without any danger of the revenue suffering, and in this case they seem to think that the reduction from 25 to 10 gallon packages will not disturb the revenue or in any way affect the risk of fraud being practised. It is simply withdrawing 10 gallons instead of 25.

Hon. Mr. VIDAL—I concur in the opinion expressed by my hon. friend from Halifax, (Mr. Power), that this section of the Act was enacted, not for the protection of the revenue, but for the protection of the public at large, and it is the interest of the public that we are here to guard. It may be convenient for the Inland Revenue officials and those engaged in the liquor traffic to take out a smaller quantity than 25 gallons, but I think, as the hon. gentleman from Halifax says, that this section having been put here for a good reason in the first place, some good reason should be shown for making this change. Without such explanation I am opposed to the clause.

Hon. Mr. SCOTT—I do not see that it can make any difference to the public one way or the other. I cannot see how the public are interested whether it is taken out in 10 gallon packages or 25 gallon packages.

Hon. Sir MACKENZIE BOWELL—If it does not affect any one, why make the change? The object must be to allow the distiller to sell spirit in quantities of ten gallons, instead of in 25 gallon packages. Is that it?

Hon. Mr. VIDAL—Yes.

Hon. Sir MACKENZIE BOWELL—Then this legislation is in the interest of the distiller.

Hon. Mr. SCOTT—The liquor is kept in bond, and the distiller, under this clause, will be allowed to take out ten gallons at a time, instead of 25 gallons.

The clause was adopted.

Hon. Mr. LOUGHEED, from the committee, reported the bill without amendment.

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 4th April, 1898.

The Speaker took the Chair at Three o'Clock.

Prayers and routine proceedings.

AN ADJOURNMENT.

The Order of the Day being called,—

That when the Senate adjourns on Tuesday next, it do stand adjourned until Tuesday, the 26th April, at 8.30 o'clock in the evening.—(Hon. Mr. Landry.)

Hon. Mr. MILLS said: I believe the usual practice is for the House to make a motion for an adjournment of this sort. I move that when the Senate adjourns on Tuesday next it do stand adjourned until Wednesday the 20th of April at 3 o'clock.

The motion was agreed to

YUKON TIMBER BERTHS.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) rose to—

Call the attention of the government to the Order in Council approved by the Governor in Council on the 28 day of February, 1898, and published in the *Canada Gazette* of the 26th day of March, 1898, being regulations for the disposal of timber berths in the provisional district of Yukon, which reads as follows:—

Clause 3. The area of a berth shall not exceed five square miles, and a berth shall not be less than one mile in breadth.

4. Not more than five berths of five square miles in the provisional district of Yukon shall be given to any one person or company.

5. A license to cut timber on the berth shall be issued yearly.

6. The licensee shall erect a saw-mill within a certain period to be fixed by the Minister of the Interior.

And will ask the government the following questions:—

In granting and laying out timber berths in the Yukon district, will provision be made to secure to the miners and pioneers in that district a supply of timber for the purpose of mining and fuel on the same conditions as the government now charge for timber?

Will the government deem it wise and proper, considering how sparsely timbered the Yukon district is, to limit the number of square miles of timber berths one person or company can take up?

Will the government or the person securing the berth, select the part of the district where the timber limit shall be situated?

He said: When I saw in the official *Gazette* the notice in reference to this matter with regard to timber limits in the Yukon country, I thought it was of very great importance, and that it would be my duty to bring it before this House and the ministers so that they could guard the interests of the miners in that country. We know very well that up in the Yukon country no mining can be done without burning a great deal of timber and fuel to thaw the frozen ground, and in the winter time a great deal of fuel is also required for domestic purposes. We can imagine the dissatisfaction and trouble it would create if a stranger came into the country and cut off the timber of the miners unless the government took care the limits were outside of the actual mining regions. Nothing could create a row or disturbance quicker than if those men found they were paying higher for their timber than they should pay. I hope the government will not endeavour to govern that country from an office in Ottawa. It is a perfect impossibility: you must govern it according to the conditions of the country, and timber limits of this kind could only be laid out properly and wisely by men who are on the ground, men of experience and men who know the country. The last question contains the gist of the whole matter—the selection of the timber limits. If it was outside of the mining district, it might not do any harm, but if it surrounds the mines, it will give a great deal of dissatisfaction and trouble.

Hon. Mr. MILLS—I am rather surprised at the observations of the hon. member from British Columbia, because those regulations are regulations not to cut timber to be manufactured for general exportation, but to cut timber for the use of the people who are in the Yukon district and not elsewhere. It would be quite impossible to engage in the manufacture of lumber in that section of the country with any scope of advantage for exportation.

Hon. Mr. MACDONALD (B.C.)—We know that very well.

Hon. Mr. MILLS—My. hon. friend says he knows that very well, so that he understands there is no danger or difficulty rising in that direction. Now what is the object? Why to furnish facilities for building the boats and shanties of those who are going into the country. The timber, if I understand it is merely on the southern border, in the vicinity of the lakes and the upper waters of the various tributaries of the Yukon River. Now

the timber is very small, and the quantity of timber to the square mile is very limited indeed. Mills will be erected there and the mills for which these regulations provide will be very small ones, cutting a very limited quantity of lumber in the day. At the present time the parties going into that country are obliged to stop on their way and saw the lumber out of which their boats are to be built by which they are to carry their products down these tributaries of the Yukon. By permitting persons to go in with portable mills and to acquire a small area of timber, they will have the lumber cut and, in many cases, perhaps, boats built for sale to the parties who desire to get forward with as little delay as possible to their destination. Those timber limits are not in the vicinity of the mines where the mines are now situated. It may be that the quantity of timber in that country is limited ; it may be that the quantity required for the melting of the ice and for thawing the frost out of the gravel is not adequate for the miners' purposes—that may turn out to be the case ; but the miner can quite as well import timber for that purpose as he can import it for the purpose of building his boats and erecting his shanties to protect him against the inclemency of the severe frost and the long period over which the winter continues. There is no timber that will be cut under these regulations for any other purpose than for the use of the miners and for the use of the parties settling in the country carrying on trading operations with the miners, so that so far as the timber of that country is concerned, there is nothing in these regulations which would lead to waste. Whatever the resources of the country may be in this regard, they will be husbanded, and the most that can be made of them will be made of them. My hon. friend asks :

Will the government deem it wise and proper, considering how sparsely timbered the Yukon district is to limit the number of square miles of timber berths one person or company can take up.

Well, the government have done so in these regulations.

Hon. Mr. MACDONALD (B.C.)—One person can take up twenty-five square miles.

Hon. Mr. MILLS—Yes, that is not a large area.

Hon. Mr. MACDONALD (B.C.)—It is a large area in that country.

Hon. Mr. MILLS—Considering the small size of the timber it is not large. When men import mills into that country they would hardly do so unless they could get a sufficient area to keep them in operation for some period of time—for a few years. If you were to allow them only so small an area that they would exhaust it in the course of two or three years, it would never pay them to import a mill into the country. It would be better that there should be a few mills and that they should be employed for a number of years, than that there should be employed for a very short time. The timber for building purposes and for the construction of boats is likely to last longer under an arrangement of that sort. Then my hon. friend asks :

Will the government or the person securing the berth select the part of the district where the timber limit shall be situated.

The government in time, no doubt, will exercise a general oversight. When I say the government, I mean the authority which the government will establish in that country for the purpose that is on the ground and will have the best opportunity of judging where these limits can be granted with the least injury to the forest and to the greatest advantage of the mining population.

Hon. Mr. MACDONALD (B.C.)—Can the minister say if any limits have been taken up at present ?

Hon. Mr. MILLS—I cannot say. I have no doubt there are some being taken up, but to what extent it is impossible for me to inform my hon. friend.

Hon. Mr. MACDONALD (B.C.)—The hon. gentleman will see that the whole motive of my question is to preserve timber enough for the miners. The lumberman can take care of himself ; he can look out for his timber limit, but the miner, working hard all day, will find it impossible to look after the timber. He should have the timber preserved in the vicinity of the mines.

Hon. Mr. MILLS—My hon. friend will see that this is all mining timber. The limit that a lumberman gets is of no value except for the use of the miner and the men trading with him. They require timber to erect houses in which to live and buildings in which supplies may be kept and from which supplies may be obtained. The whole

of the timber is for the use of the inhabitants of the country.

Hon. Sir MACKENZIE BOWELL—What my hon. friend calls the attention of the government to more particularly is the fact that a quantity of timber is required for thawing out the earth and for the use of the miner while carrying on his operations. The Minister of Justice has confined his remarks almost exclusively to the requirements of the miners for building purposes. That is not the point, I understand, to which my hon. friend from Victoria called attention. He points out the absolute necessity of preserving to the miner sufficient fuel to enable him to carry on his operations.

Hon. Mr. MILLS—We cannot limit the purposes to which the timber may be applied. Let me illustrate: timber will be cut for the purpose of being used on the steamboats. My hon. friend would not suggest that cordwood should not be sold along any of the tributaries where boats will run. That will become as necessary as timber for the purpose of thawing out the frozen earth. All these provisions relate to the consumption of timber within the territory, and the government cannot pretend to say, nor ought it to undertake to say, to what purposes the timber shall be applied. It must be used to meet the necessity of the moment—it may be for building boats or for building houses, or to be used as fuel on steamboats, or for thawing out the frozen earth. All these things will regulate themselves. The only thing to be provided for is that the timber is not to be carried out of the country—it is there for the use of the mining population.

Hon. Sir MACKENZIE BOWELL—The only difference will be that a person purchasing the wood for consumption on a steamboat or for building, or for thawing the earth, would have to pay for that to the limit holder just the same as he would, I presume, if he purchased the lumber that was sawn from the trees that were cut, so that he would become the landlord to that extent, at least, instead of the government.

Hon. Mr. POWER—I notice on page 4 of the mining regulations—which I understand are the ones now in force—there is a provision which seems to contain a good deal of reference to the question asked by the hon. gentleman from Victoria. Speaking of the free miner's certificate the regulation reads:

> This certificate shall also grant to the holder thereof the privilege of fishing and shooting, subject to the provisions of any Act which has been passed or which may hereafter be passed for the protection of game and fish; also the privilege of cutting timber for actual necessities, for building houses, boats and for general mining operations; such timber, however, to be for the exclusive use of the miner himself, but such permission shall not extend to timber which may have been heretofore, or which may hereafter be granted to other persons or corporations.

Hon. Sir MACKENZIE BOWELL—That is a very good provision, but will that enable a miner to go upon a limit for which a man has paid? I think that it will not.

Hon. Mr. MILLS—No, certainly not.

Hon. Mr. ALMON—The way to get over the difficulty will be to build the Edmonton route as quickly as possible. Coal is cheaper at Edmonton than any other place in Canada except Nova Scotia. It is said that it will take a longer time to build the Edmonton route because it is 800 miles further than the one favoured by the government. But if you have enough men you can build the road just as quickly as on the shorter route, and therefore I recommend the government to set to work to build the Edmonton route as soon as possible, and there will be no trouble about the timber, except such as is wanted for the building of boats and so on; but for heating purposes coal can be had in abundance between Edmonton and the Yukon, and that is why I would recommend the Edmonton route.

THE SALE OF LIQUOR IN YUKON DISTRICT.

MOTION.

Hon. Mr. PERLEY moved:

> That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, all copies of telegrams or other instructions given to Major Walsh, respecting the sale of intoxicating liquors in the Yukon district; also, for all instructions given to Major Walsh in the administration of his office under the government in the Yukon district.

Hon. Mr. MILLS—There is no objection to the motion.

The motion was agreed to.

LIQUOR PERMITS IN YUKON DISTRICT.

INQUIRY.

Hon. Mr. PERLEY rose to:

Ask the government, who advised the Lieutenant Governor of the North-west Territories to grant the liquor permits given in the return laid before the Senate on the 29th March last; also, who got the permits for taking liquor into the Yukon district, on the 27th November last, or thereabouts, the number of gallons covered by such permits, and who recommended the Lieutenant Governor of the North-west Territories to grant them.

Hon. Mr. MILLS—In reply to the hon. gentleman's question as to who advised the Lieutenant Governor of the North-west Territories to grant liquor permits given in a return laid before the Senate on the 29th March, I believe it was the Department of the Interior, except in the case of the North American Transportation Company, and that I think the Lieutenant Governor granted on his own responsibility. My hon. friend asks the number of gallons covered by such permits and who recommended the Lieutenant Governor of the North-west Territories to grant them. I am unable to give him that information.

Hon. Sir MACKENZIE BOWELL—Has Mr. Walsh instructions under the authority which he has received from the department to grant liquor permits to take liquor into the North-west Territories in contravention of the ordinance and the powers of the North-west government?

Hon. Mr. MILLS—My hon. friend puts a question and a legal opinion along with it. I am not called upon to answer the legal opinion, and with regard to Major Walsh's instructions, I am unable to give him the information, but I will make inquiry.

Hon. Sir MACKENZIE BOWELL—I have it on very good authority that Major Walsh has assumed the responsibility and power of issuing permits to take liquor into that country. I do not know what legal opinion I asked the hon. gentleman to consider. However, if I did ask for a legal opinion, I am quite sure that, as Minister of Justice, he would give it without fee or retainer.

COMMUNICATION WITH NAVIGABLE WATERS OF THE YUKON.

MOTION.

Hon. Sir JOHN CARLING moved:

That a special committee be appointed to inquire into the feasibility and probable cost of opening up direct communication during the present season, between the railway system of Canada and the navigable waters of the Yukon, and also as to the advantages which would flow therefrom to the trade of Canada; and that such committee be composed of the Honourable Messieurs Boulton, Bellerose, Cox, Drummond, Fiset, Lougheed, McCallum, Macdonald (Victoria), Macdonald (P.E.I.), MacInnes, Ogilvie, Perley, Primrose, Wood, and the mover, with power to send for persons, papers and records.

He said: My chief reason for making this motion is to assist the government, if possible, in ascertaining if a wagon road, or a pack road can be constructed this season so as to give access to the Yukon district from Edmonton, Prince Albert, Ashcroft, or some other point on the line of railway. I believe — and I think the country endorses the opinion—that a line from Edmonton to the Yukon, or perhaps some route in British Columbia is the correct and true route for the trade of eastern Canada. The distance from Edmonton to Dawson City, is something like 1,300 miles. I believe, from information that I can rely upon, that a wagon road is being constructed between Edmonton and the Peace River, a distance of 260 miles, which will be completed some time during this summer, and that 250 miles more of wagon road or pack road, if built, with the navigation that could be used, would bring us to the Pelly River, a distance of something like 1,000 miles from Edmonton. If that could be done, and if I am correct in the figures I have given, a pack road through to the upper waters of the Yukon can be completed during the present season, and cattle and horses and provisions can be taken through that way by a route which runs through this agricultural, wooded and gold bearing country from Edmonton to the Yukon. A committee was appointed by this House some ten years ago, of which Sir John Schultz was chairman, for the purpose of making an inquiry into the capabilities of that large section of country lying between Hudson Bay and the foot of the Rocky Mountains, an extent of country something like 1,200,000 square miles, a large portion of which abounds with minerals (gold, silver and copper), and large

fields of petroleum, which have not yet been fully explored. If an examination of the kind which I suggest be made by competent men, there is no doubt that gold will be found in large quantities in the valley of the Peace River. Then, after travelling some 400 or 500 miles further through forest land, I believe there is a gold bearing country extending 700 miles north and south equal to the gold fields of the Yukon River. My figures come from a reliable source. I give them as they were given to me by Mr. Oliver:

Wagon road now in use, Edmonton to Peace River	260 miles.
Steam navigation of Peace River on Peace River to Fort St. John	140 "
Wagon road, St. John to Forks of Nelson	150 "
Steam navigation, down Nelson and up Liard to foot of rapids	135 "
Wagon road around rapids on Liard	35 "
Steam navigation on Liard through Rocky Mountains to foot of Brulé Portage	40 "
Wagon road, foot of Brulé Portage to head of Cranberry Portage	15 "
Navigation, head of Cranberry Portage to Frances Lake	175 "
Wagon road, Frances Lake to Pelly River	50 "
Total	1,000 miles.
Pack and cattle trail for driving cattle and horses, parallel to navigable stretches	440 miles.
Wagon road to be constructed	250 "
Wagon road already constructed	260 "
Total	950 miles.

Now, if it can be carried out—and I have no doubt it can be if the government are willing to undertake the work, and I am very glad to say that I have heard that a sum of $40,000 has been appropriated in the estimates to make a survey for a line of railway from Edmonton to the Yukon—if we can by a liberal expenditure of money during the present season make a pack road from Edmonton to Pelly River to give us access to the Yukon by navigation from Pelly River to Dawson City, we will have done a great deal for the people of this country. Nearly all the supplies taken into that country east of the Rocky Mountains would go by this route via Edmonton. To accomplish that an extra effort by the government of the country and by the parliament of Canada should be made to provide communication which would meet the wishes of the great majority of the people of this country. I need not say how anxious I am—and I am sure how anxious this House, and the people of Canada are—that proper communication should be established through that vast country from Edmonton to the Yukon There are routes that have been spoken of which are perhaps as good—over the Rocky Mountains from Ashcroft through gold districts that are now developed, or from Prince Albert—but the eyes of the people of Canada, east of the Rockies are now fixed upon a line from Edmonton as the best route that can possibly be opened up to give access to that gold country. Between Edmonton and the Yukon I feel confident that there are as rich gold fields to be developed as there are in the Yukon, when they become accessible. I hope the government will consent to this resolution, and that the committee will be appointed, and the necessary inquiries made, so that before the month of May steps shall be taken to open up a pack road and, if possible, to construct a telegraph line from Edmonton to the Yukon. The hon. minister may say that it will be expensive. No doubt it will be, but I am quite satisfied that the country is willing to expend any reasonable amount of money that may be required to open up that section of the country with a pack road and a telegraph line and later on to construct a railway suitable to the needs of the traffic, for which it would be used. A telegraph line can be established for about 200 or 250 dollars per mile right through that section of country. The poles can be easily got on the way, and the country is not hard to cross, and by having a telegraph line and a pack road enabling miners to go through with cattle and with horses, it will be a decided advantage to the large majority of the people of this country. I hope there will be no objection to this committee and that it will be appointed by a unanimous vote of the House.

Hon. Mr. MILLS—This inquiry would be altogether useless for the purpose for which we are seeking communication with the Yukon district at the present time. The proposition of my hon. friend reminds me of Washington Irving's history of New York. It is a history from the beginning of the world to the end of the Dutch dynasty, for the greater portion of the history relates to a period when there was no Netherlands settlement in New York. My hon. friend proposes to begin the construction of a road nearly 1,500 miles away from the Yukon country for the purpose of obtaining admission to that country, when there is railway communication extending several hundred

miles nearer to the Yukon than the point at which he proposes to start, and my hon. friend supposes that the people who want to go to the Yukon country are going to travel over a road consisting of water stretches with intervening wagon roads, rather than take the Canadian Pacific Railway as far as it can go in the direction of that country. I am rather surprised that my hon. friend should, at this late date, become a convert to the system of water stretches, and especially when they extend over with the intervening wagon roads, so long a stretch of country. Now my hon. friend speaks of the Liard River as one of the links in that highway which he intends to adopt in order to avoid going into British Columbia, which one would suppose is a region in which some pestilential disease had broken out of which my hon. friends on the opposite side of the House had an extraordinary dread. We have, first, the hon. member from British Columbia, who seemed anxious that trade and commerce should shun his province, and then that feeling is intensified by the discussion of every project which has been submitted to the consideration of this House. Now there can be little doubt that the easiest way into that country in Canadian territory, the most expeditious way, the way that would enable the population to come in there without the difficulties associated with long stretches of wagon roads, was the one which the government submitted to this House and which this House rejected, which consisted in part of navigable waters and in part of railway.

Hon. Mr. McCALLUM—Water stretches.

Hon. Mr. MILLS—My hon. friend may regard the Pacific Ocean as a water stretch, but it is one which furnishes a good deal of room for navigation. Let me say further, that this is quite beside the question. I admit that favourable communication may at some time, perhaps no distant day, be obtained by some way east of the Rocky Mountains. One who looks at the map, who has studied the geography of that country, who has paid attention to the fertility of the soil and the amount of rain fall in the year, would say the natural point of beginning, is connection with the north-west extremity of the Dauphin road, or the Manitoba and North-western, and crossing the Saskatchewan country in the vicinity of Prince Albert, to extend the road on the north side of the river some little distance north of Edmonton and which could be connected with the Edmonton by a short link of railway. The North-west Territories will never be well settled by an agricultural population until that is done, because the railway construction, west of Regina at all events, and I might say almost west of Brandon, has been run through a dry district in which a large agricultural population is never likely to settle.

Hon. Mr. PERLEY—The hon. gentleman is entirely mistaken. The finest agricultural country in the North-west lies between Regina and Brandon.

Hon. Mr. MILLS—At all events, the most western limit of that district is Regina. When you get west of that you get into a dry district, and the rainfall is not sufficient every year to make the crops a certainty; but if you go into the district I speak of, you get into a country capable of sustaining a large agricultural population, and where the products of the soil are likely to be as certain as they are in any other district on the North American continent. Now the Peace River district is connected with that, and if our object is to let in a large agricultural population seeking settlement in that country, the sooner we can push forward that road to meet the requirements of that population the better, and the agricultural population in the north-west section of that country—that is of the Peace River district—would be enabled to furnish supplies of food and of other things that might be required by the miners in the Yukon country more cheaply than any other, because they would be nearer the neighbourhood of the gold fields than any other section of our population. But all those are matters looking to the future, not the immediate future but to a future that may be some years away from us yet. The population at the present time is moving in the direction of the Yukon country and if you do not furnish moderately fair facilities for getting into that country through British territory, they are likely to go to Lynn Inlet and cross from there through United States territory. Where have we in British territory the means of establishing expeditious communication for the people? I say from Telegraph Creek to Teslin Lake. We have

that, and if the Senate thought it desirable that a step should be immediately taken for the extension of this road southward so as to connect with Observatory Inlet, then we would have a continuous road that would be used throughout the year, and that could be completed within the next eighteen months. There is a possible means of communication; and further than that, your road between Observatory Inlet and Telegraph Creek, all in British Columbia, would run through a mining district which is believed to be rich in mineral wealth and capable of supporting a large mining population, and to whom it would be necessary that facilities should be furnished by the British Columbia government, or by the government of Canada, or perhaps partly by both. Now my hon. friend proposes a resolution to do what? Why, to meet an immediate requirement, and that he proposes to do by a road which he says is 1,350 miles in length. Yes, if you could draw an astronomical line on the surface of the globe, it might not be more than 1,350 miles, but I venture to say that any line you build, and you may make it as straight as it is in your power to make it, would be at least 150 miles longer than my hon. friend mentioned. A wagon road constructed from Edmonton northward, while it might be advantageous for the settlement of the Peace River district, if we had a large population disposed to go thither, is of no value at this moment to enable us to make the Yukon country a country in which Canadian people can trade. For eastern Canada the British Columbia merchant is your distributor in that country, and must be so for some time to come. You cannot fix a point east of the Rocky Mountains for the next five years that can be a distributing point for Canadian merchandise. Either Victoria or Vancouver is the point to which you must go if you want a road which will enable your people to send the products of this country into the Yukon. Can you do it over a wagon road, in canoes running through rapids, conducted through them in some cases by the skill of the Indians, in other places portages where you cannot build a wagon road at the present time, where it would require an immense expenditure of money to lay the foundations of a road at all—in fact if you were to build a railway it would not be a much larger expenditure than would be required for that purpose? I ask of what value would communication of that kind be to the people of Canada in order to control the commerce of that distant country? It would be of no value whatever. I am not willing that there should be any delusion resting upon the minds of the mercantile classes of this country with regard to a project of this sort. Then, let me ask further, if we wish to retain political control of that country, what great amount of service would this road be? To march people a distance of 1,500 miles without any base of operation nearer than your starting point without the means of bringing in adequate supplies of food and military equipment of every sort, I ask what use would it be to you? Supposing that by September next you have forty or fifty thousand citizens of the Western States, men who have never paid much regard to law in their own country, men who are in a great measure a law unto themselves, who think that your regulations are unreasonable, who are disposed to assert their authority, who will respect the regulations you make as long as they think they meet their interests, and who will disregard them when they come to a contrary conclusion. I ask how are you to maintain control over these people at that distance, and of what use would the proposed road from Edmonton, of the character described by my hon. friend, be in the case? I say, with all respect to my hon. friend, that that road would be practically of no use to us. It may be of use in securing the settlement of the Peace River country in the first instance, but even for that purpose it would be of no practical value, unless you were to supersede it almost immediately by a railway constructed there. You cannot get people to-day to go fifty miles away from a railway and settle in a country. You have at this moment a considerable stretch of fertile territory between Yorkton and Prince Albert unoccupied, and why? Because it does not pay people to settle away from some railway station, where it would cost the whole value of their products to reach the nearest point of shipment

Hon. Mr. McCALLUM—We want to find out about this.

Hon. Mr. MILLS—There are some things about which you are already informed.

Hon. Mr. McCALLUM—The hon. gentleman was very wise the other day.

Hon. Mr. MILLS—My hon. friend showed a great deal of wisdom upon the project submitted by the government to this House, and so he desires further light. I have not the slightest objection that light should be had. I have not the slightest disposition to prevent my hon. friend from London getting all the information he may desire. But I say that the information which he seeks is not information which will enable him to utilize the navigable waters, or any road which he may build, for the purpose of maintaining our advantages of trade in the Yukon country. That to my mind is perfectly clear, and I would say that any hon. gentleman who supports the government, who goes upon a committee making such a declaration, would be assisting my hon. friend and those associated with him in undertaking to leave upon the public mind the impression that this project, which is indicated here, is to be a substitute for that line of policy which the government submitted to the consideration of parliament. I say it is no substitution at all. It cannot be a substitution. It would practically either destroy the prospect of mining in that country, or it would destroy our control over the trade and over the government of the country. My hon. friend and those associated with him may undertake by a majority in this House to control the country and to give direction to the public policy in regard to it, but I wish to call his attention to this—and he has had a good deal of experience in the affairs of government—that this is a new departure in our constitutional system. Heretofore the administrative policy of the country has rested with the advisors of the Crown, sustained by a majority in the House of Commons. Usually the Senate—and especially when my hon. friend and those associated with him have been in office—has acquiesced in the policy of the government and in the decision of the House of Commons.

Hon. Mr. PERLEY—When it was right.

Hon. Mr. MILLS—On this occasion they have repudiated the policy of the government, and they have disregarded and set at defiance the opinion of the House of Commons, and now, as the next step, my hon. friend practically says "your views and your policy for securing admission into that country were all wrong, and the course marked out by this resolution ought to be adopted."

Hon. Mr. PROWSE—He simply wants information.

Hon. Mr. MILLS—He may persist in that, but he cannot expect to lead the government and the House of Commons along the line which he has marked out.

Hon. Sir MACKENZIE BOWELL—Would the hon. Minister of Justice tell us the meaning of this item in the estimates to which my hon. friend from London referred on page 46, item 146 :

To defray expenses of an exploratory survey to ascertain the most practical route for an all-Canadian railway from some point on an existing railway to the Klondike district.

In view of the speech which he has just made will he tell me what that paragraph means ?

Hon. Mr. MILLS—My hon. friend will see that that is nothing more than what the hon. Secretary of State mentioned, that we proposed to survey that country, to explore it to see where a railway may be constructed.

Hon. Mr. MILLER—That is just what he wants.

Hon. Mr. MILLS—But not for immediate use. We say if you are able to build a mile a day it would take five years to build that road, and what we propose to do is to obtain accurate surveys of the country, and to see where a road can be best built. We say the Peace River country is well suited for settlement and we expect it will be settled.

Hon. Sir MACKENZIE BOWELL—Then the object of this estimate is to accomplish what my hon. friend from London has moved for ?

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—My hon. friend will see the next item is for $35,000 for an exploratory survey of the Stikine route, so that the first $10,000 must be for some other object than making connection with the Klondike by a route on the Pacific coast.

Hon. Mr. MILLS—Yes, my hon. friend will persist in saying that the thirty or forty thousand dollars must be for a survey from

some other point than the Stikine. Certainly it is. It is exploration of the country east of the Rocky Mountains. It is not with the expectation of obtaining immediate admission into the country that way. That is an impossibility, and the government do not propose to undertake impossibilities, but it is for the purpose of enabling the government to obtain the necessary information to know what are the possibilities of railway construction through that country whenever railway construction becomes necessary.

Hon. Mr. MILLER—And this committee will help you.

Hon. Mr. MILLS—That is not the object of it. The words of my hon. friend's resolution are: "Probable cost of opening up direct communication during the present season."

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—That is not for the purpose of obtaining connection the present season.

Hon. Sir MACKENZIE BOWELL—So much the worse for the resolution.

Hon. Mr. MILLS—My hon. friend will see this resolution is to undertake an impossibility.

Hon. Mr. BOULTON—The hon. leader of the government has taken exception to the motion made by my hon. friend from London, and in doing so it appears to me that he does not wish any light to be thrown upon one of the most important questions before the country to-day, that is the various routes and the most feasible and advantageous one, from a Canadian standpoint, into the Yukon district. My hon. friend, the Minister of Justice, will realize that no more important question can be brought up by either House of parliament than to endeavour to enlighten the public mind upon this very matter. The hon. Minister of Justice seems to view this route with a certain degree of jealousy because the government have got a counter proposition for a route on the Pacific coast.

Hon. Mr. MILLS—Not jealousy at all.

Hon. Mr. BOULTON—That is the only motive that I can conceive that would prevent this House making an investigation and gaining information for the benefit of the government, and of the people to ascertain the practicability and the feasibility of a route from Edmonton.

Hon. Mr. MILLS—We are making an appropriation to get that information.

Hon. Mr. BOULTON—Yes, that is a survey. I cannot conceive any more useful purpose to which this honourable House can be put than that which has been brought up for a discussion by the hon. senator from London. It is not in opposition to the government in any shape or form. We certainly threw out a bill that was brought before us in regard to this very question of routes and the construction of a railway, but it was not the question of a route or the construction of a railway that caused this honourable House to take an adverse view to that which the government held—it was the excessive cost of a short line of railway.

Hon. Mr. MILLS—It was not to cost a dollar.

Hon. Mr. BOULTON—If you do not consider the clothes on your back as worth anything, if you do not consider materials and commodities as being exactly the same as money, I can understand that contention. I consider the gold in that Yukon district as being equal to money. But that is not the question before us. The question is, what is the best thing for the development of that country? What will assist the labour that is going to be engaged in developing those resources for Canada? It is not what is best for the merchants in Montreal or Toronto that we have to consider in the development of that country; that will follow as a natural sequence. Let us assist the labour to make wealth, and then let the merchants compete for it, and let the government aid by providing an all-Canadian route into that country, and our merchants can beat anything in that country. The hon. Minister of Justice applied the term "water-stretches" to this road; I cannot see where that comes in at all. It is not a question of water-stretches. This committee is for the purpose of establishing a wagon trail right through. But as the hon. gentleman has referred to water-stretches, I should like to quote from a paper that I see is headed "our water-stretches," in order to show how this paper views the road by

Teslin Lake and the Stikine River. The writer puts it in a kind of comical way and says :

"Well now," said the stranger as he was being shown round the city of Montreal, en route to the Klondike, "this is a pretty fine city, it looks wealthy." "Yes," was the answer. "You see the gold gets washed down by the C. P. R. and we collect it here. It is what you call a placer mine." "Ah yes, that is what I am going to find in the Yukon."

The above remarks were overheard and we determined to keep our eye on the adventurous stranger, as we journeyed together to the land of the setting sun, and perpetual day or night,

"I say, porter, you have a very comfortable car, this is a good road, is it like this all the way to Dawson City." We next overheard in our eavesdropping, "Why, yes sir," said the porter, "I have never been on the northern end of our line, but you will find it the same all through to Dawson City, just a picnic, always the same on the C.P.R."

The next time we were brought into contact was at Verdant Green, a station in Manitoba ; where he had telegraphed on to meet his brother.

"Why Fritz do you mean to say that it is you, why have you got those clothes on, have you been to a carnival or are you in disguise." "No Mordant, I have to work for my living or at least I do not work for my living, I work for the Canadian Pacific Railway and the government." "Is that so ? Do they give you an income ? No I give them an income, and yet they are on strike half the time." "You had better come along with me and get a placer mine." "Well no, you see, the Emperor, that is Van Horne, is sending up two of his kings to take possession of that country and they will take your blankets to cover their squaws, and it is a mighty cold country." "Well ta ta."

Vancouver. "This way sir, Canadian Pacific Railway steamer sir, Wetancoddle straight for the Yukon Are you bound for Stikine sir, or Dichere."

I'll stick you if you don't shut up.

"Got your license sir ?" "What license ?" License to work sir, to thaw the ground, the license to explore sir, for Mackenzie our sultan under Mann his grand vizier. The great McKenzie River called after him sir.

"Does this baggage contain your provisions sir," 'what provisions' ? "Food sir. No dining car on the C. P. R. north. 'That sir is my baggage.'

"Better trade it off sir, for half a ton of pork and half a ton of flour sir, ten cases of patent medicines, a pint of rum, a pick axe and a box of matches. Queer country this.

All aboard for Stikine and Tangle Island.

"Now sir this way for the great through route to the north pole.' 'Do you mean to say that we have to get onto another steamer.' "Yes sir, 150 miles to Stickthere." "Well I suppose I must go on." Yes sir, no return tickets on this route sir. Three days up stream. Stick there. Now sir change here, punts take you up to railway sir, only ten miles to Cable City. Cable City. Shall I carry you ashore sir ?" "Carry me anywhere, I don't wan't to stick here."

'All aboard for Pesky River railway, great through route to the north pole, get ahead of Nansen on this route sir, find Andree's balloon sir, make a great name sir.

Next day. Teslin Lake. "All aboard, sir. Lake steamer for Howtodrinka River, beautiful scenery, catch your own fish for dinner." "Well now, I thought this was a through route." "So it is, sir, through your pocket. Commence to take in your belt line for dinner." "Oh, where am I ?" "Must go on, sir, can't turn back, jam too great behind, plenty of companions, sir. Only one more change, sir, to river steamer on the Howtodrinka River, and then, sir, a chance to work for gold." "Are you sure that there are no more changes ?" "Quite sure, oh no, sir. I quite forgot, sir, a change of weather, sir."

The last we saw of our travelling companion was stepping out of a river boat to get over a portage and with tears in his eyes saying to himself, "Why did I leave home ? Oh, why did I leave home ?"

I merely read this in order to show you here what this paper is pointing out in a humorous way — what are our water stretches.

Hon. Mr. McMILLAN—Those are the government water stretches.

Hon. Mr. BOULTON—Yes, and we see that the term is far more applicable to the water stretches on that route than on the route that the hon. gentleman from London has referred to. There are no water stretches on the Edmonton route. It is proposed to make a wagon road. Now, I want to point out this : if the Mackenzie-Mann contract had gone through hastily, the railway would have got all the benefit of the transportation, the people would not have got any, they would have had to pay for the transportation. If you develop the Edmonton route, you cannot tell how many teams may be enabled next winter to go all the way into the Yukon River themselves, without any charges or without any cost ; and it is going to be an immense advantage to the country to gain the information that has been asked for by this committee. I cannot conceive at all why the government should oppose it ; it is not a costly thing, nor will it involve any trouble. It may establish the advantages of the Edmonton route to the people who live on the east side of the Rocky Mountains. I should like to call the attention of the government to this fact, that every member from the North-west Territories, even those who voted for the Glenora and Teslin Lake Railway contract, favours this Edmonton route. Now, are the government determined to govern that territory quite irrespective of the views of those who represent the people of that part of Canada, and purely according to their own views ? They cannot have the same practical knowledge of that country that those who live nearer the scene of action possess. Here is my hon. friend from Wolseley (Mr. Perley), my hon. friend from Calgary (Mr. Lougheed), and myself in this House, and there is my hon. friend from Victoria (Mr. Macdonald),

all opposed to the development of the route under that contract.

Hon. Mr. MACDONALD (B.C.)—I beg the hon. gentleman's pardon. I am not opposed to the route; I am opposed to giving four million acres of land for it. I say build ten Teslin Lake routes if you like, but do not give that land away.

Hon. Mr. BOULTON—What I said was "the development of that route under that contract." Then we have the hon. member from Alberta who is opposed to that contract and greatly in favour of the Edmonton route. We see in the Winnipeg *Tribune*, the organ of the member for Lisgar in the other House, that in his opinion the government acted hastily and with insufficient information in making the contract with Mackenzie & Mann. Although he is a supporter of the government and supported the contract, in order to make himself right with the people in his own constituency he is pointing out where the fault of the government lay.

Hon. Mr. SCOTT—Who is that?

Hon. Mr. BOULTON—Mr. Richardson. Another member from the west told me "I am opposed to the contract, but of course we have all to vote for the party; we have to stick together." Every representative from that western country favours the route indicated in the motion of my hon. friend from London (Sir John Carling). Is it fair for the government to denounce the action of those who are opposed to them in this House as being dictated by a partisan spirit and a desire to usurp the executive authority which rests with the government? The government surely will not say, while this branch of parliament is in existence, that the Senate have not the right to exercise their judgment on any question that comes before them. In the interest of that western country the object we should have in view is to bring the heavy produce of the west, the cattle, the wheat, the flour and everything raised there, into as close proximity to the mining lands as we possibly can; and not only that, but to bring the trade of eastern Canada to the mining country at the lowest possible cost. The leader of the House wants to take the whole of that trade across the continent and send it in by Teslin Lake. How can we conduct trade economically when we have to ship goods by rail across the continent, transfer them to ocean vessels, tranship to river steamer, transfer to the railroad at Glenora, tranship to lake steamers at Teslin Lake and convey them down to Dawson City, and then have only a summer route?

Hon. Mr. TEMPLEMAN—What will the Edmonton route be?

Hon. Mr. BOULTON—An all-rail route all through.

Hon. Mr. TEMPLEMAN—All rail?

Hon. Mr. BOULTON—Certainly. Have you lost confidence in the ability of Canada to build railroads? We have built 16,000 miles of railways and are able to build a great many more. With the exception of two railroads out west, which are in litigation, every railroad in Canada is paying its way, so the government need not be afraid to undertake the construction of a railway from Edmonton to the Yukon district. With that road we would have a better route than any that could be had from the Pacific coast. I do not put myself in antagonism to the development of a route on the Pacific coast, but let us ascertain the relative merits of those competing routes. What the government proposes to do is this: to build a railway from Observatory Inlet, on Portland Canal, right up to Teslin Lake, and that would be only a summer route. Supposing the government were to expend their money on that, would they be likely to spend a dollar on the Edmonton route, which would compete with the western route? I say they would not. It is for us, who live in the western country, to take time by the forelock to investigate the Edmonton route so as to bring public opinion to bear on the government—that is, if the government care anything about public opinion. I believe that the public opinion of the country is with the Senate in the action they took on the Mackenzie & Mann contract, and against the government for entering into that contract on very short notice, without asking for tenders and on the very eve of the meeting of parliament. Therefore the Senate, consisting of old and experienced politicians and statesmen, should use their judgment to try and gauge for them-

selves what is in accord with public opinion, and I firmly believe that public opinion will be with the Senate in the formation of a committee of this kind, the object of which is to throw more light on the subject which is uppermost in the minds of the people at the present time.

Hon. Mr. SCOTT—The discussion, particularly the speech of the hon. gentleman from Shell River (Mr. Boulton), is rather aside from the proposition submitted to us by the hon. gentleman from London. That proposition is to inquire into the feasibility of "securing direct communication with the Yukon country during the present season." That is the whole pith of the proposition. I ask any hon. gentleman whether it is at all possible if you spend half a million, or even a million dollars, on the Edmonton route you could make it possible to reach the Yukon country by that line during the present season? Certainly not. I say so with the information I have been able to get, and I have looked for information everywhere that I could obtain it. I fully appreciate the enormous advantage to Canada of opening up the route via Edmonton, because we have agricultural lands to a very considerable distance north of Edmonton, but the distance from Edmonton to Dawson is 1,600 miles and it has been found impossible for even small parties to get through that way in less time than six months. There is positive proof of that, and it is idle to say that during the present season we could utilize the route by Edmonton. The whole point of the proposal submitted by the government to parliament was the importance of having a line of communication into that country during the present year. I will just quote one or two figures to show hon. gentlemen the immense importance of keeping that point in view. It is hoped that 50,000 people will go into that country this year. They will require to take at least 50,000 tons of provisions and supplies, apart altogether from machinery and the various implements needed in that country. Will hon. gentlemen believe that to-day you cannot make a contract to take anything to Dawson City under three or four hundred dollars a ton?

Hon. Mr. MILLER—How long will that last? Until navigation opens.

Hon. Mr. SCOTT—No, it will last longer, and the price will increase. I believe you will not be able to get freight carried through for less than $500 a ton.

Hon. Mr. MILLER—Not after navigation opens?

Hon. Mr. SCOTT—No, it is utterly impossible to get it up the Yukon. You could not make a contract to-day to deliver 10,000 tons of supplies in Dawson during the coming season for less than $300 a ton.

Hon. Mr. MACDONALD (B.C)—That is only 1½ cent a pound.

Hon. Mr. SCOTT—It will cost $15,000,000 at that rate to get 50,000 tons in there this year. You just begin to realize what it means. Our whole plea in building that connection between the Stikine River and Teslin Lake was that we should be able to open communication for at least two months by rail to Teslin Lake, and you could float any quantity of stuff down from Teslin Lake to Dawson City, because you could have a line of boats leaving every five minutes if necessary, and of course they are building boats on the lakes and streams up there.

Hon. Mr. ALLAN—Would the hon. gentleman allow me to ask one question? He speaks of the enormous amount of supplies which would go up this year. Supposing that Yukon Railway Bill had been passed the other day, would it have made any difference as to the means of getting up there?

Hon. Mr. SCOTT—Yes.

Hon. Mr. ALLAN—That railway was not to be completed till September, and I heard the contractors say—and I do not suppose it is any violation of confidence to state it now—that while they would have had it partially built by September, it would not be completely finished, so that it would make no difference.

Hon. Mr. SCOTT—They told us they would forfeit that quarter of a million if they had not the road ready to carry passengers and freight by September. Time was the essence of the contract, and contracts were made to deliver stuff up to the first of September. Of course, they could have run during the winter months, and it would be a very easy matter to run sleigh roads from Teslin Lake.

Hon. Mr. ALLAN—To where?

Hon. Mr. SCOTT—Right through to Dawson.

Hon. Mr. MACMILLAN—Six hundred miles ?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BOULTON—Did the hon. gentleman see the statement made in the Toronto *Globe* on Saturday by Mr. Wade, that it had to be thoroughly appreciated and understood that, in the winter time, no means of communication can be had by any means excepting by horses or dogs or men going out ?

Hon. Mr. SCOTT—Before next winter there will be at least two or three lines of communication there by stage carrying passengers through. To-day a contract has been made by Mr. Richardson to carry the United States mail through Canadian territory by permission of Canada, I think fortnightly.

Hon. Sir MACKENZIE BOWELL—Where from ?

Hon. Mr. SCOTT—It will go in somewhere along the border, Pyramid Harbour, or Dyea, or Skagway.

Hon. Sir MACKENZIE BOWELL—By the Dalton route ?

Hon. Mr. SCOTT—I do not know what route, but it will go through Canadian territory. It will go through to Circle City and Canadian points.

There is another company formed, and there is a bill now before the House, which proposes to run a line of stages—an express company.

Hon. Mr. BOULTON—Where ?

Hon. Mr. SCOTT—They will enter at Lake Bennett.

Hon. Mr. MACDONALD (B.C.)—I am glad to hear it.

Hon. Mr. SCOTT—If the Stikine route is not opened, the objective point is Lake Bennett.

Hon. Mr. ALLAN—Does the hon. gentleman mean to say there is any sort of contract, either now being made, or in contemplation, to run a stage route from Teslin Lake through following the river there to Dawson City ?

Hon. Mr. SCOTT—Yes. I do not know the point : they strike either Lake Bennett or some point on the Lynn Canal.

Hon. Mr. BOULTON—That is the Dalton trail.

Hon. Mr. SCOTT—Not at all. It goes through the Lynn Canal. It is a United States contract to carry the United States mail. They carry it through their own territory, and they get permission from us and it goes on to our territory immediately. The fringe of territory there is a comparatively narrow one, and they carry it on down to Dawson City and through to Circle City. I see the United States government are paying over $50,000. I do not recollect the exact figures. I merely quote that to show that that is the feasible route, that people have been over it, and are making preparations to carry freight and passengers through—that is the only route they say, by which they can be brought in. Even at $300 a ton, 50,000 tons will cost $15,000,000, and you will see what the miners have to pay. It costs them $15 or $20 a day to live.

Hon. Sir MACKENZIE BOWELL—How much would it have been reduced if the railway were constructed ?

Hon. Mr. SCOTT—Certainly it would be less than half.

Hon. Mr. BOULTON—All I can say is our teams from the North-west Territories will undertake to carry freight through at $300 a ton.

Hon. Mr. SCOTT—There is plenty of opportunity to do it. They want a responsible company that will carry through freight to Dawson City for $300 a ton. I understand the prices have gone up since the bill was rejected. I am so advised on good authority. It becomes a question of very great moment, going into that country.

Hon. Mr. MILLER—How could the defeat of the bill affect the present rates ?

Hon. Mr. SCOTT—It does. They put up the rates. It is the Yukon River that is affected.

Hon. Mr. MILLER — Your contract would not be fulfilled till next September.

Hon. Mr. SCOTT—The freights now being brought in are for next year. You cannot deliver a pound of freight before the first of July next year.

Hon. Mr. MACDONALD (B.C.)—That is right.

Hon. Mr. MILLER—It does not alter the point.

Hon. Mr. SCOTT—Had the road been built, it would at once have brought down the price of freights, because you could move in freights by sleigh from Teslin Lake at a less cost than the cost of freight delivered without the road to Dawson.

Hon. Mr. PERLEY—How far is it from Teslin Lake?

Hon. Mr. SCOTT—Six hundred miles to Dawson.

Hon. Mr. PERLEY—Does not the hon. gentleman know that a team could not haul enough provisions to feed them?

Hon. Mr. SCOTT—Well, I do not know. The bill was to be presented to this House asking for authority to establish a stage line. The parties have been over the ground and are familiar with the difficulties.

Hon. Mr. ALLAN—A stage line from Teslin Lake or Lynn Canal?

Hon. Mr. SCOTT—It makes very little difference. It is through Canadian territory; whether it goes from Lake Bennett or Teslin Lake makes very little difference. They are both running under similar conditions. Both have the same difficulties to encounter, but that is not the point. We are met with the objection that it is not feasible: I say it will be feasible. If you get your freight across from Stikine to Teslin Lake, then you could move it on down. At all events, you would have the two months navigation to go on with. I have no objection, nor could the government have any objection, to an inquiry about the Edmonton route. They say it is absolutely futile for the present. The proposal is "the feasibility of a route during the present season." The hon. gentleman must recognize that that would be absolutely impossible.

Hon. Mr. LANDRY—The motion does not say the Edmonton route.

Hon. Mr. SCOTT—I quite admit that, but the hon. gentleman who moved the resolution spoke of the Edmonton route, and spoke of it as the all-Canadian route. I fully appreciate its importance, and we would all like to see a railway constructed from Edmonton. It would no doubt be an advantage to Canada, but are we prepared to incur an enormous expenditure for the developing of the Yukon country for the transitory period of prosperity that will evolve during the time the gold is found there? If the gold mining is to continue for twenty years, then it is of importance we should expend a very considerable amount in order to have an all-Canadian route into this district. But is any hon gentleman prepared to say it would be wise in us to spend ten or twenty millions before we know more about the country? What does the proposal mean? The expenditure of $40,000,000, and the hon. gentleman calmly speaks of spending $40,000,000 on the road to Dawson.

Hon. Mr. BOULTON—We spent $300,000,000 on the Canadian Pacific Railway.

Hon. Mr. SCOTT—Yes, but we opened the country and we opened the mines.

Hon. Mr. DEVER—What good would the gold mines be to the maritime provinces?

Hon. Mr. SCOTT—It is nothing but the gold that attracts people to these mining districts, and when once the gold is gone the place is deserted. Does anybody go in there for anything but gold? People are very solicitous about the miner; the miner must be protected. It is only the miner, and who is he? He is a speculator, and in nine cases out of ten he is a foreign speculator. A gentleman who had been up there said he met a man who had come from Switzerland, a poor miserable creature who could not earn a dollar, and he went up there and made $50,000, and was going home to live on it. He found a pocket, found $50,000 and put it in his own pocket, and went away with it. That is only one case, but I mention that as an illustration of what is going on every hour, and here we are so solicitous and anxious about the poor miner who goes in there, who is a foreigner, and wants to get

the gold, and leave the "accursed country," as he would call it, as soon as possible. Yet we are so sensitive about him, that we entirely ignore the enormous benefit the people of Canada may get from that by our making some sacrifice of the miners' interests in that country. It matters not to the people of this country very much how the mines are developed from the way we look at it. If you can have it in Canadian hands it will be much better, as the money is likely to flow into Canadian channels; but now we have thrown the country open to all the world and, as I said before, without any doubt at least 90 per cent of the people who are going in there are foreigners.

Hon. Mr. MACDONALD (B.C.)—Look at the licenses and the duties and the royalty the country gets.

Hon. Mr. SCOTT—Why, hon. gentlemen, we are going to spend this year over half a million dollars for administration in that country.

Hon. Mr. BOULTON—You must attach much importance to the country.

Hon. Mr. SCOTT—Could we leave it alone? Let us be reasonable, let us take some course that will be sustained by common sense. We have to do something with the country, we have to protect the people who go in there; we have to make inquiries as to the capacity of the country; and this Senate would be the first to condemn us if we went on blindly.

Hon. Mr. BOULTON—You were going at it blindly.

Hon. Mr. SCOTT—We were not going it blindly. We know very well if railway access had been obtained into that country, the Messrs. Mackenzie & Mann contract only gave them rights over 5 per cent of the country, and from what Mr. Ogilvie said a day or two ago in London, the whole country will probably turn out just as rich, but, as he said, it will take from ten to fifteen years to make the discovery. He pointed out that since 1886 they had only made discoveries along the Klondike and the Bonanza and streams immediately tributary. He could not tell whether the shores along the Stuart and Indian River and dozens of other rivers might not turn out as rich. No investigation has been made or can be made until you have 100,000 people there, and even that will not be sufficient. There was an advantage in the Mackenzie & Mann contract in that they would have induced people to put money into it. They had to employ labour; that labour would consume Canadian products and there is where our advantage is, and where the substantial benefits to the people of Canada will be in this matter. Hon. gentlemen all seem to be keenly alive to the interests of the miner. I think the people of Canada have to be particularly interested in that country. The idea of building a railway from Edmonton at once at a cost of $20,000 a mile without our knowing anything about it! Why the total cost would be $32,000,000.

Hon. Mr. PERLEY—No one is asking you to do that.

Hon. Mr. BOULTON—We want to find out if the government can land ten thousand tons of provisions at the elbow of the Liard. The hon. gentleman knows that we can go by the Mackenzie and down the Liard; that is 800 miles on the road.

Hon. Mr. SCOTT—I have tried to read everything that was published and I have seen some of the reports of parties who came through there—and I certainly do not want to reflect in the slightest on the benefit of the Edmonton route; on the contrary, my prejudice is in favour of it as being Canadian, and opening up a country that is valuable, wholly apart from mines—but I have seen most damaging reports by parties that have been through there. And there is that fact of the prospecting party which left last September and who have not been heard of. We get advices from Dawson City within five or six weeks. I had the names of the party, but one of the officers was recognized as being a man who had had considerable experience in the North-west and who ought to know pretty well the value of the route; but there is the fact. Hon. gentlemen who are familiar with the transportation service of the Hudson's Bay Company there must recognize that they have always had to get their stock in there a year in advance. We have to recognize that fact. The hon. gentleman's proposal to inquire into the value of the Edmonton route is a very good one, but it is not valuable as enabling us to get

in supplies this year. I am already informed that orders have been cancelled all over Canada because there will be no railway to carry them.

Hon. Mr. PERLEY—Would the railway have carried them?

Hon. Mr. SCOTT—Yes, from the month of September. We know pretty well that two months' operations on a railway would carry a very large amount of freight; and if hon. gentlemen will read the contract with Mackenzie & Mann they will see that if the road was not in proper condition for running on the 1st September they would have forfeited a quarter of a million of dollars which they had put up in the Bank of Montreal.

Hon. Mr. PROWSE—This is a very singular discussion which is before the Senate just now, and what good can come of it I can hardly make out. It appears that the Senate have decided, by a very pronounced majority, that the scheme proposed by the government should not become law. That is settled. The hon. member from London proposes that an investigation shall be held to give us more information as to the best way of getting into that country. This is strenuously opposed by the members of the government.

Hon. Mr. SCOTT—Nothing of the kind.

Hon. Mr. PROWSE—Then I do not know what the speeches of the two hon. gentlemen amount to if they do not mean that they are opposed to the appointment of this committee. Now, it appears the desire of the government is to get immediate access into the Yukon country. And it is absolutely important and of great necessity to get access to that country—for what purpose? Why, to get supplies to the great number of miners and speculators in that country and those who are now anxious to go there. It appears to me, from the facilities already provided, that there are as many people in there now as can live—enough there for the present; we don't want to get a roadway there to bring in a much greater number to that country just now, not by any means. It seems to me more necessary, if they cannot live there, to provide a way of their getting out; but as they are there now, they will be able to find their way out in the same way they found their way in. One thing this Senate has decided, not against a route from the Pacific Ocean, but against this gamble which more than one member of the government has admitted they entered into. The government not only entered into it, but they took into partnership with them Messrs. Mackenzie & Mann, and played the game with marked cards—against whom? Against the people of Canada, the people of the Yukon district. The people put up all the stakes, and the gamble was between these gentlemen. Now this House has decided that that shall not take place. So far as I am concerned, I am quite willing, if the government, from the information they have been able to get—and I take it for granted they have been able to get better and more precise information than this House has been able to procure—can propose any other system, and I would suggest that if they are going to get access into that country by an all-Canadian route, it is at a Canadian port down on the Pacific coast they should commence their line. They should never think of commencing their line in the middle of the mountains 300 miles away from the Pacific coast. Let them commence their line at Observatory Inlet, or Portland Canal, and build their railway from there until they get up to Teslin Lake. That, in my opinion, is the common sense view of it, and if they wish to undertake this matter as a government work, and to make the resources of that country pay for the railway, then I say if they want a monopoly on behalf of the government until the amount of the traffic on that road pays for its construction, I would have no objection to granting that monopoly, and I believe if the traffic amounts to anything like what the hon. Secretary of State has told us, it will be in less than two years they would be able to recoup every dollar of the cost of the railway and the great mining area of that country will be preserved to the people of Canada going in there. The illustration has been given about this Swiss who went out there with nothing and left the country with $50,000. That is a very great advertisement for Canada. If a poor, emaciated creature, hardly able to draw his carcass along, could obtain that much, what could an Englishman, a Scotchman or an Irishman do going in there well equipped to dig up this gold? I am

satisfied that this House, (although we have been charged with having taken a most decided stand against the government for party purposes and from political prejudices for which statement I say they have no justification) are prepared to assist the government in every possible way we can in getting legitimate access into that country if they came down with a reasonable scheme, but not to gamble away the gold mines of that country. Any other system that presents itself to our good sense will receive a favourable consideration and the support of this House.

Hon. Mr. SCOTT—Was the objection from your standpoint to the grant of land or to the route?

Hon. Mr. PROWSE—When I was speaking on the second reading of the bill I said I objected to it on almost every point. I objected to it because the Stikine River is not a navigable river, such as is required for the traffic of that country, and I objected to it because it commenced in the middle of the country instead of commencing at the coast. I objected to giving away 5,000,000 acres of the richest gold fields in that country—because it would come to that and not 3,750,000 acres as was stated—as a gamble. I further objected to it because it was giving to these contractors the privilege of mining in that country—for a royalty of one per cent, while the government are charging the poor miner 10 per cent, and if there is any one thing that would goad the people of that country to rebel against the government and give them trouble in preserving peace and harmony in that country, it is just that discrimination which you would have given to these rich men and it would have taken more than the mounted police to preserve order in that country.

Hon. Hr. O'DONOHOE—I desire to say, in justification of my course on this question, that I think the government has made a mistake from beginning to end, and that they are endeavouring to justify their errors by forcing upon the Senate of Canada that which the Senate never can support. We have known the Senate in the past to object to a measure strongly recommended by one of the famous statesmen that we have had. The Senate stood firm on that occasion; there was no flinching at all. I refer to the defeat of the Salisbury Short Line Bill.

Hon. Mr. DEVER—There was no similarity at all between that case and the defeat of the Stikine-Teslin Railway Bill.

Hon. Mr. O'DONOHOE—If the hon. gentleman wishes to make that point he can do so afterwards. There is no man in the government to-day more thoroughly Liberal than I am, and none more in favour of the Liberal party. I have spent the best years of my life in support of that party, but I will not be in this House and give a vote that is contrary to the dignity and honesty of the Senate. The Secretary of State said everything he could to diminish the value of those lands in the Yukon territory and stated that we were giving away something that amounted to nothing. Where is his evidence? What evidence is produced in this House to maintain any of his positions? None at all. He tells us this, that and the other story about the subject, but furnishes no evidence. If any knowledge has been brought before this assembly it has been furnished by the paid servants of the government, whom we should credit even when their statements are opposed to the statements we hear from the ministers Every one in this House knows about as much on the subject as the ministers know. The only authorities we have that we can credit are Mr. Ogilvie and Mr. Jennings, and their evidence the ministers repudiates. These employes of the government say that the Yukon country is rich in gold and its indications; the government repudiates that.

Hon. Mr. SCOTT—No, the government never did anything of the kind.

Hon. Mr. O'DONOHOE—The hon. gentleman himself stated that there was nothing in the land we were giving away.

Hon. Mr. SCOTT—I said if only five per cent of the country was good it was enormously rich. I said if only a half of one per cent was good it was enormously rich. What I said was that gold could only be found in certain localities which I described.

Hon. Mr. O'DONOHOE—The government are forcing upon this House statements in support of which they have no evidence. For myself I am a government supporter.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. O'DONOHOE—Yes, a warm supporter of the government, but I am here to give my opinion and vote upon the merits of every measure which comes before this honourable body. I am not going to give up to party. My hon. friend the Secretary of State knows as much about the value of that country as any other member of the Senate, and no more. He is going it blind; he is working in the dark, in contravention of the first principles of the party of which he is a member. The doctrine of the Liberal party has always been that the public lands and public assets of this country should only be disposed of by public tender. I am perfectly satisfied that the Senate of Canada will be true to the interests of the people and refuse to give away the public lands without affording every one an opportunity to tender for them. There is the greatest breach of the principles of the Reform party in disposing of the public lands without calling for tenders. My hon. friend, the Secretary of State, has not given more service to the party and its principles than I have done, but I am here not to recognize party or party principles, but only to do what is right. We are a judicial body and we should govern our conduct according to the rules which are so well understood by the hon. leader of the government in this House. I, for one, however much it may be against the party, tell them they must drop this contract and advertise it in a proper manner. Let them take time; there is nothing to be lost by it, but there is everything to be lost by giving a contract in the dark as we are asked to do now. I shall vote against every feature of the measure until the contract is duly advertised and the public have been afforded an opportunity of competing. Much has been said of giving Canada the benefit of it; why Canada is getting no benefit out of this matter at all. The United States will have all the benefit. They are the parties who will have the controlling power. They are on the ocean and all the purchases that will be made for the mining settlements will come from there and not from us. The whole thing is wrong. If we are true to ourselves and true to the interests of Canada we shall ignore every step that is taken in urging this measure. It is wrong from beginning to end, and probably in the near future we shall learn who are concerned and who are at the bottom of this deal—it is a deal, it is a steal.

Hon. Mr. POWER—I listened with a great deal of interest to the speech of the hon. gentleman who has just sat down. The hon. gentleman perhaps has been absent during the last few days; if he had been here he would have been aware that this bill, against the second reading of which he is speaking, received its six months hoist last Thursday by a large majority.

Hon. Mr. O'DONOHOE—I was here and I voted with the majority.

Hon. Mr. POWER—Then I do not understand why the hon. gentleman is giving us a speech which would have been proper then, but which is inappropriate now. The subject before the House is the committee proposed by the hon. gentleman from London. I have no very special objection for the appointment of a committee for the purpose of getting information. I do not think there is any particular necessity for it. It is not necessary that one should call attention again to what has been said and made perfectly clear by two or three other gentlemen who preceded me, to the effect that there is no possible way of opening up communication during the present season between the railway system of Canada and the navigable waters of the Yukon. The only way in which it could be possible at all would be by going from the terminus of the Canadian Pacific Railway, on the Pacific coast, to Lynn Inlet. It is barely possible that some road might be constructed from the head of Lynn Inlet during the present season though that would not be, I imagine, the kind of road that the hon. gentleman who is moving for the committee wishes. He has indicated that the road he wishes is from Edmonton. It is perfectly clear the hon. gentleman's committee cannot do what he purposes they shall do. It is utterly impossible to open up communication during the present season between Edmonton and the Yukon country. In fact, it would take the whole of the present season for any party that the government would send out to travel the distance from Edmonton to Yukon. I do not propose to say anything more about the committee. I think the hon. gentleman had better amend his resolution by leaving out

words "during the present season," because they are absurd in the resolution. I wish also to call the attention of the hon. member to the fact that he has omitted from the committee the name of an hon. gentleman who, I think, knows more about that region than any other member of this House. I have no doubt there are hon. members who would be quite willing to make way for the hon. gentleman from Cariboo (Mr. Reid). He knows more about that country than any other member in the House. It is all very fine for hon. gentlemen like the hon. member from Shell River to talk as though they had a monopoly of the information about the North-west and the means of getting to the Yukon: I do not profess to know much about it myself, but I think the committee might direct their attention to other means of getting in there. Probably a road through the Yellow Head Pass and running north between the Rocky Mountains and the coast range might be, on the whole, a better way of getting into that country than up the Peace River. I say the hon. gentleman from Cariboo knows more about that whole country and its agricultural and mining interests than any other member of the House, and I regret that I do not see his name on the list of the proposed committee.

Hon. Sir JOHN CARLING—I have no objection whatever to add the name of the hon. gentleman from Cariboo to the committee, as suggested by the hon. gentleman, and also I have no objection to striking out the words "during the present season." I was very much surprised at the speech of the hon. leader of the House stating that the Senate wished to take the government of the country out of the hands of the government.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir JOHN CARLING—What does this resolution say? It says:

> That a special committee be appointed to inquire into the feasibility and probable cost of opening up direct communication during the present season, between the railway system of Canada and the navigable waters of the Yukon, and also as to the advantages which would flow therefrom to the trade of Canada.

Has the hon. gentleman any objection to having an inquiry made into the best and most feasible route that can be recommended to the government? We have no desire to take the business of the country out of the hands of the government; but this House has the right to inquire which is the best route, and which would be to the greatest advantage of the trade of Canada. That is the object of this committee. The Senate is not dictating to the other House, but is simply asking that a committee be appointed to make inquiry as to the feasibility and probable cost of opening up direct communication with the Yukon gold fields. The hon. Secretary of State ridiculed the idea of asking that an expenditure of $30,000,000 or $40,000,000 should be made to build a railway from Edmonton to the Yukon. I am not asking anything of the kind.

Hon. Mr. SCOTT—No, I was answering the hon. member for Shell River. He suggested that we should build it.

Hon. Sir JOHN CARLING—What I have stated here to-day is that a wagon road is already being constructed, and will be finished this season, from Edmonton to the Peace River, and that there would only be 250 miles more of road to be built during the season to make the route complete to the Pelly River. Does the hon. gentleman mean to tell me that it is not possible between now and the first of October to construct a pack road so that horses could travel and cattle be driven in? I think hon. gentlemen will agree that it is quite possible to build 250 miles of pack trail, and to have it ready for traffic this season. There is the route from Ashcroft, British Columbia, and the Prince Albert route. All these routes may be considered and inquired into by the committee, and their report be made to the Senate, and the government and the country will have the advantage of all the information gathered by the committee for them. I have no objection to the words "for this season" being left out, although I am quite satisfied that a pack road could be completed in time to be of service this season. I have the authority of the member for Alberta, a strong supporter of the government in the other House, that there is no difficulty whatever in making a pack road 250 miles during the present season, so that it could be utilized by the people that are going in. I am told that at Edmonton there were over 200 people starting on foot and with horses to go to the Yukon district. The Pelly River is navigable and it is only 1,000 miles from Edmonton, not as the crow flies,

but by the different routes that have been travelled by experienced men in that district, and 250 miles of the pack road has been built. It only requires 250 miles more to complete the pack road and then we have the navigable streams. I hope there will be no objection to the adoption of the motion which I ask to have amended by striking out the words "this season" and adding Mr. Reid's name to the committee.

The motion as amended was agreed to.

MOUNTED POLICE PENSION ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (13) "An Act to amend the Mounted Police Pension Act."

Hon. Mr. ALMON—I believe the remarks that I am about to make should have been made on the second reading, but I will state them now. I do not believe the pension given to the members of the mounted police is nearly enough. They must be 20 years in the service to earn the pension. That means 20 years away from civilized life and their friends. They cannot get married and cannot have the comforts of a home. And what dangers are they exposed to? I remember a Nova Scotia man telling me that he went once to arrest a murderer among the Indians. The criminal was among his own people. It was for the murder of a brother Indian, but the Indians do not think that a very great crime. Their sympathies were entirely with the murderer. Apart from the danger to his life, what are the services which a mounted policeman performs? He has to do the work of a servant and feed and groom his own horse. After serving 20 years, he receives this paltry pittance. Why not grant him some land as well? Why not give every mounted policeman an acre of gold land in the Yukon? Certainly he deserves it much better than the contractors selected by the government. I believe I am too late to move any amendment, but I hope the government will bring in a bill to increase the pension. The House will agree with me that the amount is not sufficient.

Hon. Mr. SCOTT—I fully appreciate all that the hon. gentleman has expressed in reference to the hardships these men have to endure, although they are less now than in former years. But the hon. gentleman no doubt supported the proposition that a mounted policeman should have to serve 25 years before getting a pension. What we are doing now is to reduce the term. The Act as it stands was passed a short time ago and received the hon. gentleman's approval. We are reducing the term of service to 20 years.

Hon. Mr. ALMON—What is the pension?

Hon. Mr. SCOTT—One-fiftieth of the amount. I think it originally was one dollar and then reduced to 75 cents. I know it is very low, 50 or 60 cents, but they have extras, rations and one thing and another. I shall be happy to bring the matter under the attention of the hon. minister who has charge of it.

The motion was agreed to.

THIRD READINGS.

Bill (38) "An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters."—(Hon. Mr. Mills.)

Bill (74) "An Act further to amend the Petroleum Inspection Act."—(Hon. Mr. Scott.)

Bill (73) "An Act further to amend the Gas Inspection Act."—(Hon. Mr. Scott.)

INLAND REVENUE ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (75) "An Act further to amend the Inland Revenue Act."

Hon. Mr. PERLEY—Before the bill becomes law, I wish to make a few remarks with regard to it. I was not in my place when the bill received the second reading. I am very much surprised at the conduct of the government, and I may tell the House that the time has now arrived in the history of this parliament when it takes a great deal to astonish me in regard to the conduct of the government in fulfilling their pledges to the people of Canada. This bill is introduced for the purpose of reducing the quantity of liquor that may be sold by the distillers to any party. Under the Inland Revenue Act, which this bill proposes to

amend, hon. gentlemen will see that the regulations of the late government were that no spirit should be moved at any one time from any distillery in casks or packages containing less than 25 gallons each. This bill proposes to reduce the quantity to ten gallons. I am astonished at this government, because I did expect that some of the many pledges they made to the country, and the reforms they promised to inaugurate when they got in power, would be carried out. But they have not carried out any of their pledges, and of all their sins of omission this is the most grevious one. The hon. minister laughs. It is no laughing matter. There will be tears shed by the wives and mothers of the men going to the Yukon where liquor will be sold, as I will show you later on. Under the old regulations 25 gallons was the least quantity of liquor that could be sold by the distiller to a private person. This regulation reduces the quantity to ten gallons. What will be the result? Instead of discouraging the drinking of intoxicating liquors this will have the effect of encouraging it. Every one knows that it would be quite impossible for a great many men to get 25 gallons, whereas many of them could get a ten gallon keg and put it away in the cellar. I say that this Act will tend more to encourage drunkenness and rioting than any other Act I know of. It is contrary to every principle of prohibition, and yet these gentlemen, when in opposition, made the country believe they were in favour of prohibition. I wish to read what the Reform party laid down as their platform when they inaugurated their prohibition policy. Sir John Thompson was an honest man and told the temperance people what he would do. The Reform party seized the opportunity and framed this ingeniously worded document.

Whereas public attention is at present much directed to the admittedly great evil of intemperance, it is desirable that the mind of the people should be clearly ascertained on this question of prohibition by a Dominion plebiscite.

They undertake to tell the people of this country that this is a great evil. They tell them in that very paragraph that they put in their platform that it is a great evil which they will check by every means in their power. I had the honour of accompanying a delegation of clergymen and most respectable men in Canada and a large number of ladies, in the short session of 1896, and my hon. friend from Sarnia was there as chairman of that delegation asking the government, of which Sir Wilfrid Laurier was leader, to carry out their pledge on the plebiscite question. The hon. gentleman there and then told them that in twenty municipalities of the province of Quebec they had prohibition. He told them he was strongly in favour of it, but not in favour of introducing legislation that session, because that session had not been called for the purpose of legislating, but that the following session he would introduce a bill providing for a plebiscite on the prohibition question. The country is justified in excusing the premier for not introducing the measure that session, but he should introduce it this session.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. PERLEY—And the hon. gentleman said if the people of Canada voted for prohibition at the next session, he would introduce a bill to enact a prohibitory law. The hon. Minister of Agriculture was with him, and he congratulated them on having a government that was in favour of prohibition, and promised that they soon would have such an Act upon the statute-book. What is the result? With all these declarations, notwithstanding all the liquor they have sent into the Yukon country, they are here by this very Act endeavouring to make it easier for people to obtain whisky if they desire it. They have reduced the number of gallons, which a distiller may sell in one package, from twenty-five to ten; so that, if a man is disposed to drink whisky, he can put it in his cellar and drink it at will. If there is anything more calculated to encourage drinking in this country, I am not aware of it. The hon. gentleman should withdraw the bill and let the law stand as it is. If he does not, it will show that he is catering to the liquor people and promoting intemperance. I wish to make a few remarks with reference to the liquor going into the Klondike. I may tell the hon. gentleman that in this very city of Ottawa at present, a petition is being signed asking the government to stay their hand and send no liquor in there. One man has obtained a permit to take 1,437 gallons into that district; another to take 600; another, 200; another, 1,000, in all, over 11,000 gallons. I venture to say that every one of these men smuggled in as much more, which would make it 22,000

gallons, and when adulterated with water, there would be 44,000 gallons of liquor to be sold or given away in the Yukon district.

Hon. Mr. MILLS—You do not object to the water.

Hon. Mr. PERLEY—Yes, I do. They will adulterate the water of that river by putting the whisky into it and spoiling it. I desire to say, further, and I challenge contradiction, that during all the time that Mr. Dewdney was Governor of the North-west Territories he never issued one sale permit during the years from 1883 to 1888. The only permits given were one or two gallon permits, to take in liquor required for medicinal purposes, and he was soundly abused by one class of people because he would not admit more liquor, and by the other side because he admitted any at all. He used the permit system with care and caution. He refused a permit for liquor recommended by the Duke of Argyll and one or two other noblemen, and also refused a recommendation from Sir William Van Horne. I know that he refused the permits because he believed the men were even then drinking to too great an extent. The government are undertaking to let liquor be taken into that country. I am sorry to hear the hon. gentleman say that there are likely to be 45,000 people in that country this summer, many of them men of the lowest order, yet they are sending liquor into the Dawson region to debauch, corrupt and debase the people of that country when they know that the temperance sentiment of Canada is opposed to their doing so. I am astonished to think that men occupying the position they do, and who were returned to power on the pledge and on the supposition that they were going to adopt and enforce prohibitory legislation should adopt such a policy. They have poured whisky into that country and opened the flood gates of crime. They are sending policemen to guard and preserve order and at the same time promoting crime and debauchery. It will take ten times as many policemen to preserve order amongst a drunken, lawless element as would be required if you had no liquor. It is like setting your house on fire and then sending for a fireman. Hon. gentlemen made a great ado the other day about starvation at Dawson. If there is anything that will cause starvation in that far off country it is the liquor traffic. Men will waste their time in drinking and give their provisions and their money for that which will not sustain life; the result will be that that class of men will starve to death, because where provisions cost so much, charity will not be so very largely extended to that class of people. The government talk about the danger of starvation. I can well understand how that starvation will take place, when they have sent 40,000 gallons of liquor into the Klondike country.

Hon. Mr. SCOTT—Where did the hon. gentleman get that statement?

Hon. Mr. PERLEY—I have your own figures here. The returns you gave the other day were not correct. It is enough to make one blush with shame to know that the government of this Christian country has given permits for the sale of liquor in that country. Did any one ever hear tell of the late government giving a sale permit? I say it was impossible for eight years, to my own personal knowledge, for any one to get a glass of liquor in the whole of the Canadian North-west Territories, and this government, which made such great pretensions to righteousness, has undertaken to issue permits which will result in the debauching of the people in that country. The government stand condemned to-day before the people of Canada, before the women of Canada—the better half of humanity—who are praying every night and every morning for the welfare and preservation of their sons and husbands who have gone to that far country. This government came into office shouting all the day long, holy! holy! holy! and now they are issuing permits to take liquor into that country to debase and demoralize the people in the vilest manner possible. Whisky has gone in there and is going to be sold, and policemen have been sent up to preserve order. What will they do? They will go from place to place and see that one man does not shoot the other. I read a letter from a policeman the other day, written to his father here, in which he says: "We stand by; money is stolen in many places and gambling goes on, but it keeps us busy to see that one man does not actually kill the other." Gambling has hitherto been condemned by the laws of Canada, but I see that this government actually used the word gambling as applied to their own transactions;

it is one of the words used in their contracts. I say, hon. gentlemen, that the time has come when the government should be called upon to keep the promises they made to the people of Canada. We can all remember how they shouted loud and long their promises of purity and holiness in administering the government of the country if they were put in power. I challenge and defy them to say that they have carried out one single promise they made to the electors of Canada. They occupy a false position. The people of my own town are talking about whisky going to the Klondike, and some are astonished to find that they are supporting a government whose policy is to sanction such a traffic to make a few dollars for the treasury. Only the other day I received a letter from a person in California asking if I was in favour of granting permits to sell liquor in the Yukon territory. I said, no, I will approve of no man taking liquor into the Klondike. But here is the Minister of the Interior, a temperance man, who shouts loud and often at temperance meetings in his own country, authorizing the Lieutenant Governor of the North-west Territories to issue permits for whisky to be taken into the Klondike, and then we find the government placing in the estimates a large amount for the purpose of preserving order. Did any mortal man ever hear of such inconsistency? In their own interest the government should withdraw this bill. The fact that they are making this amendment in the law shows that they are not desirous of carrying out the wishes of the people of Canada. It shows, now that they have the power of making laws in their own hands, they are encouraging the use of intoxicating liquors and making it easier for people to get liquor. I should like to see this bill defeated, and the liquor traffic kept within its present bounds. I hope when the government get the petition of the temperance people all over Canada, asking them to hold their hands and send no more whisky to the Yukon, that they will grant their prayer. But it is too late to wholly stop the traffic; the government have opened wide the flood gates and poured whisky into that country already. If they were to take more provisions and less liquor to the Yukon, it would be very much better for humanity's sake. If they would do this, there would not be so many starving people, and money would not be wasted in the purchase of liquor and maintaining gambling dens. I hope, hon. gentlemen, that the government will not press this bill for a third reading, but that they will withdraw it.

Hon. Mr. SCOTT—I do not propose to follow the hon gentleman in all his diatribes against the government; they are evidently based upon political prejudice. Any one who listened to his observations and knows the fact can come to no other conclusion. The members of this government, before the change of government, gave no pledge that they were going to introduce more stringent liquor laws that were in existence; they promised that a plebiscite should be taken, and it has been announced that that would be done within a very short time. When the late government were issuing permits into that country, the hon. gentleman's voice was entirely silent. It was all well enough then.

Hon. Mr. PERLEY—They were issued for only two gallons.

Hon. Mr. SCOTT—I will read what the late government did. On the 26th June, 1895, the Alaska Commercial Company got a permit for 1,000 gallons. On July 3rd they got another permit for 1,000 gallons. On the 10th July, 1896, the North American Transportation Company got a permit for 1,000 gallons, and on the same day, 10th July, the Alaska Trading Company got a permit for 3,940 gallons. That was before the change of government.

Hon. Mr. PERLEY—I think it was wrong.

Hon. Mr. SCOTT—The hon. gentleman found no fault with them. On the same day there was a permit granted for 2,500 gallons of ale and claret.

Hon. Mr. PERLEY—I do not think that return is correct, because there were no people in the country then.

Hon. Mr. SCOTT—The hon. gentleman does not believe that this is correct, but if he chooses to consult the public accounts he will find the items there. He will find there were permits for nearly six thousand gallons issued a few days before the change of government; and at that time it must be

remembered that the population of that country was very much less that it is to-day, not one-fourth. Then the hon. gentleman has the returns from that date down to 1897. He will find that there has been about the same quantity issued since the change of government.

Hon. Sir MACKENZIE BOWELL—Were not those permits issued by the government of the North-West Territories? I understand the authority was vested in the Lieutenant Governor of the North-west Territories to issue permits for certain purposes. That was never authorized by a federal law or by instructions from the department at Ottawa. I was not in the government at that time, but that is my impression as to the law.

Hon. Mr. SCOTT—I understood that it was through the Department of the Interior.

Hon. Sir MACKENZIE BOWELL—But that is only your impression?

Hon. Mr. SCOTT—No; I was told so by Mr. Sifton, and I have no doubt that is true. In the return I get there was one quantity for which $1,250 was paid on the 26th June, 1897. The Lieutenant Governor was asked for the quantity, but no answer was received. This would indicate that they were not all formally from the Lieutenant-Governor, but had really originated here. However, I will look at the correspondence. I am advised there has been no departure from the order that prevailed under the government. The Lieutenant Governor of the North-west Territories, or his Council, really exercised no prerogative rights in the Yukon district—that is clear, although it nominally came under their control.

Hon. Sir MACKENZIE BOWELL—Not nominally.

Hon. Mr. SCOTT—It did not, as a matter of fact. They were not going to any expense in connection with that country, and it was at the instance of the Department of the Interior that permits were granted. That is what I am advised by the Department of the Interior. I suppose I could look up the correspondence. I asked for information from the Minister of the Interior. Now, hon. gentlemen will see that since June, 1897, this government issued permits for very little liquor to be taken into that country. On August 7th William Chambers got a permit for 1,000 gallons; August 20th Sullivan, McLeod and McPhee got permits for 500 gallons, August 30th one Menzies for 500 gallons; February 24th another man got a permit for 8 gallons, and on March 21st Dr. J. E. Rimer got an order for 50 gallons. These two latter were marked "for personal use." Now, in reference to the matter that is immediately under the consideration of the House, the hon. gentleman attacks this bill as a menace to the temperance sentiment of the country. I deny that absolutely and emphatically. In the first place, it is no part of the policy of the government; it is purely a departmental matter. I never heard of the bill, nor did any of my colleagues, until it came into the Senate here. The hon. gentleman knows very well that the deputy heads come in direct contact with the trade and are well aware of the changes that ought to be made to meet the convenience of the public. My hon. friend allowed his imagination to carry him away as to the evils which would ensue in the direction of intemperance if this bill should be passed. I deny that this bill is in that direction. I have just as good a right to draw the conclusion that it is more dangerous for a man to take twenty-five gallons than ten gallons. The liquor goes to the wholesale men from the distilleries and bonded warehouses. I do not know enough about the trade to give an absolute opinion; but that is the impression I had formed. It is not a question of the retail trade. Of course through the retail trade the evils of intemperance by selling smaller quantities are increased. The hon. gentleman may relieve his mind of any idea that it was one of the purposes of the bill to make it impossible that liquor could be obtained on easier terms. That was not the intention at all.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has not read the permits that were given in 1897; he has confined himself to 1896.

Hon. Mr. SCOTT—I commenced at 26th June, 1895, and the quantity issued by the late government in that period—less than 13 months—was 9,000 gallons.

Hon. Sir MACKENZIE BOWELL—If you had gone a little further and read 1897

you would have found that on 5th May, permits were issued for 4,157 and 2,000 gallons to one company.

Hon. Mr. SCOTT—That is the Alaska Commercial Company.

Hon. Sir MACKENZIE BOWELL—However, coming back to the bill itself, which is the principal point, would the hon. gentleman tell us the cause for the change from twenty-five to ten gallons?

Hon. Mr. SCOTT—The reason given by the department was that the object is to meet the requirements of the trade, there being no objection thereto from a revenue standpoint.

Hon. Sir MACKENZIE BOWELL—I want to compliment the government on their departure from former practices of governing the country. The hon. Secretary of State has just told us that neither himself nor his colleague knew anything about this bill till it came to the House. That is one of the benefits arising from individual government of departments. Here is a bill involving not only details of administration, but a principle and a policy, and the Minister of Inland Revenue frames a bill changing the whole policy of the government in reference to the taking of liquor out of bond and also changing a number of other clauses of which the hon. gentleman and his colleague know nothing at all. I never would have thought of accusing the government of permitting this course.

Hon. Mr. SCOTT—The bill rested with the Minister of Inland Revenue, and I think the head of the department might at least have authority enough, if he thought it wise, to meet the demands of the trade by reducing the quantity in the packages from twenty-five to ten gallons.

The motion was agreed to, and the bill was read the third time and passed.

SECOND READING.

Bill (32) "An Act respecting the Ontario and Rainy River Railway Company"—(Hon. Mr. Clemow.)

HEYWARD DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the eighth report of the Standing Committee on Divorce in *re* Heyward Relief Bill. He said: The evidence before the committee has proved and fully established the allegations and facts set forth in the bill.

The motion was agreed to, and the bill was read the third time and passed.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 5th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

DOMINION BUILDING AND LOAN ASSOCIATION BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (41) "An Act respecting the Dominion Building and Loan Association" without amendment.

Hon. Mr. POWER—There are two professional gentlemen here from Toronto looking after this bill, and as the House is about to adjourn for some time, I think a good deal is to be said in favour of suspending the 70th rule and reading this bill the third time presently. I therefore move that the 70th rule be suspended.

Hon. Mr. MILLS—This bill has a title which has been objected to by two institutions already in existence, the Dominion Saving and Investment Society and the Canada Permanent Loan Society. Now the use of the word "permanent" is objected to by the one, and the use of the word "Dominion" by the other, as being likely to lead to confusion. I understand these companies have already received communication showing that confusion may take place. It seems to me that the parties who are seeking this legislation ought not to be so obstinate with regard to the title of the company that they wish to adopt. I do not think it is fair that a new institution should undertake to adopt a name resembling that of an existing institution, and my opinion is

that the matter has not been adequately represented to the committee. I was written to by the Dominion Savings and Investment Society of London, calling attention to the fact that the use of the word "Dominion" in this bill makes the name so like theirs that confusion is likely to result; and the use of the other word "permanent," that is already in the name of the Canada Permanent Loan Society, is likely also to lead to some confusion. Now, I admit that a prescriptive right to the use of a word cannot be acquired, yet it is a well recognized rule in the incorporation of institutions of this sort, that when a name is likely to conflict with that of an existing institution, it is due to the public and to the existing institution that the name should be different so that confusion may be avoided. This matter has not been, perhaps, adequately considered and fully represented to the committee.

Hon. Mr. ALLAN—While I agree very much with the views of the hon. Minister of Justice with regard to the propriety of allowing the name, yet I am bound to say that the matter was very fully discussed before the committee. Counsel were heard on both sides and the committee, without any dissenting voice, passed the bill without amendment. Therefore, I have nothing else to do but to report it. But I think there is a still more serious question involved—the question of jurisdiction—that is, whether this parliament has any right whatever to deal with an Ontario charter as it is dealt with there. I suggested that the consideration of the bill should be postponed until the matter could be more fully discussed but the committee passed the bill without amendment, and I can only so report it.

Hon. Mr. ALMON—I perfectly agree with what has fallen from the hon. Minister of Justice. There is a society in Nova Scotia known as the Nova Scotia Permanent Building Society, which my hon. friend from Colchester (Mr. McKay) will give information about. It has been in existence forty or fifty years, and a short time ago got permission to do business in other parts of Canada. It is scarcely fair to charter another company with a similar name, and therefore I agree with the Minister of Justice that the third reading should be deferred. Otherwise I shall oppose the suspension of the rule.

Hon. Mr. POWER—I do not think that there is a great deal of force in the objection made by my hon. colleague.

Hon. Mr. ALMON—Hear, hear. I did not think you would.

Hon. Mr. POWER—It shows that I must be right when the hon. gentleman and I so agree. The name of the institution in which my hon. friend is interested is the Nova Scotia Permanent Building and Loan Society and Savings Fund, and hon. gentlemen will see that there is not much danger of its being confounded with the Dominion Permanent Loan Company. The resemblance must be greater before the older company has a right to complain. The hon. Minister of Justice seems to think that because the word "permanent" appears in the name of this company, and that it is also in the names of other companies, that is a sufficient reason why this company should not be allowed to use the word "permanent" in its name. It does not seem to me that "permanent" is a word that any company should have a right to copyright. It is a word in common use and indicates a quality which is common to a great many companies. There are scores of permanent loan companies in the country, and I fail to see that there is any reason why this company should not be permitted to call itself a permanent loan company as well as the companies which are now in existence. Then as to the word "Dominion"; we have scores of companies in Canada into the names of which the word "Dominion" enters, and I do not think that is a sufficient objection to keep the bill from passing. As the chairman has said, the question of the name was fully considered in committee, and the committee were nearly unanimous in the decision they arrived at to report the bill without any amendment. Then if I may be allowed to say a word on the question of jurisdiction, to which the hon. chairman of the committee referred, I may say that this bill now before us is not a measure which transfers this company from the jurisdiction of the legislature of Ontario to the jurisdiction of this parliament. This is a bill to amend, as I understand it, an Act which was passed last year, and the change of jurisdiction, whether rightly or wrongly, has already taken place and the object of this bill is simply to give a company a name

which is more suitable to its character than the name which it bore before.

Hon. Mr. GOWAN—I am almost equally interested in both these companies. I certainly stand somewhat indifferent between them. While the word "permanent" might not be objectionable, I think the compound word "Dominion permanent" and "Canada permanent" might be liable to lead to confusion. Dominion means Canada.

Hon. Mr. POWER—The name is different. However, I move that this bill be read the third time at the next sitting of the House.

The motion was agreed to.

UNION BANK OF CANADA BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (24) "An Act to amend the charter of the Union Bank of Canada," with an amendment.

Hon. Mr. McKAY—In the absence of the hon. gentleman who has this bill in charge, I beg to move that the amendment be now concured in.

Hon. Mr. ALMON—I should like to draw the attention of the House to the fact that there is a bank in Halifax which has existed for some forty odd years and which is called the Union Bank of Halifax. It is a very great pity that any new bank should be started with the same name as this. The notes of these banks will circulate all through the Dominion and there should not be two banks of the same name. The objection is self-evident.

Hon. Mr. DEVER—It will make no difference where the notes are circulated. The government sees that there is proper security for the issue of notes.

The motion was agreed to.

TOBIQUE MANUFACTURING COMPANY'S BILL.

SECOND READING.

Hon. Mr. PERLEY, in the absence of Hon. Mr. Baird, moved the second reading of Bill (K): "An Act to incorporate the Tobique Manufacturing Company."

Hon. Mr. MILLS—Has the bill been printed?

Hon. Mr. PERLEY—I am informed it has been printed, but it has not been distributed, and the movers of it wish to have it passed so as not to lose time. I do not think there is any objection to the bill and it may as well be read now and considered in committee afterwards.

Hon. Mr. MILLS—I should like to see the bill. I judge from the title that it is a local bill, and should, therefore, be under the jurisdiction of some province rather than under the jurisdiction of this parliament.

Hon. Mr. PERLEY—Then I have no objection to let it stand.

Hon. Mr. MILLS—However, as it will go to committee it may be read the second time.

The motion was agreed to and the bill was read the second time.

CERTIFICATES TO MASTERS AND MATES OF SHIPS ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (37) "An Act further to amend the Act respecting Certificates to Masters and Mates of Ships."

(In the Committee.)

Hon. Mr. MILLS moved the adoption of the second clause. He said: I read a statement to the House when this bill was under discussion that the provision of this clause is for the purpose of extending the law as to persons who may obtain certificates. It provides that an applicant sufficiently qualified by his knowledge and experience may receive a certificate to take charge of a steamboat of not more than ten tons.

Hon. Mr. WOOD—Is it intended to apply to tug boats?

Hon. Mr. MILLS—To boats of not more than ten tons. I do not know of any tugs of that size.

Hon. Mr. POWER—I wish to call the attention of the government to a matter in connection with this bill. The object of this chapter of the Revised Statutes respecting certificates to masters and mates of ships is, of course, to provide that where the voyage a large ship is to take is of a serious character and would naturally require a skilled master to undertake it, the master shall have a certificate and, in most cases, the mate shall have a certificate too. If any hon. gentleman will look at the first section of chap. 73 of the Revised Statutes, which the bill before us proposes to amend, he will see that in paragraph "E" of that the expression "sea-going ships" is said to include "every ship employed in trading or going between some port or place in Canada and some port or place out of Canada not being a port or place in Newfoundland or in the United States of America"; and under "G" "coasting voyage" includes a voyage between Canada and Newfoundland or the United States of America; so that a vessel might go from any place in Canada to a port or any place in Newfoundland or to the United States of America under the original provisions of the Act chap. 73 Revised Statutes. Then if a vessel was to go to England, for instance, or to South America, the voyage would be looked upon as being of a more important character and requiring greater qualifications on the part of the master, and he had to have a certificate. In 1889 this parliament passed an amendment to this Act and made the following change in substitution for paragraph "E," which I have just read:

The expression "sea-going ship" includes every ship employed in trading or going between some port or place in Canada, and some port or place out of Canada not being a port or place in Newfoundland, or in St. Pierre, or Miquelon, or in the United States of America, or in Bermuda, or in any part of the West Indian Islands, or on the east coast of South or Central America; and the expression "coasting voyage," is extended to meet the change.

Hon. gentlemen will see that by an Act passed in 1880, the voyage to St. Pierre and Miquelon, the voyage to Bermuda or any of the West India Islands, or any port on the east coast of Central or South America, were all made coasting voyages. I cannot understand why a voyage to the east coast of South America should be made a coasting voyage more than a voyage to Europe. The truth is that the voyage from our Atlantic coast to England is a voyage that does not require as much skill as one to Central America or the east coast of South America. Then, in 1894, a further amendment was made. If hon. gentlemen will look at chapter 42 of the statutes of 1894, they will find the following:—

The expression "sea-going ships" includes every ship employed in trading or going between the same port or place in Canada, and the same port or place out of Canada not being a port or place in Newfoundland, or St. Pierre, Miquelon, or in the United States of America, or in the West Indies or South America, or in Central America or Mexico.

The expression "coasting voyage" includes a voyage between Canada and Newfoundland, or St. Pierre or Miquelon, or a port or place in the United States of America, or in the West Indies or South America, or in Central America or Mexico.

And the expression South America means any port or place on the mainland or adjacent islands between the south-eastern extremity of French Guiana and the Isthmus of Panama in the Pacific Ocean following the coast line by way of Cape Horn.

So it is a coasting voyage from Montreal to a port in Mexico on the Pacific coast, while it is not a coasting voyage from Montreal or Quebec across to Ireland. It seems to me that, to be logical, we should say that a coasting voyage shall be a coasting voyage, or that these certificates shall not be required at all, nothing beyond a coaster's certificate. And if it be necessary that a ship going to England shall have a certified master, surely it is just as necessary to a ship going round Cape Horn to Lower California or some port in Mexico or Central America shall have a certified master. I felt it was my duty to call the attention of the government to the very illogical and unsatisfactory condition in which the law now stands.

Hon. Mr. ALMON—I think that must be owing to the fact that "coasting voyage" is a very uncertain term. For instance, supposing an English vessel were to go to New York and sail from there round Cape Horn to San Francisco, the United States authorities might say that is a coasting voyage and you cannot carry a cargo. In England if you sail from Kinsale to John O'Groat's House you can carry freight, but the United States government, with the very great love they have for us, will tell you that an English vessel could not go from New York to San Francisco, although it is a voyage of 6,000 miles, because it is a "coasting voyage."

Hon. Mr. MILLS—I might say to the hon. gentleman, I remember very well the

discussion which took place in the House of Commons when those amendments to this statute were under consideration. I think Sir Hibbert Tupper was the Minister of Marine and Fisheries at the time, and those amendments were proposed by him. I dare say the facts are well remembered by the leader of the opposition. I cannot say what induced him to propose the amendments, but I suppose the men of the maritime provinces, engaged in sailing, were found to have the necessary practical skill to enable them to take charge of vessels sailing to the coast of South America and the West India Islands and Central America, although they could not have passed the required examinations under the law as it then stood and obtain the necessary certificate. I cannot say how that may be, but I assume that is the case. What view my colleague, the Minister of Marine and Fisheries, may take of the question raised by the hon. member for Halifax I cannot say, but that matter is not touched by anything that is in this bill. We simply extend to parties without an examination the privilege of obtaining temporary certificates for sailing very small steamers, those under ten tons and capable of carrying not more than ten passengers, whose voyage must be on inland waters; and this amendment is made because it has been found necessary to give them protection against the penalties that might otherwise be imposed on them for not holding certificates.

Hon. Mr. McCALLUM—There must be some examination, I should think, before granting a certificate.

Hon. Mr. MILLS—The examination is not a literary one, but in order to see if they have the necessary experience. I remember a case on the River Thames where a party was subjected to a very heavy fine, although he had as much experience in the navigation of the river as any one who could pass a high literary examination. It is to meet cases of that sort that this amendment to the bill is proposed.

Hon. Mr. WOOD—Could the hon. leader of the House say just what the minor inland bodies of water of Canada embrace? Would it apply to such places as the Bay of Fundy?

Hon. Mr. MILLS—My hon. friend will see that the bill applies to vessels of not more than ten tons, and of course in the very nature of things those vessels are confined to inland waters. No one would care to trust his life in the open sea or in the Bay of Fundy in a little steamer of not more than ten tons burden.

Hon. Mr. WOOD—I think there are small boats and tugs on the Straits of Northumberland, and I know that this very question came up a few years ago, and there was a good deal of difficulty about it.

Hon. Mr. MILLS—They would be inland waters, but it is a narrow question.

Hon. Mr. WOOD—That is just the question I was raising, whether the harbours in places like Halifax would be considered inland waters.

Hon. Mr. MILLS—I take it they would.

Hon. Mr. WOOD—I was not sure about that. I thought possibly the expression might only include lakes and rivers.

Hon. Sir MACKENZIE BOWELL—The provision is a good one and I can give an illustration similar to the one mentioned by the Minister of Justice. When I was a member of the government it came up before us. There was a small tug on what is known as the Mississippi, a stream that you could almost jump across, connecting with the waters of the Madawaska, which empties into the Ottawa. That vessel did nothing but carry grain from the new settlements on the free grants down to the mill at a place called Denison's Bridge. They could not afford to employ a certificated engineer, such as is necessary under the law, but I know we found some difficulty at that time, and were unable, on account of the strong and strenuous opposition to any change, to amend the law. This amendment will meet that case exactly where the boat is on an inland water and no danger can arise.

Hon. Mr. MILLS—Yes.

Hon. Mr. VIDAL, from the committee, reported the bill without amendment.

Hon. Mr. MILLS moved the third reading of the bill.

Hon. Mr. WOOD—I should like to call the minister's attention again to the point I

have just raised. I know there are some small tugs, which go from one place to another along the northern coast of New Brunswick. They are careful to go in fine weather, and and some of them are used for towing small deal rafts, and that sort of thing. I supposed this was intended to apply to those cases, and it will unless the wording "minor inland waters" shuts them out. I think it is desirable they should be included.

Hon. Mr. MILLS—The words of the bill are "plying within specified limits in the minor inland waters of Canada." The certificate must be for a voyage within a specified limit, and there will be no difficulty.

Hon. Mr. WOOD—I approve of the bill, but I simply wanted to be sure that it would apply in the case I have mentioned.

The motion was agreed to and the bill was read the third time and passed.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 20th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (41) "An Act respecting the Dominion Building and Loan Association."—(Hon. Mr. Power.)

Bill (53) "An Act to incorporate the Prudential Life Assurance Company of Canada."—(Hon. Mr. Vidal.)

Bill (24) "An Act to amend the charter of the Union Bank of Canada," as amended.—(Hon. Mr. McMillan.)

SECOND READING.

Bill (J) "An Act to incorporate the Lake Superior and Rocky Mountains Navigation Company."—(Hon. Mr. Clemow.)

INSPECTION OF STEAMBOATS BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (39) "An Act respecting the Inspection of Steamboats and the examination and licensing of Engineers employed on them."

(In the Committee.)

Hon. Mr. SCOTT—This bill is a codification of the various Acts respecting the inspection of steamboats and the examination and licensing of engineers. The last general Act, as found in the revised statutes of Canada, was codified in 1886. Since that time, in every year but one, amendments have been made to the Act until it became rather confusing as to what the law really was governing the inspection of steamboats, and the various Acts have, therefore, been codified. There is no change until we reach "l" in the interpretation clause

(*l.*) The expression "passenger steamboat" means any steamboat carrying any person other than the master and crew, the owner, his family and the servants connected with his household; except steam yachts used exclusively for pleasure or private use without hire of any kind.

The expression "tug boat" means a steamboat used exclusively for towing purposes. It will be observed that the interpretation clause has been enlarged to include tug boats.

Hon. Sir MACKENZIE BOWELL—How will the enlargement of paragraph "l" affect the bill passed during this session lowering the standard of engineers where they navigate with small steamers carrying passengers on the back lakes and rivers? I remember calling the attention of the hon. gentleman to one of the streams running from the Mississippi down to the Madawaska. This will not interfere with that I suppose?

Hon. Mr. SCOTT—Oh, no.

The clause was adopted.

On clause 20.

Hon. Mr. SCOTT—There is very slight change in that.

20. Whenever the engine of any steamboat is stopped for [over five minutes,] the engineer or the master or person in charge of such steamboat shall open the safety valve, so as to keep the steam in the

boiler below the pressure limited by the inspector's certificate,—and every person who violates any provision of this section shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars.

The existing Act says "ten pounds below," it now reads "below the pressure limited by the inspector's certificate," and the penalty is changed from $100 to $200.

Hon. Sir MACKENZIE BOWELL—Does clause 20 give the inspector the option to define what the pressure shall be? Does he give the certificate in proportion to the size and strength and horse power of the engine?

Hon. Mr. SCOTT—That does not bear on that point.

Hon. Sir MACKENZIE BOWELL—Yes. You see under the old law it declared only ten pounds and now it leaves it optional with this inspector to declare what the pressure shall be. That leaves it exclusively in the discretion of the inspector, does it not?

Hon. Mr. SCOTT—The inspector gives a certificate for a certain pressure of steam, and then if the engineer stops for five minutes, instead of, as formerly, keeping the pressure ten pounds below the high limit he simply keeps it below, it leaves it in the discretion of the engineer to say how many pounds below the limit it shall be when the boat is stopped, but it must be below the limit.

Hon. Sir MACKENZIE BOWELL—But by this law the limit is defined by the inspector and not provided for by law.

Hon. Mr. SCOTT—It is left discretionary. It must be below, of course.

The clause was adopted.

On subsection 2 of clause 35.

Hon. Mr. LOUGHEED—Is it intended that a person employed to keep watch or put in charge of the engine room in the absence of the engineer shall be an engineer.

Hon. Mr. SCOTT—I presume so.

Hon. Mr. LOUGHEED—Let us assume for a moment that an incompetent man is put in charge; in law, he is considered an engineer and if considerable damage accrues from his being there, the owner of the boat is exempt from the consequences of putting an incompetent man in charge.

Hon. Mr. DRUMMOND—That is covered by clause 35 which provides that "no person shall employ another as engineer, and no person shall serve as engineer unless the person employed or serving as engineer holds a certificate of competency."

Hon. Mr. SCOTT—He is a locum tenens, but he must have all the qualifications.

Hon. Mr. LOUGHEED—I should like my hon. friend to point out the clause which requires him to have qualifications. He is simply a watchman.

Hon. Mr. SCOTT—He must have the qualifications under section 35.

Hon. Mr. LOUGHEED—Then why do you not state such person keeping watch or charge of the engine shall have the qualifications described in section 35? He is not put there as an engineer.

Hon Mr. SCOTT—No one could be put in charge unless he had the qualifications of an engineer.

Hon. Mr. DRUMMOND—The subsection could be qualified by saying that he shall hold a certificate.

Hon. Mr. POWER—The meaning of the subsection is this: in a steamboat which is required to have only one engineer, if the engineer is obliged, for any reason, to leave the engine room temporarily, he can leave some one in charge; and it would be a great mistake to require that man to hold an engineer's certificate.

Hon. Mr. DRUMMOND—This measure is not to apply to boats under a certain size. It seems to me that any one who is entrusted with the charge of an engine in a boat of the character described in this clause, should have the qualifications of an engineer.

Hon. Sir MACKENZIE BOWELL—It clearly says this, that you can put any person in charge of the engine room of any steamboat, and then it goes on to say that while serving and employed as an engineer, while keeping such watch or while in charge

he shall have all the powers of an engineer who has a certificate.

Hon. Mr. SCOTT—That clause had better stand until to-morrow. I will get some further explanation about it.

Subsection 2 was allowed to stand.

On clause 48, defining the owners' and masters' liability for non-observance of the Act.

Hon. Mr. DRUMMOND—This seems to be a peremptory clause. Some provision should exist for notifying the owner of the vessel.

Hon. Mr. LOUGHEED—What is the law as it stands to-day? What is the punishment for infraction of the law?

Hon. Mr. SCOTT—This is a new clause giving greater powers for the enforcement of the law.

Hon. Mr. DRUMMOND—It provides that "if the penalty is not paid forthwith" the steamer shall be liable to be seized and sold by any chief officer of customs or any other person thereto directed.

Hon. Mr. MACDONALD (B.C.)—There must be a conviction first.

Hon. Mr. POWER—The clause ought to provide that the vessel should be sold only after due advertisement.

Hon. Mr. DRUMMOND—That is exactly my meaning.

Hon. Mr. POWER—Some notice of the sale should be given, because otherwise the customs officer who seized the vessel might sell it without giving due notice, and it might be bought in for a trifle.

Hon. Mr. SCOTT—Any officer who would do that would be dismissed by the department forthwith.

Hon. Mr. LOUGHEED—That would not be any consolation to the owner.

Hon. Mr. SCOTT—These powers are never exercised in that way.

Hon. Sir MACKENZIE BOWELL—The Secretary of State is in error in saying that these powers are never exercised. The greatest difficulty in disposing of vessels forfeited for infractions of the customs laws has been to find a purchaser. The Customs Department has found it difficult to get one-twentieth part of the value of a vessel when sold in the locality where it is owned, and hence the necessity of either removing the vessel from the locality where it is owned to some other part of the Dominion or, by giving due notice all over the country, directing the attention of those engaged in the trade to the sale. My experience has been the same as that of the hon. gentleman from Halifax; there has been great difficulty in finding purchasers for vessels to be sold under such circumstances, and they have often lain there until they rotted.

Hon. Mr. LOUGHEED—Why should not my hon. friend adopt the law of the particular province in which the seizure is made?

Hon. Mr. SCOTT—Oh, no; the laws for enforcing the penalties by the department must be uniform and independent.

Hon. Mr. DRUMMOND—Under this clause, the owner of a boat might charter the boat to a man, and that man, having no fear, disobeys the law, and a conviction is secured against him, and the property is sold without any notice to the owner.

Hon. Mr. SCOTT—That is a highly improbable case. The Crown never takes such active steps against parties. Business of that kind goes on for months and years, as we all know, and the party is guilty of an infraction of the law, but the Crown is always supposed to exercise its powers with some degree of discretion and prudence.

The clause was allowed to stand.

On clause 52.

Hon. Mr. SCOTT—That is the old section, except the word "minister" is substituted for "Governor in Council." It is to avoid the necessity of going to council for an Order in Council for an investigation. It is a departmental matter.

Hon. Mr. LOUGHEED—Under section 52, has the person charged a right to also take part in that investigation, and to call witnesses in his defence?

Hon. Mr. SCOTT—I think so. The Crown makes a full and fair investigation of all the facts.

Hon. Mr. LOUGHEED—It does not seem to contemplate it in that section.

Hon. Mr. SCOTT—You cannot make an investigation and hear only one side.

Hon. Mr. LOUGHEED—He seems to be invested with the power of summoning the witnesses, and he may summon whatever witnesses he chooses.

Hon. Mr. SCOTT—It is a part of the old law.

Hon. Sir MACKENZIE BOWELL—With that very important exception. You place the whole power in the hands of the minister administering the department, instead of compelling him to report to council and getting authority for making the investigation.

Hon. Mr. MILLS—It is purely a departmental matter, and should not be in the hands of the council.

Hon. Sir MACKENZIE BOWELL—I would not admit that.

Hon. Mr. SCOTT—The council will be governed entirely by the minister in a matter of that sort.

The clause was adopted.

On clause 57.

Hon. Mr. SCOTT—Clause 57 says, "The Acts mentioned in the firstschedule to this Act are hereby repealed."

Hon. Mr. LOUGHEED—Why not say that those Acts should not apply, instead of repealing the former Acts? You undertake to repeal the Merchants Shipping Act.

Hon. Mr. SCOTT—Yes, the vessels are under our control.

Hon. Mr. LOUGHEED—I suppose the intention is that those Acts should not apply to Canada, so far as they are inconsistent with this Act?

Hon. Mr. SCOTT—Yes, that is it.

Hon. Mr. LOUGHEED—But you have used the expression "repeal." You cannot repeal that Act.

Hon. Mr. MILLS—You can repeal it, so far as Canada is concerned. It operates now, and ceases to operate when this Act comes into force. That is a repeal.

Hon. Mr. LOUGHEED—Does it apply to Canada by reason of Canadian legislation, or is it one of those Imperial acts which apply to the whole of the colonies?

Hon. Mr. POWER—It is an Imperial act.

Hon. Mr. LOUGHEED—Then you cannot use the word "repeal" with regard to it.

Hon. Mr. MILLS—Yes, under the powers given to us we can repeal it.

Hon. Mr. LOUGHEED—It surely does not say the Canadian parliament has the power to repeal any portion of that Act.

Hon. Mr. SCOTT—Oh, yes. When we pass laws inconsistent with it, we are supplanting it.

The clause was allowed to stand.

On clause 35.

Hon. Mr. MILLS—I think we might adopt subsection two of clause 35 which was objected to. The practice, it seems, prevails to some extent of employing a person in the way suggested by subsection two, and this is intended to make that regulation in the first part of the section, relating to the qualification of engineers, apply to those persons who are temporarily employed to discharge the duties of an engineer. So that any person keeping watch or in charge of the engine room of any steamboat, mentioned in this section, while in motion shall be deemed to be serving and employed as an engineer while keeping such watch or while so in charge. The clause declaring that such person shall be deemed to be an engineer, serving as an engineer, comes within the earlier portion of the section and he must have a certificate in order that he may discharge these duties.

Hon. Mr. DRUMMOND—That is the view I took of it and I approve of the section. I went a little further than the section and suggested that in order to make it absolutely clear we should insert the words "and hold a certificate as such."

Hon. Mr. POWER—I feel that I was mistaken.

Hon. Mr. LOUGHEED—I differ with the hon. Minister of Justice, because section 35 contemplates the employment of a person in the capacity of an engineer, and it says when you employ a person in the capacity of an engineer that he shall possess certain qualifications. Subsection two contemplates something entirely different. It contemplates the engineer being absent for the time being. Then it says :

Any person keeping watch or in charge the engine room of any steamboat mentioned in this section shall be deemed to be serving and employed as engineer while keeping such watch, or while so in charge.

Why should he be deemed to be serving as engineer if he is a properly certificated engineer ? I do not object to the section itself, but I do object that such a person should be deemed to be an engineer, while under the section he may not be an engineer, and that the owner should enjoy immunity from damages by reason of his placing such a person in charge of that vessel.

Hon. Mr. MILLS—That is just what the section does not do. He being deemed to be an engineer has imposed upon him the necessity of having an engineer's qualifications :—

No person shall employ another as engineer, and no person shall serve as engineer on any passenger steamboat, of whatever tonnage, or on any freight steamboat of over one hundred and fifty tons gross, unless the person employed or serving as engineer holds a certificate.

Subsection two declares that the person discharging certain duties in the engine room shall be deemed to be an engineer. If he is deemed to be an engineer, then he must have a certificate.

Hon. Mr. LOUGHEED—If he is a properly qualified engineer, why should he be "deemed" to be an engineer ?

Hon. Mr. MILLS—The reason is that many steamboats take one engineer and put parties temporarily in charge, in the way spoken of, and these parties were not engineers and were not to be deemed engineers. This brings the party so employed within the definition of an engineer and says he must have the qualifications.

Hon. Sir MACKENZIE BOWELL—If that is the meaning why not make it read "any person being duly qualified as an engineer and keeping watch in the engine room" and so on ?

Hon. Mr. MILLS—The object is to prevent parties being put in charge unless duly qualified.

Hon. Mr. DRUMMOND—No engine should ever be put in charge of a person who is not duly qualified.

Hon. Mr. MILLS—And that is the intention of the clause.

The clause was adopted.

Hon. Mr. OGILVIE, from the committee, reported that they had made some progress with the bill and asked leave to sit again to-morrow.

BILLS INTRODUCED.

Bill (59) "An Act to incorporate the Victoria and Montreal Fire Insurance Company."—(Hon. Mr. MacInnes.)

Bill (100) "An Act respecting the Hamilton and Lake Erie Power Company."—(Hon. Mr. Clemow.)

Bill (34) "An Act respecting the Columbia and Western Railway Company."—(Hon. Mr. MacInnes.)

Bill (45) "An Act respecting the British Columbia Southern Railway Company."—(Hon. Mr. MacInnes.)

Bill (44) "An Act to confirm an agreement between the St. Stephen and Milltown Railway Company and the Canadian Pacific Railway Company."—(Hon. Mr. MacInnes.)

Bill (57) "An Act respecting the Manufacturers Guarantee and Accident Insurance Company, and to change its name to the Dominion of Canada Gurantee and Accident Insurance Company."—(Hon. Mr. Sanford.)

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 21st April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

PACIFIC AND YUKON RAILWAY NAVIGATION AND MINING COMPANY'S BILL.

MOTION.

Hon. Mr. LOUGHEED moved,—

That the bill intituled: "An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company," be restored to the Orders of the Day for a second reading, "together with the motion in amendment of the Honourable Mr. Mills that the said bill be not now read a second time but that it be read a second time this day six months," and that it be made the first order of the day.

He said: The motion before the House to-day, as hon. gentlemen are doubtless aware, is for the restoration upon the order paper of the second reading of a bill to incorporate the Pacific and Yukon Railway Navigation and Mining Company. This matter has been fully discussed in its various phases—and more particularly when I moved the second reading of the bill a few days previous to the adjournment—that it would be entirely unnecessary for me to enter upon a discussion of the bill at this stage. I, however, should like to say that the feeling of the House, when the adjournment of this debate was carried was in favour of the bill having a second reading, and I am satisfied that if, upon that occasion, the feeling of the House had been tested there would have been an expression in accordance with the statement I have just made. It is a most unusual thing that a private bill of this character should be discussed as to its principle on the second reading, particularly when the bill itself is so free from anything of an obnoxious character as this bill is. We invariably have sent such bills to the Railway Committee, where due explanation can be made by the promoters, and where if it is considered desirable the bill can be thrown out. I presume if this motion is carried it will place the bill upon the order paper for to-morrow.

Hon. Mr. MILLS—I am not going to oppose the putting of this motion upon the paper, but I am still opposed to the hon. gentleman's bill. I believe that if the bill becomes law, it will seriously stand in the way of the possibility of building a railway upon Canadian soil, and while promoting United States trade, if constructed, it will prove a serious impediment to the extension of our trade into a part of Canadian territory. For that reason, and also for the political considerations which I mentioned when the hon. gentleman moved the second reading of this bill, I am still opposed to the object which this measure is intended to accomplish.

Hon. Sir MACKENZIE BOWELL—It is not my intention to discuss the merits of this bill or to reply to the remarks made by the hon. Minister of Justice, but I desire to call the attention of the House to the rule pertaining to the adjournment of a debate. When I moved that the debate upon this question be adjourned without fixing a day for continuing the debate, I supposed that it would have remained upon the notice paper, as is the practice in the House of Commons, but after the motion was carried and the House adjourned, I was informed by the clerk that, no day having been set for the consideration of the question, it necessarily fell to the ground. Such was not my intention when I made the motion, nor did I suppose for a moment that the non-fixing of a day for the resuming of the debate was tantamount to removing it from the order paper, or, in other words, killing the bill. It would be well if we had some positive rule in reference to a question of this kind, or, if not a rule, that it should be understood by every senator that when he moves the adjournment of a debate, he must of necessity mention a date when it shall be resumed, otherwise, it would enable any member to kill a bill, as is done by moving that a committee rise without reporting. I do not know any ruling on the subject which would justify the interpretation which has been put upon our rules. The explanation made by those who have kept the records in the past has been that it has been the practice. Whatever may have been the practice, it should be distinctly understood that no member of the House in the future, no matter what his parliamentary experience may be, shall be placed in such a position.

Hon. Mr. BERNIER—The hon. Minister of Justice has just given as a reason for

opposing this bill that the passage of it would hamper the action of the government. That is a very serious statement, and one which this House should take into consideration. The government should state to parliament what they contemplate doing, so as to put this House in a position to appreciate whether they should vote for this bill or not.

The motion was agreed to.

THE EMPLOYMENT OF CHARLES RUSSELL, SOLICITOR.

INQUIRY.

Hon. Mr. LANDRY inquired,—

1. Is Mr. Charles Russell, of London, England, solicitor, in the employment of the government, or has he been so at any time since the 1st July, 1896?
2. What is the nature of such employment, and what are the services rendered by Mr. Russell?
3. What is the salary or what are the emoluments attached to such employment?
4. Has the government, at any time from the 1st July, 1896, to this date, paid any sum of money to the said Charles Russell?
5. What amounts were so paid, what were the dates of such payments, what was the nature of the services so paid for?
6. Did the government make these payments on its own motion, or were regular claims addressed to it?
7. Are there any claims remaining payable or any amounts still due?
8. If so, for what amount and for what service?

Hon. Mr. MILLS—The replies are as follows:—

1 and 2. Yes; the firm of Day, Russell & Co., of which Mr. Charles Russell is a member, is employed as solicitors for the government in the United Kingdom.

3. No salary, but ordinary solicitor's fees.

4. Yes, advance of £100 on account of Queen's Counsel Case.

5. January, 1897; July 23rd, 1897, advance of £400 upon general account.

January 3rd, 1898, £35 19s. on account of Canada Sugar Refining Company v. The Queen.

January 13th, 1898, £238 8s. 2d. Queen's Counsel Case.

6. Except in the case of advances payments have been made upon accounts rendered.

7. Yes.

8. There are outstanding accounts rendered to the government for £1,713 6s. 8d. on account of the Fisheries Case and the Tariffs question.

Hon. Mr. LOUGHEED—Do those fees include counsel fees?

Hon. Mr. MILLS—Those are the solicitor's fees.

Hon. Mr. LOUGHEED—Not including counsel fees?

Hon. Mr. MILLS—I cannot say as to that.

INSPECTION OF STEAMBOATS AND LICENSING OF ENGINEERS' BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (39) "An Act respecting the Inspection of Steamboats and the examination and licensing of Engineers employed on them."

(In the Committee.)

On clause 48.

Hon. Mr. SCOTT—When this bill was before the committee yesterday clauses 48 and 56 were reserved. In the opinion of many hon. gentlemen it was thought that the powers conferred by clause 48 were too large and too wide to be given to an officer of the customs, or any other person designated by the minister, to sell any vessel seized for violation of the provisions of the Act. I have, in accordance with the criticisms pronounced by many hon. gentlemen, endeavoured to meet the objections which were urged by the introduction of words at the 39th line of the 48th section. The clause reads: "Such steamboat shall, if the penalty is not paid forthwith, be liable to be seized and sold." I have added the words: "After such reasonable notice as the minister may, in each case, prescribe," leaving it with the minister to say what notice shall be given. It would be very difficult to define a time, because I am advised the expense from day to day would be so serious that practically the value of the vessel might be eaten up, and the only safe course would be to leave it in the discretion of the minister to name such reasonable time as he thought was sufficient, in the interest of the parties, to enable them to come forward and pay the fine.

Hon. Mr. FORGET—How would the notice be given? In the *Gazette* or in some of the local papers?

Hon. Mr. SCOTT—It would be given in a way that would reach the public.

Hon. Mr. CLEMOW—I think that is a necessary provision. Without it a steamboat might be sold without the parties knowing it at all. Often parties lease a steamer, or it is mortgaged, and without this provision the mortgagee would lose whatever claim he might have against that boat. It could be sold without his knowledge or consent. Therefore, it is necessary that some provision should be made, as suggested by the hon. Secretary of State, and I think some time should be fixed. Parties might be out of the country, or some considerable distance from the seizure. Many vessels are chartered in that way, and mortgaged to parties, and the boats might be sold without the mortgagees knowing anything about it.

Hon. Mr. FORGET—I quite agree with the hon. gentleman from Rideau, that a certain time should be given, say a fortnight or thirty days, and it should be advertised in the local papers, or the official *Gazette*. I believe the local papers in the districts where that boat has been navigating would be the proper places to advertise.

Hon. Sir MACKENZIE BOWELL—Where she has been seized.

Hon. Mr. FORGET—Yes.

Hon. Mr. SCOTT—No injury will arise under the proposed amendment. Of course it would be the object of the minister of the department to see that all parties interested have fair notice. There could be no disposition on the part of the department to force a sale, or to sacrifice property of that kind, and the vessel in the meantime would be tied up, and considerable expense would be going on from day to day. Of course the crew would be retained.

Hon. Sir MACKENZIE BOWELL—Not necessarily.

Hon. Mr. SCOTT—You must, in that case, leave a pretty wide discretion with the minister. You may add, if you like, "reasonable notice to be published in the local papers."

Hon. Mr. LOUGHEED—It seems to me if you insert such words as "reasonable notice to the parties interested," it would meet the views already expressed. As was pointed out by the hon. gentleman from Rideau, a conviction may be secured, for instance, against the charterer of a steamboat, who may have no property in the boat, and it can be sold without the knowledge of the owner or lessee. Consequently there is no one so deeply interested in the boat as the owner, and yet there is no provision by which the owner may become seized with knowledge. I would suggest that the hon. minister make that clause read: "reasonable notice to all parties interested."

Hon. Mr. SCOTT—That might create a serious difficulty. What I have added is "after reasonable notice in a local newspaper."

Hon. Mr. POWER—The difficulty is that the owner of the ship may be in another portion of the Dominion and may not see the local newspaper.

Hon. Sir MACKENZIE BOWELL—Or he may be in Europe.

Hon. Mr. POWER—I concur in what the hon. Secretary of State says with respect to the minister, that is while the present government is in power, but we may have in the future some minister in whom we have not the same confidence. There is this further difficulty with respect to the minister fixing the time in each case; it will take some time for the minister to fix the date, and how is the notice that he has fixed a certain time to reach the parties interested? I think, with the hon. member from Rideau, that the better way would be to fix some short time in the bill, stating the very least notice that is to be given. The hon. Secretary of State seems to think that there is very strong objection to any appreciable delay. I turn to section 234 of the Customs Act and find that when vessels, vehicles, goods and other things have been seized and forfeited under the Act, they may be sold within one month from the seizure. In the Customs Act they did not consider one month too long. I do not propose to move an amendment, but I would suggest that the following words be inserted in the 39th line, "after not less than one week's public notice."

Hon. Mr. DANDURAND—I have not made a very thorough study of the clause, but it seems to me that the people we want to protect are those who have vested rights.

Would it not be possible to give a notice to the parties interested, whose names appear as mortgagees or owners wherever the boat is registered ?

Hon. Mr. WOOD—I concur in the view expressed by the last speaker. Any one who is interested in a steamer or vessel would appear as such on the register, and the best way to meet the objection which has been raised would be to provide that notice be served on all who appear on the register of the vessels as interested.

Hon. Mr. DANDURAND—I mean a notice of the sale in order that the parties interested may be there to look after their own interests.

Hon. Mr. SCOTT—You cannot define it, there are so many difficulties in the way. It is not likely that the power would be exercised except in a very extreme case, and it would be the desire of the department that every one interested should have notice. You may tie it up with such strict rules and regulations that no sale would be legal.

Hon. Mr. FORGET—I showed this bill to some of my friends, who are quite familiar with these matters, and they tell me that it is a difficult measure to understand. I would suggest, therefore, that it be allowed to stand for four or five days in order that some of the clauses may be made more intelligible.

Hon. Sir MACKENZIE BOWELL—Many of the vessels whose captains violate the law are owned in Europe.

Hon. Mr. SCOTT—They would be registered here.

Hon. Sir MACKENZIE BOWELL—I know that, but should not notice be given to the owners where they live. Otherwise the vessel might be sold without their knowing that there was an infraction of the law.

Hon. Mr. DANURAND—Would it not be well to provide that reasonable notice be given to owners and mortgagees ?

Hon. Mr. SCOTT—No, I think we had better leave it as it is.

The amendment was agreed to and the clause as amended was adopted.

On clause 57.

Hon. Mr. SCOTT—This clause was allowed to stand yesterday. Since then I have looked up the Merchants' Shipping Act and I find that we possess the power to repeal so much of the provisions of that Act as relates to ships registered in Canada.

The clause was adopted.

Hon Mr. FORGET—One of the provisions of this bill on which I should like to have an explanation is sub-clause three of clause three which reads as follows :

> The Governor in Council may direct that this Act or certain provisions thereof shall apply to, or shall not apply to, any steamboat or class of steamboats registered elsewhere than in Canada.

As hon. gentlemen know, there is a company called the Richelieu and Ontario Navigation Company, which has been in existence over fifty years, and which controls practically the trade between Toronto and Chicoutimi. A year ago a company in Kingston, having some boats, established an opposition line from Kingston to Montreal, and all their boats are registered in the United States. I should like to know if the Governor in Council could exercise the option to exempt that company from the operation of this Act, while they have not the option of doing anything for us.

Hon. Mr. SCOTT—It is quite impossible for me to foreshadow what the Governor in Council would do. All I can say is that that has been the law for a great number of years. This bill is not new in any sense. The last codification took place in 1886, and since that time every year, except the year 1895, changes have been made in the Act until it became very confused. This is simply a codification, re-enacting as nearly as possible the sections as they stood. The Governor in Council in the last four years has taken no action in the case which the hon. gentleman has mentioned, and it is quite unlikely that any action will be taken now. They will follow some well defined rule in the department. I do not know why such wide powers were given to the Governor in Council, but we did not wish to change them in codifying the law.

Hon. Sir MACKENZIE BOWELL—It strikes me that this clause is intended to exempt foreign vessels coming into port and sailing through our waters. Would it not

apply to foreign vessels coming from a foreign port to a Canadian port and then having to pass through foreign water to another port? It strikes me that that may be the intention of the clause.

Hon. Mr. SCOTT—Yes, and an Order in Council has been passed in that particular case applying the Act.

The clause was adopted.

On clause 35.

Hon. Sir MACKENZIE BOWELL—Has my hon. friend, the Minister of Justice, further considered the effect of clause 35, that is, the subsection which we discussed yesterday, when my hon. friend the Minister of Justice declared that the person keeping watch, or in charge of the engine room of any steamboat mentioned in this section, while in motion, shall be deemed to be serving and employed as an engineer while keeping such watch or while so in charge. The minister's contention was that the person so employed must have a certificate of competency under the 35th clause. Does the hon. Minister of Justice still adhere to that view?

Hon. Mr. MILLS—Yes.

Hon. Mr. FORGET—I have been reading the French version of the bill and it is as plain as can be. It means that if, after the vessel has left the wharf, the engineer for some reason or other deserts the engine-room, then the man who takes charge of the engine room, even if he is not qualified as an engineer, is to be considered under this Act as an engineer?

Hon. Mr. SCOTT—No, nothing of the kind.

Hon. Mr. FORGET—I will leave it to my French colleagues if that is not correct.

Hon. Mr. MILLS—My hon. friend is confusing two things which are quite distinct. I will read the whole clause over and I think hon. gentlemen will see that the construction I put upon it is the right one:

35. No person shall employ another as engineer, and no person shall serve as engineer on any passenger steamboat, of whatever tonnage, or on any freight steamboat of over one hundred and fifty tons gross, unless the person employed or serving as engineer holds a certificate of competency granted under this Act or under the Acts of the United Kingdom for the grade in which he is to be employed, or for a higher grade; and every person who offends against this section shall be liable to a penalty not exceeding one hundred dollars and not less than fifty dollars: Provided, however, that if a steamboat leaves a port with a complement of engineers, and on her voyage is deprived of their services, or the services of any of them, without the consent, fault or collusion of the master, owner or any one interested in the steamboat, the deficiency may be temporarily supplied until engineers holding such certificates can be obtained.

That is a provision for a necessity that may arise and which was necessary and reasonable to provide for. Then comes subsection 2, which was the subject of controversy yesterday:

2. Any person keeping watch or in charge of the engine-room of any steamboat mentioned in this section, while in motion, shall be deemed to be serving and employed as engineer while keeping such watch, or while so in charge.

That section refers mainly to the primary part, not to the proviso of the subsection which precedes. The proviso deals with cases that arise after the vessel has left its port of starting and loses the engineers that were in charge, without the consent, fault or collusion of the master. Subsection 2 is intended to prevent any violation of section 1, and it says that a person keeping watch, or in charge of an engine-room of a steamboat mentioned in this section while in motion, shall be deemed to be an engineer. If he is deemed to be an engineer, he must have the certificate of an engineer, or he is liable to the fine provided for if he is not, or undertakes to act as such without having such certificate, but there is no doubt that, under the proviso, a person in the engine-room upon a boat, where the engineers had left her, might so act without a certificate under the proviso, just as anybody else might so act under that proviso as a matter of necessity, because there would be no engineer at all on board, and the proviso covers that case. The object of this section is to prevent the employment of such a party in the engine-room who is not an engineer with a certificate.

Hon. Mr. SANFORD—If the hon. minister would eliminate that subsection the clause would be very effective. I have studied the matter and asked the opinion of others. There is nothing in that clause that accomplishes anything. It simply leaves in doubt the true position of the man who is in charge of that engine. Your first clause clearly defines that that man must be an engineer with the proper qualifications. Your second clause intimates the possibility of his being something or somebody. If that clause were omitted there could be no question in regard to the working of the law.

Hon. Mr. MILLS—The very object of putting this clause in was to remove the doubt, for it was said a person who was temporarily in charge of the steamboat should not be considered an engineer so as to take him out of the provision of subsection one. It was to remedy that that this provision was inserted. It is said he is to be an engineer and then he must have the engineer's certificate.

Hon. Mr. MASSON—But if he is an engineer why should he be "deemed" to be an engineer?

Hon. Mr. MACDONALD (B.C.)—That is the point.

Hon. Mr. MILLS—The reason is clear. It was said before this section was framed that he need not be an engineer, and, by deeming him to be an engineer, you bring him within the qualifications and under the disabilities of engineers.

Hon. Mr. MASSON—He must be an engineer if he is in the engine-room when the boat is in motion.

Hon. Mr. SCOTT—The object of the subsection is this: It has been found very often that an engineer wants to leave the engine-room for a few moments, and puts a man in charge who does not hold a certificate. There is no way of reaching that man. You may reach the engineer by dismissing him, but you cannot punish the man who takes the place of the engineer, because he says "I hold no certificate as an engineer." Any man who is put in charge temporarily will be regarded as an engineer, and subject to the penalty provided in that clause.

Hon. Sir MACKENZIE BOWELL—That implies that you must have two engineers on board every boat.

Hon. Mr. SCOTT—That may be.

Hon. Sir MACKENZIE BOWELL—The interpretation clause A defines what a steamboat is, and that includes "any boat that is propelled by steam." We know that there are a large number of small vessels, plenty of small vessels, running on the different bays in the Dominion that have but one engineer. It is clear that this amendment does not mean what the hon. gentleman has indicated. Supposing an engineer on board one of the small boats takes sick and is obliged to go into the cabin, and remain there, or supposing he dies on the route, and there is no certificated engineer on the boat, who is to take his place? This clause was intended to meet cases of absolute necessity, and by this clause, if they are serving while the boat is in motion, you make them engineers, because you declare they shall be deemed to be engineers without certificate. If he has a certificate of competency, as provided in clause 35, then there is no necessity for declaring he is an engineer. My hon. friend says they are in the habit of putting men in charge of the engine-room who have not certificates, and consequently they are not liable to the penalties. To my mind that clause is expressly to meet such cases of emergency, where the engineer for any cause has to leave the engine-room.

Hon. Mr. MILLS—It is provided for in the proviso.

Hon. Sir MACKENZIE BOWELL—Yes, that any person put in charge of the engine-room while the vessel is in motion, in cases of emergency to which I have alluded, shall be deemed to be an engineer without a certificate of competency.

Hon. Mr. DANDURAND—I do not think that second clause is anything more than a definition of what constitutes an engineer, and what is the work by which we recognize him. That clause number 2 describes what work the man must do to constitute him an engineer, in order that the law may reach him—that if he infringe he may be condemned. I looked to see if there was any definition in the Act, and I fail to see it.

Hon. Sir MACKENZIE BOWELL—You will find it in clause 35, line 41—"An engineer is a person who holds a certificate of competency."

Hon. Mr. DANDURAND—But that second clause describes the acts by which a man will be recognized as doing the work of an engineer.

Hon. Sir MACKENZIE BOWELL—Certainly.

Hon. Mr. DANDURAND—And I think that that clause is simply there in order that those who do that work shall be constituted engineers, and if they do not comply with the

conditions of the Act, then they are infringing.

Hon. Mr. MILLS—No doubt that is the case.

Hon. Mr. LOUGHEED—Might I ask, if so many divergent views can be expressed upon this particular clause, why we should not adopt some language by which there could be an agreement as to the meaning of the clause? It seems to me, if my hon. friend attempted to pass through this House any puzzling language, he has successfully evolved that puzzle in the language of subsection two. If it has the meaning my hon. friend says it has, why not use the words "any engineer."

Hon. Mr. MILLS—That would not meet the cause at all. With regard to the case of smaller vessels, we carried the provision through this House a few days ago. With regard to the kind of vessels described here you define the class of persons that will be put in charge. They are engineers, and they are to have certificates as such. Then you make a provision that in case of accident and so on, if an engineer should be disabled, or if an engineer should desert a vessel, that the persons who are, from necessity, in charge of the vessel may bring her into port and may act as engineers without incurring the penalties of the Act. Take the next step, which is mentioned in subsection two, "any person keeping watch, etc." Now persons were put in charge of vessels temporarily without having an engineer's certificate, and it was held that they need not have an engineer's certificate in order that they might discharge the duties here mentioned—not cases of accident or necessity such as are dealt with in the proviso, but ordinarily the proprietors of a vessel employ but one engineer, and you require, under the provisions of this Act, that such a vessel as is here spoken of shall have more than one engineer, and you require it for the reason that this subsection two removes a doubt of which persons took advantage, which served as a pretext for putting a person in charge who did not hold an engineer's certificate to do the engineer's work and I do not see that the language can be made plainer. What is the effect of it? That if he is so deemed by law and he has not an engineer's certificate, he incurs the penalties prescribed by the Act in this same section.

Hon. Mr. LOUGHEED—Is it contemplated there should be more than one engineer on every boat?

Hon. Mr. MILLS—That is clear from the provisions of the Act.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—That is, if you put anybody else in charge to discharge the duties of an engineer, he must be an engineer and be liable to the penalties.

Hon. Mr. LOUGHEED—The two conditions must follow the position taken by my hon. friend; in the first place there must be two engineers on board that boat and both certificated engineers.

Hon. Mr. MILLS—Not necessarily.

Hon. Mr. LOUGHEED—Then the view which we take of it must be correct, because if there is only one engineer, and he has absented himself, certainly the person called upon to take charge of the engine-room, is no engineer.

Hon. Mr. MILLS—No, and he has no right to act as such.

Hon. Mr. LOUGHEED—You say such person taking charge must be a certificated engineer?

Hon. Mr. MILLS—Yes, certainly.

Hon. Mr. LOUGHEED—Then every boat must carry two certificated engineers. If that be the case, if these men have the qualifications of being certificated engineers, why should subsection two be inserted at all?

Hon. Mr. SANFORD—The clause would be proper if the hon. minister would allow one word to be inserted, and make the clause read thus:

> Any person keeping watch, or in charge of the engine-room of any steamboat mentioned in this section, while in motion, shall carry a certificate when serving and employed as engineer.

If you use the term "certificated man" there would be no question as to what his position is.

Hon. Mr. ROSS—I should like to put a question to this House. If it takes more

than half a dozen lawyers to throw confusion into that clause, how many more would it take to make it clear?

Hon. Mr. SCOTT—We have all been seeking to put definitions on it other than the definition that the person who drafted it designed. It was drafted to meet the case which I mentioned. The engineers in charge were apt to leave the engine-room and place a man in charge who held no certificate, and when you attempted to punish the man for taking charge of the engine he said: "you have no way of fining me; I am not a certificated engineer and am not liable to the penalty."

Hon. Mr. LOUGHEED—Did the hon. gentleman say it was drafted by an engineer?

Hon. Mr. SCOTT—No, but the gentleman who drafted it had in view cases reported to the department where engineers were in the habit of leaving the engine-room for a few moments and putting a man in charge who was not an engineer, and when an attempt was made to fine him the answer was: "I am not an engineer; you cannot fine me." It was to meet that particular case that this clause was drafted, and to my mind you cannot make it any clearer than it is.

Hon. Sir MACKENZIE BOWELL—Is there not a penalty imposed upon the owners of vessels who send their vessels to sea without an engineer?

Hon. Mr. SCOTT—Yes; but this was to punish a man taking charge of a vessel without a certificate.

Hon. Mr. MASSON—If an engineer is sick at sea he appoints another man to take his place?

Hon. Mr. SCOTT—Yes.

Hon. Mr. MASSON—That man is liable to all the penalties of an engineer. He is placed there, and is incompetent, and it is not his fault, yet he is liable.

Hon. Mr. SCOTT—No; that is a mistake. The proviso is to meet the case submitted to the House. The boat goes to sea and the engineer takes sick, and the captain puts a man in charge. There is no penalty for that, and we provide for it in this section. If a boat is deprived of the services of her engineers, the deficiency may be temporarily supplied until engineers holding certificates can be obtained. That meets the case.

Hon. Mr. McCALLUM—Must the person keeping watch or in charge of the engine-room under subsection two have a certificate?

Hon. Mr. MILLS—Yes; he is liable to a penalty if he has not.

Hon. Mr. McCALLUM—Has he to pass an examination?

Hon. Mr. MILLS—Yes.

Hon. Mr. POWER—Yesterday I took the same view as the hon. leader of the opposition did, but after the explanation later on by the hon. Minister of Justice, I could not help feeling that I had been mistaken. The object of the section is this: the man who kept watch over the engine-room, or was in charge of the engine-room during the engineer's absence was not doing an engineer's work, and he did not need to be qualified as an engineer. The object of the sub-clause is to provide that that work of keeping watch over the engine and engine-room during the absence of the regular engineer shall be held to be the work of an engineer, and that, therefore, it cannot be performed by any man who does not hold a certificate.

Hon. Mr. SCOTT—And he is liable to a penalty.

Hon. Mr. McCALLUM—It does not read that way to me, because it says here:

> Provided where a steamboat leaves a port with a complement of engineers and on her voyage is deprived of their services or the services of any of them, without the consent, fault or collusion of the master, owner or any one interested in the steamboat the deficiency may be temporarily supplied until engineers holding such certificates can be obtained.

My hon. friend tells me that any person keeping watch, or in charge of an engine room, as mentioned in this section, while the vessel is in motion, shall be deemed to be serving and employed as an engineer while keeping watch, or so in charge. My hon. friend told me that he had to be a certificated engineer and pass an examination.

Hon. Mr. DANDURAND—Or be in the exception of the proviso.

Hon. Mr. MILLS—My hon. friend will see that the proviso covers the case of an emergency. The previous portion of the Act defines who is to have charge. He must be a certificated engineer. He is liable to fine under this Act if he is not, but a provision is made to meet exigencies mentioned there in the proviso. But subsection two, which we have been discussing, forms no part of that proviso.

Hon. Mr. McCALLUM—You said just now that he was to be a certificated engineer. I do not see how he can be if he is merely a handy man.

Hon. Mr. FORGET—Why not have the proviso after section two? Perhaps it would be more explicit.

Hon. Mr. CLEMOW—I want to know whether the watchman is to be a certificated engineer?

Hon. Mr. SCOTT—Yes.

Hon. Mr. CLEMOW—Then if so he is to be amenable to all the duties specified.

Hon. Mr. MILLS—The object of the clause is to prevent the employment of one who is not an engineer.

Hon. Mr. CLEMOW—Then the boat must keep an engineer and one who can act as one?

Hon. Mr. SCOTT—No.

Hon. Mr. CLEMOW—Then who is to take the place of the engineer?

Hon. Mr. MASSON—In a small affair like this, when gentlemen of the legal profession say that the clause is subject to different interpretations, have we not reason to ask the Minister of Justice to frame a clause that will be understood? If they cannot understand the clause how are the rest of us to understand it?

Hon. Mr. McCALLUM—Under this clause the engineer can put the fireman in charge.

Hon. Mr. PROWSE—If sub-section 2 was eliminated altogether from the bill, then it would be perfectly plain and clear. I am quite satisfied that that subsection clouds the whole matter.

Hon. Mr. SCOTT—Take the case of an engineer who places an uncertificated person in charge, while he goes away for a short time. You have no control over the uncertificated person because he is not an engineer. The object of this subsection is to put him in a position to be punished, because he has no right to undertake that work unless he is certificated.

Hon. Mr. PROWSE — The objection raised by the Secretary of State is because we cannot punish the man who takes charge of the boat under such circumstances. Look at the thirty-fifth section. It provides that no person shall employ another as engineer, and no person shall serve as engineer on any passenger steamboat unless the person employed or serving as engineer holds a certificate of competency. Then there is a penalty of $100 provided for violation of that provision. There is a remedy here if the person takes charge of the boat without having a certificate.

Hon. Mr. WOOD—The object which the minister has in view is a good one, but I should like to understand, for I confess I do not understand yet, if it is the intention of the government by this subsection 2, in the case of a small freight boat for instance, which only carries one engineer, to make it imperative upon that engineer to be in the engine-room, absolutely in charge of the engine during any particular voyage; for instance, whether he could go out for ten or fifteen minutes to get his dinner? As I understand from the Minister of Justice, if the engineer is taken sick, or unable to discharge his duties, or is knocked overboard, or anything of that kind happens, a person may be temporarily placed in charge until a certificated engineer can be obtained; but the point which I am not clear about is, whether the government wish, by this section, to provide that in case the engineer is not taken sick, or is not knocked overboard, he is obliged to be absolutely in charge of the engine, every hour and minute of the day, from the commencement of the voyage to the end of it? These boats often make short voyages, lasting ten, twelve or eighteen hours, and only take one engineer. That engineer has to go out half an hour for his dinner and half an hour for his supper. Can he not leave another man, who does not hold a certificate, in charge? I suppose that is permitted?

Hon. Mr. MILLS—No.

Hon. Mr. WOOD—Then if it is the intention of the government to make it imperative that that engineer shall remain in the engine-room during the whole of the voyage, the clause is clear.

Hon. Mr. SCOTT—It only applies to vessels over 150 tons register.

Hon. Mr. WOOD—I understand that. Take a boat of 250 tons register; she would not take two engineers for a short voyage and it is a physical impossibility for the engineer in charge to be in the engine-room every minute of the voyage.

Mr. Mr. MILLS—The object of the clause is perfectly clear. Section 35 down to subsection one has been law all along. The proviso has been a part of the law all along. It deals with cases of necessity which may arise and the person who is serving is excused under those circumstances. Where a boat is deprived of the services of a competent engineer then the services of another man is allowed. That has been the law all along. But it has been the practice, on some steamers, to put an incompetent person in charge of the engine. He might, if it is a passenger boat, put in jeopardy the lives of those on board, and accidents have happened through the incompetency of parties in charge of the engine-room, and it has been argued that they need not be engineers in such cases, being put only temporarily in charge. Subsection 2 is intended to meet such cases. An incompetent man has no right to be in charge of the engine where no necessity has arisen. Now, if he is deemed to be serving as an engineer and employed as an engineer, he must have an engineer's certificate, and he cannot excuse himself by saying "I was only temporarily in charge."

Hon. Mr. CLEMOW—But if this second man has all the qualifications, he is just as well able to qualify as the engineer.

Hon. Mr. MILLS—This section does not apply to such a one. It is not necessary to have two, but you cannot put a person in charge who is not competent.

Hon. Sir MACKENZIE BOWELL—This proviso makes provision for employing a person without an engineer's certificate, under certain circumstances. Subsection two declares that he shall be considered an engineer. The language used in the proviso implies very clearly that, under those circumstances, you can employ a man who has not a certificate.

Hon. Mr. SCOTT—Yes.

Hon. Sir MACKENZIE BOWELL—That is conceded?

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—Under certain circumstances you can appoint a man who has not a certificate to act, and those circumstances are when the vessel has been deprived, through the causes mentioned in the 35th clause, of the services of an engineer. Then the second paragraph declares that the person so acting—

Hon. Mr. SCOTT—Oh, no; it does not apply to the same case at all.

Hon. Sir MACKENZIE BOWELL—I say that under certain circumstances you can appoint a man who has not a certificate to act. And then the second paragraph declares that the person so serving shall be deemed to be an engineer.

Hon. Mr. MILLS—My hon. friend will see that it is perfectly consistent. Supposing a man is in charge of the engine-room temporarily, and there is an engineer on board who has put him in charge, if there is an engineer on board who ought to have been put temporarily in charge, but is ill and disabled from discharging his duties, then the party put in charge of the engine would be protected by the proviso. That is clear enough?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—But supposing that the vessel started out with the necessary complement of engineers, and the party put in charge of the engine-room as watch has no certificate, and the emergency has not arisen for which the proviso makes the necessary provision, he is liable to be fined, and he ought to be fined.

Hon. Sir MACKENZIE BOWELL—So are the owners liable to fine.

Hon. Mr. FORGET—Clause 26 provides:

Every steamboat registered in Canada, or to which this Act applies, shall carry at least one life buoy with a proper heaving line attached, in some convenient place where it can be easily got at for use in case of accident.

Why not have the boats which carry the same Canadian passengers on the St. Lawrence River have the same life saving appliances?

Hon. Mr. McCALLUM—We can only legislate for this country.

Hon. Mr. SCOTT—That law has stood for the last twelve years. It is section 33 of the old Act.

Hon. Mr. FORGET—I was not here when that Act was passed, and if to-day we see a mistake in the law, we should amend it and put it right.

Hon. Mr. SCOTT—We cannot make provision for foreign vessels that temporarily come in here. We cannot regulate their discipline.

Hon. Mr. FORGET—They are not foreign vessels. They are vessels doing a Canadian trade, but registered in the United States. Why are they registered there? Because these boats were bought in the United States to do the Canadian trade, and to save the tax they keep them registered there, and they are used and make their money in Canada. By this clause you require us to comply with a certain rule and you do not require them to follow the same rule.

Hon. Mr. McCALLUM—There is nothing more necessary on board a steamer than a life preserver, but we have no control over foreign vessels. If they are registered in this country, the Act applies, and not otherwise. Certainly they are not allowed to do a coasting trade in this country unless they are registered in Canada. I should like to see it applied to every vessel, if possible.

Hon. Mr. FORGET—I am glad the hon. gentleman has brought up this matter of the coasting trade. The coasting laws have not been observed in Canada. Take a Canadian vessel which starts from Kingston and goes over to Clayton and from Clayton to the Thousand Islands. That vessel has no right to take a passenger from the Thousand Islands. Take now a United States vessel which starts from Kingston and after touching at Clayton it has a right to bring that Kingston passenger to Montreal, because it has touched at a United States port. The Americans will not allow us to do the same thing, but I say if the hon. the Secretary of State will promise me that these boats, which are registered in the United States, will not be allowed to do a coasting trade in Canada, I shall be satisfied. They are taking our Canadian passengers from one Canadian port to another Canadian port, and they have not been stopped.

Hon. Mr. McCALLUM—They should not be allowed to do that.

Hon. Mr. MACDONALD (P.E.I.)—The statement of the hon. gentleman is something new to me. I am well aware that a British vessel going to the United States could not carry passengers or freight in the way the hon. gentleman has described, and I think we should treat our neighbours in the same way that they treat us. Our people are dealt very harshly with when they go to the United States, and I do not see why we should accord to foreigners rights which they do not accord to us. It is something new to me to find that foreign vessels are granted this right in the Dominion of Canada. I was not aware of it before. With regard to clause 26, which requires each vessel to carry a life buoy, I think it is a very good provision indeed. In our own province, and I think in other places also, vessels carrying passengers are bound to carry a life buoy for every passenger they carry or are entitled to carry, and they should be required, in all cases, to carry one life buoy for each passenger.

Hon. Mr. McCALLUM—My understanding of the law is that you are obliged to carry a life buoy. In place of carrying one, the vessel should be required to carry two or three put up in different parts of the vessel.

Hon. Mr. FORGET—Why should we allow a United States vessel to carry a Canadian passenger from Kingston to Montreal without having a life buoy?

The CHAIRMAN—This discussion is out of order.

Hon. Mr. MASSON—I rise to a question of order. The hon. gentleman had the unanimous consent of the House to take up this clause, and he can do so and speak as often as he pleases upon it.

The CHAIRMAN—True, but he dropped that clause and went to another altogether,

which he had not asked the consent of the House to discuss.

Hon. Mr. FORGET—I was not present yesterday, but I found on reading the bill this morning that there were a good many clauses which I should like to refer to. I wanted the indulgence of the House to go back to two or three clauses, and this is one of them.

Hon. Mr. SCOTT—The discussion has broadened beyond the limits of the bill. The hon. gentleman is proposing that we shall introduce a matter of policy in this bill, the question of the coasting laws, which has no possible connection with the bill under discussion. While we are willing to give as wide latitude as possible in considering the bill, there must be some limit to it. The hon. gentleman was criticising the conduct of the government with respect to a question of policy which has not been changed—which has been continued on the same lines for the last fifteen or twenty years. It is not germane to the bill.

Hon. Mr. FORGET—I suppose the hon. gentleman is aware of the fact that if a Canadian vessel goes to the United States side it is obliged to conform to their laws and regulations.

Hon. Mr. SCOTT—It is a question of policy which we cannot discuss on this bill.

Hon. Mr. FORGET—It is very hard on steamboat owners in Canada to impose regulations on them which are not imposed upon foreign vessels.

Hon. Mr. McCALLUM—I did not understand the hon. gentleman to bring up a question of policy at all I understood him to argue that the coasting laws should be enforced.

Hon Mr. SCOTT—It has no connection with this bill.

Hon. Mr. McCALLUM—I do not know that it has, but it is a little connected with it, because if these men come over and run from one Canadian port to another and carry Canadian passengers, they can be prosecuted for not having the proper equipments to save life. I think we should see the laws of this country enforced. As for myself, I should like to give the Americans the same as they give us. As for this question which my hon. friend brought up about life saving appliances, I should like to see the bill amended to compel every vessel to have three or four life preservers, because you might be at one end of the boat and the life preserver at the other, and before you could reach it the chance to save a life might be lost, whereas if you had life preservers at each end you might save life.

Hon. Mr. OGILVIE, from the Committee, reported the bill with an amendment, which was concurred in

Hon Mr. SCOTT moved that the bill be read the third time to-morrow.

Hon. Sir MACKENZIE BOWELL—I made inquiry just now of one of the officials in connection with the Marine Department, and he assures me that the case mentioned by the hon. gentleman from Sorel is provided for by an Order in Council, that under the power given the Governor in Council they can pass an order applying this law, so far as the protection of passengers is concerned, to United States boats. That has already been done. So that in that case my hon. friend's objection is met.

Hon. Mr. SCOTT—I mentioned that there was an Order in Council passed in relation to certain regulations, I did not know whether it included this or not.

Hon. Sir MACKENZIE BOWELL—I did not hear that statement.

The motion was agreed to.

BILLS INTRODUCED.

Bill (L) "An Act respecting the Great North-west Central Railway Company."—(Hon. Mr. Clemow.)

Bill (23) "An Act to incorporate the Lewis River Tramway Company."—(Hon. Mr. Allan.)

Bill (35) "An Act to incorporate the Miles Cañon and White Horse Tramway Company."—(Hon. Mr. Allan.)

Bill (58) "An Act respecting the Queenston Heights Bridge Company."—(Hon. Mr. Sanford.)

Bill (66) "An Act respecting the Lake Manitoba Railway and Canal Company."—(Hon. Mr. MacInnes.)

Bill (46) "An Act respecting the Canadian Pacific Railway Company."—(Hon. Mr. MacInnes.)

Bill (48) "An Act to incorporate the Cowichan Valley Railway Company."—(Hon. Mr. Macdonald, B.C.)

Bill (51) "An Act respecting the Calgary and Edmonton Railway Company."—(Hon. Mr. Lougheed.)

Bill (54) "An Act respecting the Edmonton District Railway Company."—(Hon. Mr. Lougheed.)

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 22nd April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

FEDERAL LIFE ASSURANCE COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (29) "An Act respecting the Federal Life Assurance Company of Ontario and to change its name to the Federal Life Assurance Company of Canada," with amendments.

He said: I desire first, on my own behalf, to state that I considered that the same objection applied to this bill that was made to the bill respecting the Permanent Loan Company which was before this House last week, and which was also suggested by the hon. Minister of Justice, namely the question of jurisdiction, and whether this Dominion parliament had any right to deal with or alter the provisions of a bill passed by the Legislature of the province of Ontario. The committee, however, did not take that view of the case, and I think it my duty to report the bill with the amendments which have been read. I shall briefly explain what the amendments are. In the first clause the Federal Life Assurance Company is declared to be a body corporate and politic within the legislative authority of the parliament of Canada. By the amendment we have substituted the word "constituted," and it reads "is hereby constituted a body corporate and politic within the legislative authority of the parliament of Canada." The other alterations are in clause 11. The words "may loan" are inserted. Where they are given power to invest their funds they are also given power to loan certain funds. The other amendments are simply verbal alterations to make the whole clause congruous with that first amendment.

Hon. Mr. LOUGHEED moved concurrence in the amendments.

The motion was agreed to.

ALBERTA AND YUKON RAILWAY NAVIGATION AND MINING COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BAKER, from the Committee on Railways, Telegraphs and Harbours, reported Bill (H) "An Act incorporting the Alberta and Yukon Railway Navigation and Mining Company," with amendments, and moved that the report be concurred in.

Hon. Mr. DICKEY—The rule is, where amendments are made to a bill, that one day should intervene before they are concurred in.

The consideration of the amendments was postponed until Monday next.

THE QUEBEC EXHIBITION.

MOTION.

Hon. Mr. BERNIER (in the absence of Hon. Mr. Landry) moved:—

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, all correspondence between the Departments of Militia, Public Works, Agriculture and any person or persons whatsoever, in connection with the Quebec Exhibition of 1894, and with the forthcoming exhibition of 1898.

The motion was agreed to.

HAMILTON AND LAKE ERIE POWER COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (100) "An Act respecting the Hamilton and Lake Erie Power Company." He said: This bill merely provides for an extension of time for building the

road and for an increased amount of capital. The requirements have been found greater than expected, and they require additional power to increase the capital.

Hon. Mr. McCALLUM—What was the capital before?

Hon. Mr. CLEMOW—One million dollars.

Hon. Mr. McCALLUM—Why do you take the water from Lake Erie?

Hon. Mr. CLEMOW—We can discuss that in committee.

The motion was agreed to.

SECOND READINGS.

Bill (59) "An Act to incorporate the Victoria-Montreal Fire Insurance Company."—(Hon. Mr. Wood).

Bill (34) "An Act respecting the Columbia and Western Railway Company.,'—(Hon. Mr. MacInnes).

Bill (45) "An Act respecting the British Columbia Southern Railway Company."—(Hon. Mr. MacInnes).

Bill (44) "An Act to confirm an agreement between the St. Stephen and Milltown Railway Company and the Canadian Pacific Railway Company"—(Hon. Mr. MacInnes).

Bill (57) "An Act respecting the Manufacturers' Guarantee and Accident Insurance Company, and to change its name to "The Dominion of Canada Guarantee and Accident Insurance Company."—(Hon. Mr. Sanford.)

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 25th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Whether the present government, or the Prime Minister, or any member of the present administration, has had, directly or indirectly, or is having, directly or indirectly, any negotiation, either with the government of Manitoba or with any member thereof, or with the Catholic religious authorities of Manitoba, on the subject of the question called the schools question?
2. If so, at whose instance or request were or are these negotiations?
3. What is their nature and extent?
4. Has any understanding or settlement been arrived at?
5. What is this understanding or settlement?
6. What guarantees have been given to the minority for the complete execution of, and for the stability of the proposed arrangement?
7. By the proposed arrangement has the minority been restored to its full constitutional rights?

Hon. Mr. MILLS—I may say, in answer to my hon. friend, that the government have not had any negotiations with the government of Manitoba, or with the Catholic religious authorities in that province, on the subject called the school question, nor has it authorized any members of the government to hold any such negotiations.

TESLIN LAKE RAILWAY SUBSIDY.

INQUIRY.

Hon. Mr. LOUGHEED—Before the Orders of the Day are called, I should like to ask the Minister of Justice if a certain telegram which appears in this morning's Ottawa *Citizen* is correct? It seems that a meeting was held in Vancouver to urge upon the provincial government the propriety of granting a million dollars' cash subsidy to the Teslin Lake railway, and at that meeting, the paper alleges, a telegram was read from Sir Wilfrid Laurier, saying that the government does not intend to do anything further with the railway. I should like to ask my hon. friend if the government have so determined.

Hon. Mr. MILLS—I may say to my hon. friend that the government have not so determined, nor have we any official information in regard to the telegram to which my hon. friend refers.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

GENERAL GASCOIGNE'S RESIGNATION.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—I noticed by the *Journal* to-day that General Gascoigne, commander-in-chief of the forces in Canada, has sent in his resignation, and

the papers say it was promptly received, which would indicate there was some serious reason why the resignation was sent in. Could the hon. gentleman inform the House? It is of some importance to the volunteer forces of Canada to know, in the first place, if the resignation has taken place, and, secondly, the causes which led to it.

Hon. Mr. MILLS—I do not think there is any warrant for using the words "promptly accepted." General Gascoigne has sent in his resignation, and I am of opinion that it has been accepted, though I cannot speak, perhaps, with certainty on that matter. But there was no friction so far as I know, between the government or any member of the government and General Gascoigne, which led to his resignation. I understand that a good while ago General Gascoigne desired to retire, and that he so expressed himself over and over again, and ultimately he carried out the intention which he had formerly expressed. That is all I can say to my hon. friend on the subject. I am not aware that there was any personal or political reason for any friction between General Gascoigne and the Militia department which led to his resignation.

Hon. Sir MACKENZIE BOWELL—My hon. friend is not prepared, then, to give the reasons assigned by the General for his resignation?

Hon. Mr. MILLS—I am not aware that he has assigned any.

FEDERAL LIFE ASSURANCE COMPANY OF CANADA BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (29) "An Act respecting the Federal Life Assurance Company of Ontario, and to change its name to the Federal Life Assurance Company of Canada," as amended.

Hon. Mr. POWER—I do not rise for the purpose of opposing the third reading of this bill; but there are some circumstances in connection with it which deserve the attention of the Department of Justice; and I refer to them just for the purpose of calling the attention of the hon. Minister of Justice to the bill. The bill now before the House proposes to take a corporation, incorporated by the legislature of Ontario, and within the jurisdiction of that legislature, and transform it into a Dominion corporation. I do not wish to refer to what took place before the committee, but I know that the opinion of some, at any rate, of the legal gentlemen connected with this House is that the parliament of Canada has no power to do what is undertaken to be done by this bill. It should contain some provision that the legislature of Ontario should relinquish its jurisdiction over the company, because this parliament has not, and ought not to have, the power to extinguish a corporation which has been created by the legislature of Ontario, that legislature having jurisdiction under the constitution to create that corporation; and although this has been done in more than one instance in the past, that is no reason why we should continue to do it. Gradually the constitution is becoming better understood. As I have said, I rose merely for the purpose of directing the attention of the Minister of Justice to the bill in order that his department may consider the matter, and if they do not do anything at the present time with this bill, they may, at any rate, lay down some rule by which our action shall be governed in the future.

Hon. Mr. MILLS—I would say to my hon. friend that I think there is a great deal of force in the observations which he has made, but this House and the House of Commons have acted for a very considerable period on a different view. I hope to be able in a few days to lay before the House a bill dealing with certain classes of corporations which will enable those that are incorporated by the legislature under certain conditions to become Dominion corporations, but I am inclined to agree with the observations of my hon. friend behind me that this parliament cannot, by its own act and without the consent of the local legislature, convert a local corporation into a Dominion corporation and obliterate it with respect to the liabilities and responsibilities which it may have assumed under a provincial arrangement. There is but one class of corporations which we have power to deal with in that way under the British North America Act. We have power to declare that certain local railway corporations and local corpora-

tions with respect to pub ic works that are created under local authority may be brought Cnder the jurisdiction of the parliament of uanada by a declaration of parliament that such works are for the general advantage of Canada, but that certainly does no apply to corporations universally.

Hon. Mr. LOUGHEED—I do not know whether my hon. friend from Halifax labours under the impression that the powers granted to this company by the province of Ontario have been extinguished by the bill. Do I understand him to so allege? Those powers are expressly reserved. Increased powers are given to the company, but they are in no way to interfere with powers already granted to the company in the province of Ontario, nor have the liabilities that have been incurred by the company, under the provincial charter been in any way wiped out. On the contrary, under the first section of the bill those liabilities are preserved in all their integrity.

Hon. Mr. POWER—With respect to what has been said by the hon. gentleman from Calgary, he has perhaps stated the position a little too broadly. This life insurance company of Ontario is declared by this bill to be,

> A body corporate and politic within the legislative authority of the Parliament of Canada; and this act and *The Insurance Act* shall apply to the company and its business, instead of the said Acts of Ontario and the Acts of Ontario respecting insurance; provided that nothing in this section shall affect anything done, any right or privilege acquired, or any liability incurred under the abovementioned acts of Ontario up to and at the time of the passing of this Act, to all of which rights and privileges the company shall continue to be entitled, and to all of which liabilities the company shall continue to be subject,

From the time this bill is assented to and becomes law, the Ontario corporation ceases for all future purposes.

The motion was agreed to, and the bill was read a third time and passed.

THIRD READINGS.

Bill (22) "An Act respecting the Hudson's Bay and Pacific Railway Company." (Hon. Mr. Baker,)

Bill (32) "An Act respecting the Ontario and Rainy River Railway Company."—(Hon. Mr. Baker.)

SECOND READINGS.

Bill (23) "An Act to incorporate the Miles Cañon and Lewes River Tramway Company."—(Hon. Mr. Macdonald, B.C.).

Bill (35) "An Act to incorporate the Miles Cañon and White Horse Tramway Company."—(Hon. Mr. Allan.)

Bill (58) "An Act respecting the Queenston Heights Bridge Company."—(Hon. Mr. Sanford.)

Bill (66) "An Act respecting the Lake Manitoba Railway and Canal Company."—(Hon. Mr. MacInnes.)

Bill (46) "An Act respecting the Canadian Pacific Railway Company."—(Hon. Mr. MacInnes.)

Bill (51) "An Act respecting the Calgary and Edmonton Railway Company."—(Hon. Mr. Lougheed.)

Bill (54) "An Act respecting the Edmonton District Railway Company."—(Hon. Mr. Lougheed.)

ALBERTA AND YUKON RAILWAY, NAVIGATION AND MINING COMPANIE'S BILL.

THIRD READING.

Hon. Mr. LOUGHEED, in the absence of Hon. Mr. Baker, moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to (Bill H) "An Act incorporating the Alberta and Yukon Railway, Navigation and Mining Company."

The motion was agreed to.

Hon. Mr. LOUGHEED moved that the bill be read the third time.

Hon. Mr. POWER—I wish to direct the attention of the House to the character of this bill. It has been very considerably amended by the Committee on Railways, Telegraphs and Harbours, but it still proposes to confer powers on this company which are too numerous to mention. It is what is generally called an omnibus bill. The powers will be found set forth in the 5th clause of the bill, the 4th clause describing the line of railway. Paragraph "A" of the 5th clause gives them power to construct steam and other vessels, and to carry on the business of transportation; paragraph "B" gives them the power to acquire and

work mines and to crush ore. Paragraph "C" authorizes them to construct, or aid in the construction and maintenance of roads, tramways docks, wharfs, aqueducts, ore-houses, smelters, saw-mills and such like and other buildings and works necessary or convenient for the purposes of the company. Then paragraph "D" authorizes them to erect and manage works and machinery and plant for the generation and transmission of electrical power and energy. Paragraph "E" gives them the power to acquire and utilize water powers and steam power for electrical purposes and to dispose of the surplus electricity. Paragraph "F" allows them to carry on, in the province of British Columbia and in the North-west Territories, the business of vessel owners, and gives them power to become carriers, forwarders and transportation agents and to carry on the business of wharfingers and shippers in connection with that. But this is the most objectionable clause: they are given power to establish shops, or stores on the said lands: and may purchase and vend general merchandise, clothing, provisions, stores, machinery and supplies, and may deal in mineral products, ores, mines and precious metals and generally do all such other things as are incidental or conducive to the attainment of the above objects. That seems to me, hon. gentlemen, to be a power which should not be given to any railway company. If this railway company proceed to exercise this power and establish stores they can practically shut everybody else out from doing business along the line of railway, and I think that is objectionable. It gives them a monopoly of, for instance, the grocery business. My attention has been directed to that point by an hon. gentleman who is not now present. Then they are authorized in section "G" to acquire by lease, purchase or otherwise, letters patent, franchises or patent rights for the purposes of the undertaking and to dispose of such rights. The time has come when it is the duty of parliament to consider whether so many and such extensive powers should be given to companies which propose to build railways. It may be said that in that country it may not make very much difference that while it might be objectionable in Ontario it is not objectionable in Alberta. But, hon. gentlemen, we hope that population will flow into that region, and possibly within ten years from this it may be found that the powers we are conferring upon this company are, in their operation, exceedingly objectionable and will become onerous to the people of that region. It is time to consider the whole question of passing these omnibus bills with respect to that western country.

Hon. Mr. MILLS—I ask my hon. friend who has charge of this bill whether the bill has been reprinted as amended in committee?

Hon. Mr. LOUGHEED—The amendments appear in the Minutes of to-day.

Hon. Mr. MILLS—I think my hon. friend will see that there is a very great deal of force in the objections that have been made by the hon. member behind me (Mr. Power). To allow a railway company to engage in all sorts of enterprises that are not immediately incident to the railroad is a very questionable course to adopt. You may allow a railway company that is incorporated as such to be also the proprietors of steamboats and to run a steamboat line in connection with the corporation. That may be necessary to secure traffic and travel, and it is a business of the same sort as that for which incorporation is sought, and so in extreme cases you allow a railway company to establish a hotel or an eating house at a station upon its line if you see proper, although that is seldom necessary, because the party holding or possessing railway property usually makes an arrangement with the railway company and is able to obtain a license from the local authorities for that purpose, so that power of that sort is seldom necessary to be bestowed upon a railway corporation, although it would be very much less objectionable than the power sought in this bill. Now, when you propose to enable them to purchase and vend general merchandise and clothing and provisions and stores and machine and supplies, you make the railway corporation a direct competitor with all those parties who are engaged in those different kinds of business, and who may find it absolutely necessary to use the railway for the purpose of getting in to their stores or shops the kind of goods in which they deal; and hon. gentlemen will see that there would a very strong motive on the part of the railway company to hinder, delay and defeat those parties

who are engaged in business that are in active competition with the business in which the railway company may be engaged. It does seem to me that provisions of that sort in a railway bill are highly objectionable. They are altogether foreign to the primary object of the corporation, and they tend to create monopolies in those branches of industry and pursuits, the furtherance of which for the convenience of the community, the railway company is being specially incorporated. This to me is a highly objectionable feature of the bill, and I think my hon. friend will do well, if instead of asking that the bill be now read the third time, he would have the bill amended in this particular before it goes to the other House. I know what has been done when bills of this sort were attempted to be pushed through the House of Commons; provisions of this sort have invariably been struck out. It would be a great mistake, it seems to me, for this House, which is supposed to exercise some care and some supervision over legislation of this sort, to send down approved legislation of this kind to the House of Commons. The parties ought to know for what purpose they seek incorporation. and they ought not to undertake to put in a railway bill every conceivable kind of business for which powers of incorporation might be sought.

Hon. Mr. LOUGHEED—I regret very much that my hon. friend from Halifax (Hon. Mr. Power), when this bill was before the committee, did not express himself along the lines, which he has followed here.

Hon. Mr. POWER—I did.

Hon. Mr. LOUGHEED—Then, if my hon. friend was sincere—and I should not care to allege that my hon. friend was insincere—he had a method by which he could have properly pursued the objection which he has offered to-day, namely, by moving an amendment to the bill. But it seems to me my hon. friend is hypercritical in this matter. The Railway Committee of this House for some time past have been passing bills of which this is, I may say, simply a copy. This is not a unique bill; there is nothing original introduced in it, but it is simply and practically a copy of bills that have been passed here over and over again. Now I might say, for the information of hon. gentlemen, that all the bills known as the Yukon bills embrace all these powers, and I might say further, in vindication of the insertion of these powers in this bill, that my hon. friend, the Minister of Justice, gave to the promoters of the Teslin Lake bill practically the same powers as those included in this bill. If my hon. friend the leader of the House will look at the famous Teslin Lake bill, he will find that every conceivable power is given to the promoters of that bill for the carrying on of just such classes of business as are contained in this bill. They have the power to vend merchandise and enter into almost every conceivable form of business. Not that I think that objectionable, because I consider it is a very desirable power to give to a corporation that is about to open up a new country and play the part of a pioneer in a district which may be several hundred miles away from any emporium of merchandise. Except they have the power to carry on such classes of business, it is almost impossible to attract private capital to be enlisted in that form of investment. Hon. gentlemen who are acquainted with the opening up of railways in new sections know that they must have power to carry on every branch of business if they are to make their business a success. The railway is not simply a railway undertaking in a new country, but is a pioneer of almost every description of commercial investment, and except companies are invested with powers to open commercial establishments of that kind, the greatest possible inconvenience will be experienced. Now, in view of the fact that we have passed many of these railway charters, of which the powers here are but a repetition, I hope hon. gentlemen will not stand in the way of permitting this bill to have a third reading. As to my sending it back to the Railway Committee, except some hon. gentleman is going to move an amendment for that purpose, I shall not consent to it. I would refer hon. gentlemen to the fact that the session is passing away very rapidly, and reports indicate that the business of the other House will not occupy very many weeks, and therefore it is well that the promoters of this bill, who are responsible parties, who are, in fact, the leading merchants of Toronto, Winnipeg and elsewhere, should be given the opportunity of carrying out the project they have in view.

Hon. Mr. MILLS—My hon. friend will see that this bill is not the same as the bill to which he refers. That bill provides for the lease, construction, maintenance and operation of wharfs, docks, landing places, dock yards, elevators, warehouses and other works, all of which are relevant and pertinent to the business they are carrying on.

Hon. Mr. LOUGHEED—Will my hon. friend look at subsection "D" of section 13, in which they have power to purchase and vend merchandise, and will my hon. friend draw any distinction between that power and the power in this bill which is, perhaps, more specifically possessed, of carrying on various classes of business?

Hon. Mr. MILLS—My hon. friend anticipated what I was about to say. He will see that they also provide for the lease, purchase or the otherwise acquiring and operating of mines and minerals and mining rights, and so on. But that was because you have undertaken to compensate them, if that bill had succeeded, for the construction of the road by a grant of mineral lands which would be of no use at all without they were being operated, and the powers given to them under section 13 are for the very purpose of enabling them to carry into operation that side of the business of the corporation.

Hon. Mr. POWER—Perhaps the House will allow me to say one word in explanation of something said by the hon. gentleman. It is not according to rule to refer to what takes place in committee, but as the hon. gentleman said I should have objected in committee, I wish to say that I did object in committee to these general powers. Then the hon. gentleman seemed to think that I was treating his bill unfairly in attacking it in the House. I am not attacking it: I am not arguing against the bill at all; I simply called attention to what I considered the objectionable features in the bill, and I expressed the hope that in future more care will be taken and that some policy will be adopted to govern the action of the House in future.

Hon. Mr. MACDONALD (P.E.I.)—This bill also provides that the road shall start from the United States boundary, so we see the very thing which has been objected to in the case of other railways is proposed here. According to the 4th clause of the bill the line is extended from the United States boundary away up to the Yukon. Besides the objection to the powers given to this railway company, we should have more information respecting the route and the length to which this proposed railway may be extended. It seems an extensive line, and the powers given to the company are very large.

Hon. Mr. LOUGHEED—The point to which my hon. friend refers is on the international boundary line east of the Rocky Mountains, the intention being that this company shall operate the coal and mineral lands at the base of the Rocky Mountains and find a market to the south for the coal.

Hon. Mr. TEMPLEMAN—Will the hon. gentleman state how much of this road lies in the province of British Columbia? I observe that some of the clauses give great powers for carrying on business in British Columbia. From my reading of clause four, and from my recollection of the boundaries of the province, I cannot see that any great length of the road runs in British Columbia.

Hon. Mr. LOUGHEED—I cannot say whether the road runs in British Columbia or not.

The motion was agreed to, and the bill was read the third time and passed.

BILLS INTRODUCED.

Bill (31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company."—(Hon. Mr. Lougheed.)

Bill (47) "An Act respecting the Brandon and South-western Railway Company."—(Hon. Mr. Power.)

Bill (52) "An Act respecting the Nakusp and Slocan Railway Company."—(Hon. Mr. MacInnes.)

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 26th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

TOBIQUE MANUFACTURING COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (K) "An Act to incorporate the Tobique Manufacturing Company," with amendments. He said: I may perhaps mention, in respect to this bill, that that vexed question of jurisdiction is involved in it, as it has been in some others that passed through this House, and I considered it my duty to bring the matter before the committee, because the question is now in appeal before the Privy Council as to where the jurisdiction lies with respect to our rivers and streams—whether it is vested in the Dominion government or in the provincial governments. However, the committee did not think fit to take that into consideration, and the bill has been passed with the following amendments, which I will explain very briefly. The amendments in subsection 6 of clause 2 of the bill are really to make that clause clearer, in which provision is made for the erection and construction of dams and the necessary openings and necessary slides for the transmission of square timber and saw-logs, and it is merely adding the words "sufficient openings and gates to allow the saw-logs and square timber to pass." And again the words "for the passage of saw-logs" are inserted in two other places. Then again in the third clause where it says "the company may also purchase, take over, or acquire all or any of the timber limits, gypsum property or mining leases on the said Tobique River, by whomsoever owned," there is added "including the incorporators or any of them." Then lower down, speaking of limits, the word "timber" is inserted. In the sixth clause where it provides for the total amount of debentures at any time outstanding the words "and the moneys borrowed under the next preceding section" are inserted.

Hon. Mr. SCOTT—Is that Bill "K"? It does not accord with my copy of the bill.

Hon. Mr. ALLAN—Yes, it is Bill "K," the bill with respect to which the Secretary of State sent me the memorial from the Surveyor General of New Brunswick. In the last clause the words, "the head office of the company shall be in the parish of Gordon in the county of Victoria, province of New Brunswick, but every place in Canada at or in which the company has an office or place of business shall be deemed to be a domicile of the company," are struck out as being unnecessary. These really are all the amendments and none of them are of a very important character.

Hon. Mr. SCOTT—The hon. gentleman read a statement from a gentleman in New Brunswick calling attention to various clauses of the bill and claiming that the bill was an infringement on provincial rights.

Hon. Mr. ALLAN—Yes, the paper was read before the committee and fully explained, and the objection taken as to the fact that this matter was now sub-judice of the Privy Council.

Hon. Mr. MILLS—Yes, a decision may be given any day.

Hon. Mr. SCOTT—Had we not better have this bill reprinted.

Hon. Mr. ALLAN—That is a matter for the promoter of the bill, and not for me, to say.

Hon. Mr. WOOD—The amendments are not important except to make the meaning clearer.

Hon. Mr. ALLAN—That is all; there is no substantial change.

Hon. Mr. MILLS—I suppose there would be no hurry about the third reading. It would suit the parties who are promoting this bill well enough if we get it through this session, and we may have, any day, a decision on the question of jurisdiction by the Judicial Committee of the Privy Council.

Hon. Mr. WOOD—The bill originated here. It has yet to go through the other House, and I think no time should be lost.

Hon. Mr. WOOD moved that the bill be read the third time to-morrow.

The motion was agreed to.

INSPECTION OF STEAMBOATS BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (39) "An Act respecting the Inspection of Steamboats and the examination and licensing of Engineers employed on them," as amended.

Hon. Mr. FORGET—I should like to ask the hon. Secretary of State if he thinks it is not time, before this bill is read the third time, to exempt steamboat owners from the payment of inspection fees. I think the provision in clause 37 relating to this is rather unjust. On some companies and some owners this tax comes very heavy, and why is it imposed? It is imposed because the government appoint inspectors to inspect boats for the safety and the benefit of the public, not for the benefit of the owners, and in that case I do not see why the owners should be obliged to pay the salaries and the expenses of these inspectors. Railways, for instance, are not subject to such a tax, and in the United States, in which they have a similar law to ours, steamboats do not pay such a tax; they have the inspectors as we have them, and the owners are not taxed. I should like the government to see if they cannot amend this clause so as to exempt the owners of boats from such a tax.

Hon. Mr. SCOTT—I may say, in reply to the hon. gentleman's remarks, that, as I announced before, this is simply a consolidation of the law as it stands, with very few amendments, which I explained to the House when the bill was in committee. The subject which the hon. gentleman has brought under the notice of the House is one that has been a very long time in existence in Canada as a part of the law. It was in the Act as it was consolidated in 1886, so that it is not a new feature in the bill in any sense. I am not aware of its having been challenged. I shall be very glad to draw the attention of the department to the subject, and if they concur in the views of the hon. gentleman, they might introduce a bill to meet his wish; but it would scarcely be germane to this bill to interfere materially with what has been the policy of Canada for so long a period.

The motion was agreed to and the bill was read the third time and passed.

COWICHAN VALLEY RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACDONALD (B.C.) moved the second reading of Bill (48) "An Act to incorporate the Cowichan Valley Railway Company." He said: This is a bill to incorporate a company which propose to build a short line in Vancouver Island.

Hon. Mr. MILLS—Can the hon. gentleman say what will be the length of this road?

Hon. Mr. MACDONALD (B.C.)—I could not say the length, but it is not long—only about forty miles. It ought to be a provincial bill.

Hon. Mr. SCOTT—I notice the provincial government have sent a request to the government of Canada to oppose any bill of a purely local character. They maintain that those mining bills should be left to the provincial legislature.

The motion was agreed to and the bill was read the second time.

GREAT NORTH-WEST CENTRAL RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (L) "An Act respecting the Great North-west Central Railway Company." He said: This bill requires some explanation. As most hon. gentlemen will remember, this unfortunate railway has been the subject of discussion in this House for several years. It has been in litigation for seven or eight years. The other day a final decision was obtained from the Privy Council in England declaring the action *ultra vires*. After seven or eight years' litigation, passing through all the courts, where it was argued from every point of view by eminent counsel of Ontario and Manitoba, the Lords of the Privy Council, in a very few minutes, declared the proceedings *ultra vires*. They have issued a decree by which they declare that the contractor will be entitled to recover the amount of work performed by him, on the principle of *quantum meruit*, and that he shall distribute the money among certain parties to whom he is indebted, leaving other creditors

out in the cold, myself among the number. It further suggests that, it will be necessary to obtain an Act of Parliament for the purpose of carrying its provisions into effect. Therefore, after declaring the Act *ultra vires*, it is absolutely necessary that this matter should receive further consideration at our hands. The decree declares that payment shall for the future be made to certain individuals, and legislation is necessary for the purpose of the reorganization of this company ; because, you will admit that no party in England or elsewhere would advance money to the company until all future litigation ceases. Therefore it is considered necessary, for the purpose of carrying on the enterprise in the future, to introduce this bill for your consideration. It is unfortunate that the Privy Council should, in a few minutes, decide a matter of this kind, which has so long occupied the attention of all the judicial minds of this country, and after the litigants have been subjected to an immense amount of costs, and that there should have been a loss of seven or eight years in carrying on the operations of the railway and depriving the country of the advantages which they had a right to expect from the construction of that road. I do not desire to reflect upon the judiciary of this country, or the legal men connected while it, but it does seem to me most extraordinary that this decision should be arrived at so unceremoniously when it escaped the attention of our judges. However, the case is decided now, and the only alternative is to obtain this Act of Parliament in order that the company may be reorganized, and that they may have the necessary power to issue debentures in order to raise money upon those debentures for the purpose of paying off the liabilities which the Lords of the Privy Council have decreed should be paid, and to realize a sufficient amount of money to carry on the further extension of the road. This road is very much needed. We have had remonstrances from that section of the country, on several occasions against the delay in proceeding with the work, and it is highly essential, in the interests of the country, that this road should be completed at as early a date as possible. Therefore, I hope there will be no hesitation in passing this bill, and I think the 60th rule of the House might be dispensed with so that no further time would be lost in carrying the provisions of this bill into effect. Hon. gentlemen in the House are conversant with this matter, because it has been before us on several occasions. There is no alternative now except to apply to parliament to enable the company to carry out the decree of the Privy Council.

Hon. Mr. MILLS—We are called upon to legislate in regard to this matter when we have not the judgment before us.

Hon. Mr. CLEMOW—I will present the judgment to the committee.

Hon. Mr. PERLEY—I should like to ask the hon. gentleman if it is the intention of the company to go on and further construct the road this summer?

Hon. Mr. CLEMOW—Yes, there is a provision in this bill for all that. They are to go on and construct not less than twenty miles of railway. Now, it will be settled by this bill, and I think there will be no difficulty.

Hon. Mr. BOULTON—Before the motion is put, I should like to explain to the House, as this road is in the neighbourhood of where I reside, that this is one of two railroads that were projected to go into the North-west Territories on the line of what was called the fertile belt. That is the route which the government originally surveyed twenty years ago. The Manitoba and North-west is one road and the Great North-west Central is the other. As I understand it, the promoters of this line agreed to assign the charter and its franchises to a contractor to construct a certain portion of the road. A company was then formed in England and the contractor agreed to construct fifty miles, and the promoters were to hand over the franchise with the land grant, and the road was to be completed for fifty miles for the sum of $1,000,000. The company paid up, I think, £50,000, and upon that, the contractor proceeded with the work ; but, as I understand, he did not complete it and could not make the demand upon those with whom he had arranged to force them to take over the road and pay up the balance of the money. He did not complete his contract ; the court settled that, and the people in England had neither the road nor their money, and the litigation has been going on in

order to give the people, who advanced the money to the contractors for the purpose of prosecuting this work, a title in some shape or form to the road, and to complete it according to contract. My hon. friend, the mover of the bill, has explained that it has gone through the courts from one court to the other and finally reached the highest court in the realm, and they have declared the agreement made by the Company with the contractor as *ultra vires*. I do not know the terms of the judgment, and I quite agree with the Minister of Justice in saying that it would be desirable to have the judgment printed, so that we can all judge in regard to the merits of the bill from the standpoint of the judgment. But what I wish to point out more particularly than anything else is the fact that the settlers who went in there twenty years ago settled under the impression that the Canadian Pacific Railway Company were going to build on that route, and up to the present moment they have only had fifty miles constructed from the city of Brandon. Every year since I have had the honour of holding a seat in this Senate I have been called upon, by petitions from those people, to pray that parliament shall take such steps as will force this company to go on with the work or give up its rights; but unfortunately it has been in litigation. It has never been in a shape that parliament could take that position. Now, I understand from what the hon. gentleman says, it will be in a better state when this bill is passed and the costs are paid off and the sub-contractors who worked for the main contractors, who are also creditors, are paid off. This Act, as I understand it, is to put the company into such a financial position that it can meet all these liabilities, and under the Act, when they have raised the money, the creditors will be paid off and the road will be clear, and it will then be in a position to be continued. I know I am speaking in the interests of the people who are most anxious to have facilities for transporting their wheat in that country, and this railway is designed to afford those facilities. I know it is a very good country and financially it will be a good road, and the government had given it the usual land grant of 6,400 acres per mile, which I believe stands good to the present day.' I am not quite sure with regard to that, but at any rate, it is a road that is worthy of the best consideration of the government. It is very desirable that whatever privileges the hon. mover of this bill requires in regard to the suspension of rules to enable this matter to be legislated upon this session, should be granted.

Hon. Mr. MILLS—When this bill goes to committee it will be very desirable to ascertain what are the liabilities of the company, and whether the judgment makes reference to all the liabilities of the company incurred, or whether it is an attempt to provide for certain liabilities and those only. It may be a matter of very considerable consequence that all parties may be protected by the bill if this proposed legislation is carried into effect by parliament. It may be that the committee will discover that the bill is not sufficiently comprehensive to cover the claims of all parties who have equitable claims against this defunct company.

The motion was agreed to.

BRANDON AND SOUTH-WESTERN RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (47) "An Act respecting the Brandon and South-western Railway Company." He said: The bill simply proposes to extend the period for the beginning of the road two years from next November, and for the completion to four years from next November.

The motion was agreed to.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. BERNIER—I should like to ask the hon. Minister of Justice when I may expect the returns which I moved for on the 31st March last, relating to the school lands sold, and the correspondence.

Hon. Mr. MILLS—I will make inquiry with a view to seeing that the return is brought down as soon as possible.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 27th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

COMPANIES ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. MILLS introduced Bill (M) "An Act to further amend the Companies Act."

The bill was read the first time.

Hon. Mr. MILLS moved that the bill be read the second time on Friday next.

Hon. Sir MACKENZIE BOWELL—Before the motion is agreed to, would it not be well to explain the scope and purposes of the bill?

Hon. Mr. MILLS—The bill is very short. It is merely to prevent fictitious deposits with a view of obtaining the incorporation of companies. My hon. friend, I suppose, is aware that sometimes a cheque is given by a party with a view of preventing the lapse of the charter. A deposit is made in the bank, he is credited with the amount and the cheque is afterwards withdrawn. The bill is intended to prevent fictitious deposits of this sort by amending particular sections of the Companies Act.

Hon. Sir MACKENZIE BOWELL—Supposing the cheque is presented marked good by the bank, then you hold the bank for the amount until the time has expired for giving out the contract, or for the completion of the work.

Hon. Mr. MILLS—My hon. friend will see this refers to the Companies Act, and it is to prevent the apparent payment of a larger sum than has actually been paid. There is nothing in the world to prevent the officers returning the cheque to the parties, especially if the parties are not personally responsible for the amount.

Hon. Sir MACKENZIE BOWELL—I may not understand the full scope of the bill, but my understanding of the matter is that in making these deposits, the party goes to the bank and make arrangements to pay so much per cent on the face of the cheque and the bank will give him a cheque marked "good," and if that is deposited with the government they hold the bank responsible for the amount.

Hon. Mr. MILLS—I think my hon. friend will understand it better when he sees the bill.

The motion was agreed to.

SURVEYS OF TIDES AND CURRENTS

INQUIRY POSTPONED.

The notice of motion being read:

Is it the intention of the Government to extend to the waters of British Columbia a survey of tides and currents similar to that which has been so ably prosecuted by Mr. W. B. Dawson, in the Gulf of St. Lawrence, and which is proving of so much advantage to the navigation of those waters?

Hon. Mr. MACDONALD (B.C.) said: The hon. member from Pictou (Mr. Primrose) has a notice on the paper similar to mine, and we have agreed to take the two at the same time, as the same answer will apply to both, but he is not well enough to-day to go on with his motion, and I therefore ask that his motion and mine be allowed to stand till Friday.

The notice was allowed to stand.

ROUTES TO THE YUKON.

MOTION WITHDRAWN.

Hon. Mr. MACDONALD (B.C.) moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a copy of the report of Mr. Coste, the engineer sent by the Government to examine and report on the different routes available for railway construction, from the shores of the Pacific Ocean to the Yukon District.

He said: I do not propose, hon. gentlemen, to go into the question of routes very extensively to-day, but I think this House and the country are very anxious to know what the report of the engineer of the government will be upon those routes. It is a matter to which a great deal of attention is given, and I hope that the government, at an early date, will be able to inform the House and the country what are their plans.

Hon. Mr. MILLS—I would say to my hon. friend that I am not aware that Mr. Coste has been appointed to make any report on this subject, nor is any report expected from him.

Hon. Sir MACKENZIE BOWELL—Has he made any?

Hon. Mr. MILLS—No.

Hon. Mr. MACDONALD (B.C.)—Surely an engineer sent by the government to report on the different routes would make a report. I have seen in the papers copies of interviews with him at Winnipeg and different places on the way through, where he spoke of the different routes and specially the Stikine route and the Kitimat route, and surely there must be a report.

Hon. Mr. MILLS—I said just a moment ago that my colleague tells me there is no report. I understand Mr. Coste went up to make a report on the navigability of the Stikine River, to find whether there was any obstruction, and it was frozen up at the time.

Hon. Sir MACKENZIE BOWELL—He knew that when he went away. He states if I understand the report in the papers, that there are blocks of ice some 15 or 20 feet high, and there is no road on the ice at all.

Hon. Mr. MILLS—I do not know what Mr. Coste may have said in interviews with the newpapers, but he has made no report.

Hon. Mr. LOUGHEED—May I ask my hon. friend, the leader of this House, if he is aware that the Minister of Public Works said that the Stikine River was open on the 15th April?

Hon. Mr. MILLS—I am not.

Hon. Mr. MACDONALD (B.C.)—Well, I have moved for the report.

Hon. Mr. MILLS—I may say, hon. gentlemen, it is rather extraordinary to insist on a report being brought down when I have told my hon. friend there is none.

Hon. Mr. McCALLUM—Then you can not bring it down.

Hon. Mr. MACDONALD (B.C.)—Surely there must be a report. What is the use of sending a man up there if he does not report to somebody what is done and seen?

Hon. Sir MACKENZIE BOWELL—I would suggest that my hon. friend amend his motion by inserting after the word "report" the words "made, or to be made."

Hon. Mr. MILLS—My hon. friend will see that Mr. Coste is an engineer in the Department of Public Works, and that is not a subject with which the Department of Public Works would be charged.

Hon. Mr. MACDONALD (B.C.)—Why was he sent there?

Hon. Mr. MILLS—I do not understand that he was sent there for any such purpose as that which my hon. friend has mentioned. I obtained information from the minister that Mr. Coste made no report and was not sent for any such purpose. I have given my hon. friend the information he sought, but when he asks me for what purpose Mr. Coste was sent there, that is an entirely new question, and I must submit it to the consideration of the minister.

Hon. Mr. MACDONALD (B.C.)—If Mr. Coste did not belong to the Department of Railways, which has this subject under control, why was he sent? You told me just now he went to examine the Stikine route and ascertain its navigability. That is in harmony with my motion, and he must report to somebody.

The motion was withdrawn.

MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Whether, since the 1st of July, 1896, the government or any member of the present administration has authorized Mr. Charles Russell, of the firm of Day, Russell & Co., of London, solicitors, to go to Rome, with instructions or a mission to speak or act in the name of the government, or of the Prime Minister, or of any member of the administration, with regard to the Manitoba School Question?

2. Was it to the knowledge of and with the consent of the government that Mr. Russell went to Rome and took upon himself, in the name of certain members of the government, to urge upon the ecclesiastical authorities of Rome a settlement of the Manitoba School difficulties?

3. If Mr. Russell thus acted with the authorization of the government, has the government, directly or indirectly, paid him for his time and travelling expenses, or does it propose to pay him them?

4. If Mr. Russell was not authorized to act in the name of the government or of any of its members, has the government paid this gentleman or does it propose to pay him, directly or indirectly, for his time and expenses?

Hon. Mr. MILLS—If my hon. friend had all the information for which he seeks, he would be certainly a well informed gentleman, and especially upon this subject. There are some hon. gentlemen who require to have an extensive knowledge of things, and other hon. gentlemen who require an intensive knowledge. Now my hon. friend is of the second class, because he put questions to me on this subject a day or two ago, and I answered him, and he does not seem to have acquired from those answers all the information for which he seeks, and so has put these four questions upon the paper again to-day. I may say, in answer to my hon. friend's first question, that Mr. Charles Russell, of the firm of Day, Russell & Co., of London, solicitor, did not go to Rome at the instance of the government, or of the Prime Minister, or any other member of the administration with regard to the Manitoba School Question.

Hon. Mr. LANDRY—Was he authorized?

Hon. Mr. MILLS—I am answering my hon. friend's question, and if he wants further information than is contained in the answers to these questions, I shall endeavour to comply with his wishes to the best of my ability. The second question is:

2. Was it to the knowledge of and with the consent of the government that Mr. Russell went to Rome and took upon himself, in the name of certain members of the government, to urge upon the ecclesiastical authorities of Rome a settlement of the Manitoba school difficulties?

Now, let me say, in the first place, that my hon. friend's second question is hardly in order. He assumes certain things here to be facts, and I do not know whether they are facts or not. I do not know whether Mr. Russell ever went to Rome or not. I do not know whether he took upon himself to discuss the Manitoba school question at Rome or not.

Hon. Mr. LANDRY—That is out of your knowledge?

Hon. Mr. MILLS—That is outside of my knowledge, but I am informed by my colleagues that neither the prime minister nor any of his colleagues sent Mr. Russell to Rome for any such purpose. Mr. Russell, therefore, did not go to Rome for the purpose of discussing with His Holiness, or with any of the officials of the Vatican, the school question at the instance of the government. The third question is:

3. If Mr. Russell thus acted with the authorization of the government, has the government, directly or indirectly, paid him for his time and travelling expenses, or does it propose to pay him them?

Now, Mr. Russell did not go to Rome at the instance of the government, and so the government have not been called upon, directly or indirectly, to pay Mr. Russell for travelling expenses to Rome, assuming that Mr. Russell went there some time or other. The fourth question is:

4. If Mr. Russell was not authorized to act in the name of the government or of any of its members, has the government paid this gentleman or does it propose to pay him, directly or indirectly, for his time and expenses?

Mr. Russell, as I have already said, did not go to Rome at the instance of the government, and the government have not paid Mr. Russell for his time or expenses in going to Rome, nor does the government propose, directly or indirectly, to pay Mr. Russell for any such purpose. Now, I have answered the hon. gentleman's questions as fully and specifically as I can, and if he wants any further information, why he can put on another notice and I shall endeavour to get that information for him, either negatively or affirmatively as the nature of the answer calls for.

Hon. Mr. LANDRY.—If the hon. minister will permit me, I will put the question now. It is not a question that will take him by surprise: I merely want an explanation of the answers we are given. I desire to know if the hon. minister makes a distinction between the expressions "at the instance of the Government and the expression "authorization of the Government."

Hon. Mr. MILLS—I have not been making any such subtle distinction in the answer which I have given to my hon. friend.

Hon. Mr. LANDRY—I am asking if the hon. gentleman draws a distinction between acting at the instance of a person and being authorized by that person to act in such a

matter? Because if there is a distinction my question is not yet answered.

Hon. Mr. MILLS—My hon. friend can put this question on the paper. We are not pressed for time just yet.

Hon. Mr. LANDRY—My question was on the paper, and my question is whether, since the first of July, the government, or any member of the present administration, has authorized Mr. Chas. Russell to perform the services alluded to. The answer is that Mr. Chas. Russell did not do such a thing at the instance of the government. I want to ascertain if there is a distinction between not doing a thing at the instance of the government and being subsequently authorized to do it.

Hon. Mr. MILLS—I am informed that he was not authorized to do so either by the Prime Minister or by any other member of the government.

PACIFIC AND YUKON RAILWAY CO.'S BILL.

ORDER OF THE DAY POSTPONED.

The order of the day being called:

Second reading Bill (F) "An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company," together with the motion in amendment of the Honourable Mr. Mills that "the said bill be not now read a second time, but that it be read a second time this day six months."

Hon. Mr. LOUGHEED said:—The promoters of this bill have been waiting very patiently for the government to announce their policy upon the building of the Yukon road. They do not desire me to press the second reading of this bill just at this time. They do not wish to embarrass the government in any way; yet I should like to point out to my hon. friend that they are desirous of securing this charter, and of taking advantage of the time of the sitting of Parliament to procure this legislation, but with a view of the government bringing down a policy at an early date if they so intend, they have requested me to have the Order or the Day discharged and to postpone it for four or five days. I therefore move that the Order of the Day be discharged, and that it be made the first Order of the Day for Wednesday next.

The motion was agreed to.

THIRD READINGS.

Bill (57) "An Act respecting the Manufacturers' Guarantee and Accident Insurance Company," and to change its name to "The Dominion of Canada Guarantee and Accident Insurance Company."—(Hon. Mr. Allan.)

Bill (59) "An Act to incorporate the Victoria-Montreal Fire Insurance Company."—(Hon. Mr. Wood.)

Bill (K) "An Act to incorporate the Tobique Manufacturing Company."—(Hon. Mr. Wood.)

SECOND READING.

Bill (31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company."—(Hon. Mr. Lougheed.)

NAKUSP AND SLOCAN RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACINNES moved the second reading of Bill (52) "An Act respecting the Nakusp and Slocan Railway Company."

Hon. Mr. TEMPLEMAN—Could we have some explanation of that bill?

Hon. Mr. MACINNES—The explanation is a very simple one. The bill is asking powers to extend the line a distance of ten miles from a place called Three Forks to a point at or near White River Creek. Any further information, of course, will be furnished when the bill goes before the Railway Committee.

Hon. Mr. TEMPLEMAN—I understand there is some objection on the part of the Kaslo and Slocan Railway Company to the passage of this bill, and I would ask that, when it comes before the Railway Committee, a gentleman who is conversant with the railway and the effect of this extension upon the Kaslo and Slocan Company, will be permitted to be heard.

Hon. Mr. SCOTT—Oh, yes.

Hon. Mr. TEMPLEMAN—I do not know the exact objection, but there is some very serious objection. The whole of Kaslo is deeply interested.

Hon. Sir MACKENZIE BOWELL—The objection is simply that it is a competing line.

The motion was agreed to, and the bill was read the second time.

BILLS INTRODUCED.

Bill (96) "An Act to incorporate the Nickel Steel Company of Canada."—(Hon. Mr. Clemow.)

Bill (50) "An Act to incorporate the Montreal and James Bay Railway Company."—(Hon. Mr. Power.)

Bill (56) "An Act respecting the Montreal and Province Line Railway Company."—(Hon. Mr. Power.)

Bill (62) "An Act to incorporate the Timagami Railway Company." — (Hon. Mr. Dobson.)

Bill (102) "An Act to incorporate the Montmorency Cotton Mills Company."—(Hon. Mr. Power.)

Bill (91) "An Act to incorporate the Klondike and Peace River Gold Mining, Land and Transportation Company, Limited."—(Hon. Mr. Lougheed.)

Bill (61) "An Act in further amendment of the Trade Mark and Design Act."—(Hon. Mr. Scott.)

Bill (92) "An Act to incorporate the Canada Atlantic Transit Company."—(Hon. Mr. Clemow.)

Bill (86) "An Act respecting the Brockville and St. Lawrence Bridge Company."—(Hon. Mr. Clemow.)

Bill (80) "An Act respecting the Ottawa and New York Railway Company."—(Hon. Mr. Clemow.)

Bill (78) "An Act respecting the St. John Bridge and Railway Extension Company."—(Hon. Mr. Wood.)

Bill (67) "An Act to incorporate the London and Lake Huron Railway Company."—(Hon. Sir John Carling.)

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 28th April, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

DRUMMOND COUNTY RAILWAY AGREEMENT.

INQUIRY.

Hon. Mr. WOOD inquired of the Government:

1. Whether they will, during the present session, introduce legislation to ratify the agreement made with the Grand Trunk Railway bearing date the 1st February, 1898, and lately laid before Parliament?
2. Whether the Government will, during the present session, introduce legislation to authorize the purchase of the Drummond County Railway, or confirm an agreement for the purchase of the same?

Hon. Mr. MILLS—My hon. friend put this question yesterday and I answered him. I told him that the government had not considered the subject to which these questions referred, and so I am not in a position to say to him whether they will or will not.

Hon. Mr. WOOD—I understood the hon. gentleman to say yesterday that he would answer this question to-day, and to ask that the notice be allowed to stand.

Hon. Sir MACKENZIE BOWELL—That was the answer that the hon. gentleman gave; I understood him to request that the questions be allowed to stand.

RESIGNATION OF CAPTAIN BELANGER.

INQUIRY.

Hon. Mr. LANDRY inquired of the Government:

Why and on whose recommendation has the Militia General Orders No. 55, of the year 1894, in so far as it relates to Captain and Brevet Major P. Belanger of the 61st Battalion, been cancelled and the following substituted in lieu thereof, as published in the *Canada Gazette* of 18th December, 1897: "Captain and Brevet Major P. Belanger is permitted to resign his commission and to retain the rank of Major on retirement. 29th October, 1897"?

Hon. Mr. SCOTT—The changes in the general order number 55 of the year 1894 were made on the recommendation of the Major General commanding the militia.

HAMILTON AND LAKE ERIE POWER COMPANY'S BILL.

THIRD READING.

Hon. Mr. CLEMOW moved the third reading of Bill (100) "An Act respecting the Hamilton and Lake Erie Power Company," as amended.

Hon. Mr. McCALLUM—This is a very small bill, and hon. gentlemen may think it of little consequence; but I consider it a very important bill. On the second reading the hon. Secretary of State was very desirous to send it to the Private Bills Committee. I objected and it was sent to the Committee on Railways, Telegraphs and Harbours. If I thought that the bill would ever be carried out, I would oppose it very strongly. What does it propose to do? It proposes to take the waters of the Niagara river, up the Welland River 25 miles and then deliver them at what is called the River Jordan. If I thought we had a government, or would ever have a government in this country which would allow such action to take place I should oppose the bill strongly, because it would have the effect of washing out the foundation of the aqueduct of the Welland Canal. When the aqueduct was built, it was protected against the current of the river; but when you turn the current of the Niagara the other way, it will wash away the foundations. I look to the government to protect the country from any such thing, and I do not even suppose it will be attempted. I look at this bill as a bill designed to spoil the Egyptians. Look at it. The company had a charter three years ago, and this bill is to renew it. They had power, under that charter, to issue stock to the extent of a million dollars; they had power, at the same time, to issue bonds for a million dollars; now they come to this parliament, and the committee has thought proper to give them the power to increase their capital stock to $3,000,000 and their bonding power to $3,000,000 more. The only restriction put on them yesterday was that they should have only two years to commence and five years to finish. As I have said, I look at this as a scheme to spoil the Egyptians. If the company can sell these bonds, of course it is all right enough. When I look at the proposal to come from the Welland River to the River Jordan, I remember reading in the Good Book that it took the children of Israel, under the management of Moses and Aaron, forty years in the wilderness to reach the River Jordan—that they did not get there even then, because the children of Israel crossed the River Jordan under the guidance of Joshua, the son of Nun. As I look at this project, neither the Moses that is guiding this, nor the Aaron who is helping him will get across the River Jordan, and the Joshua who can work such a scheme has yet to come. I do not see him yet. If you remember, Moses was a man of few words and Aaron was a clever man, a learned man, an educated man, and did the speaking for Moses. My hon. friend the Secretary of State does the speaking for E. A. C. Pew, or in other words, the alphabetical Pew, and so must be the Aaron; but the Joshua has not appeared so far. I look to parliament to protect the country, and I think they will have to deal with it a great many times yet before it is done. Depending as I do upon the government of this country that they will not sanction the destruction of a great public work, I am not going to divide the House, but I shall vote against the bill certainly if I can get enough to support me in having my vote recorded.

The motion was agreed to, and the bill was read the third time and passed, on a division.

LAKE MANITOBA RAILWAY AND CANAL COMPANY'S BILL.

THIRD READING POSTPONED.

The Order of the Day "Third Reading Bill (66) 'An Act respecting the Lake Manitoba Railway and Canal Company,'" having been called,

Hon. Mr. BOULTON asked that the third reading of this bill be allowed to stand over until to-morrow, as he desired to move an amendment affecting the bill.

Hon. Mr. MacINNES—As requested by the hon. gentlemen I agree to postpone the third reading till to-morrow.

Hon. Sir MACKENZIE BOWELL—I may just point out to the hon. gentlemen that if he desires to move an amendment to this bill it is necessary to give notice.

Hon. Mr. BOULTON—I am just doing that now. I desire in connection with this

bill to give notice of the following amendment: that the following words be added to clause 1: "provided such amalgamation with the Winnipeg and Great Northern Railway Company shall only apply to that portion of the aforesaid railway that lies between the terminus of the Lake Manitoba Railway and Canal Company and the Saskatchewan River."

The third reading was postponed till to-morrow.

THIRD READINGS.

Bill (34) "An Act respecting the Columbia and Western Railway Company."—(Hon. Mr. MacInnes.)

Bill (45) "An Act respecting the British Columbia Southern Railway Company."—(Hon. Mr. MacInnes.)

Bill (44) "An Act to confirm an agreement between the St. Stephen and Milltown Railway Company and the Canadian Pacific Railway Company."—(Hon. Mr. MacInnes.)

Bill (23) "An Act to incorporate the Miles Cañon and Lewes River Tramway Company," as amended.—(Hon. Mr. Macdonald, B.C.)

Bill (58) "An Act respecting the Queenston Heights Bridge Company."—(Hon. Mr. Sanford.)

Bill (46) "An Act respecting the Canadian Pacific Railway Company."—(Hon. Mr. MacInnes.)

Bill (51) "An Act respecting the Calgary and Edmonton Railway Company."—(Hon. Mr. Lougheed.)

SECOND READINGS.

Bill (50) "An Act to incorporate the Montreal and James Bay Railway Company."—(Hon. Mr. Power.)

Bill (56) "An Act respecting the Montreal and Province Line Railway Company."—(Hon. Mr. Dandurand.)

Bill (62) "An Act to incorporate the Timagami Railway Company."—(Hon. Mr. Dobson.)

Bill (102) "An Act to incorporate the Montmorency Cotton Mills Company."—(Hon. Mr. Dandurand.)

Bill (92) "An Act to incorporate the Canada Atlantic Transit Company."—(Hon. Mr. Clemow.)

Bill (86) "An Act respecting the Brockville and St. Lawrence Bridge Company."—(Hon. Mr. Clemow.)

Bill (80) "An Act respecting the Ottawa and New York Railway Company."—(Hon. Mr. Clemow.)

Bill (78) "An Act respecting the St. John Bridge and Railway Extension Company."—(Hon. Mr. Wood.)

Bill (67) "An Act to incorporate the London and Lake Huron Railway Company."—(Hon. Sir John Carling.)

TRADE MARK AND DESIGN ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The Order of the Day being read:—

Second reading Bill (61) "An Act in further amendment of the Trade Mark and Design Act."—(Honourable Mr. Scott.)

Hon. Mr. SCOTT said: When I moved that the second reading of this bill take place to-day, I was under the impression that it was a bill prepared by the Minister of Agriculture. On sending to the department to know whether they had introduced the bill, I was informed that they had not, that it had been introduced by a private member of the House of Commons. Some private member of this House will, no doubt, take charge of the bill here, and I therefore move that the Order of the Day be discharged and that the second reading be fixed for Monday.

Hon. Sir MACKENZIE BOWELL—Will my hon. friend explain the object of the bill?

Hon. Mr. SCOTT—I understand that it is to enable trades unions to adopt trade marks. I do not know that there is any objection to the bill—I think there is none.

Hon. Mr. MILLS—I have just read the bill this moment. I understand that trades unions have certain trade marks and that they ask permission, in all industries in which they are employed, to use these marks only in those institutions in which members of their order are employed so as to designate the work that is produced by them. I see no objection to the bill.

Hon. Sir MACKENZIE BOWELL—Then any manufacturer who thinks proper to employ men who do not belong to trades unions will find, when his goods are placed on the market, that they will be boycotted because they have not the trade union mark on them.

Hon. Mr. MILLS—The object is to indicate whether such goods are produced by members of the trade unions.

Hon. Sir MACKENZIE BOWELL—If objection should be taken by the trade unions to the sale of goods which do not bear their mark, does the hon. gentleman think that would be desirable?

Hon. Mr. MILLS—As nine hundred and ninety-nine out of every thousand persons in the community are not members of trade unions, they will not consider when they purchase goods whether they were made by members of trades unions or not. They will consider the price and quality of the goods.

Hon. Sir MACKENZIE BOWELL—It has another bearing; however, we can discuss all that in committee.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 29th April, 1898.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SURVEYS OF TIDES AND CURRENTS IN CANADIAN WATERS.

INQUIRY.

Hon. Mr. PRIMROSE rose to inquire of the government:

Whether it is their intention to include in the Supplementary Estimates, or otherwise provide for, an amount in addition to the $2,500 embraced in the main estimates, for the prosecution of the "Survey of Tides and Currents in Canadian Waters," in some degree adequate to the requirements of this most important service.

He said: In speaking to this motion, I wish to put the matter before the House in as succinct and condensed a manner as possible in order to economize time; at the same time, I want to give a clear and intelligent presentation of the circumstances in regard to this most important matter, and so, instead of speaking to the various items, I propose to cite the opinion in reference to them of corporations and individuals who are recognized as authorities on the subject with which they deal, at the same time making such comments as may seem to me to be necessary. In the first place, to show the localities in which the work has been prosecuted heretofore, I read from the report of the Department of Marine and Fisheries, 1897, pages 17 and 18. This is from the chief engineer, W. B. Dawson, to W. P. Anderson, 6th December, 1897, in regard to the locality in which the work has been prosecuted and where it is further required:

A general examination of the currents of the Gulf of St. Lawrence has been carried on by this survey in the three seasons of 1894, 1895 and 1896, by which the currents in the interior of the gulf, and in the straits connecting it with the ocean, have been examined with special reference to the leading steamship routes which pass through it in various directions.

The United States Hydrographic Office have drawn attention to the results obtained by this survey, by republishing a diagram and explanation of the nature of the current in the Strait of Belle Isle, in their "Pilot Chart for the North Atlantic," for the month of March, 1897; and also a summary on "Current circulation within the Gulf of St. Lawrence" in the "Pilot Chart" for July, 1897. A "Notice to Mariners" based upon the information obtained, was also issued by the United States Hydrographic Office in January, 1896. Two extended summaries of the Reports of Progress have now been given in the "Annals of Hydrography and Maritime Meteorology" by Dr. Schott, of Hamburg. The reports have also been reviewed in the "Scottish Geographical Magazine;" the "Annales de Géographie," Paris; and Dr. Petermann's "Mittheilungen," Germany; and the work has been favourably noticed in the "Journal of Commerce," of Liverpool. A short review of the work from its inception, and of the results arrived at, appeared in "Nature," London, 22nd April, 1897.

Little attention has yet been given to the currents in Northumberland Strait and around Prince Edward Island; or to the tidal currents of the Lower St. Lawrence from Anticosti to Quebec, as some knowledge had first to be obtained of the gulf currents and their relation to the ocean. A further examination of the currents in the Strait of Belle Isle is also desirable, to obtain more complete data for its tidal character. The work has been carried on with the assistance of one of the supply steamers of the light-house and buoy service, which has been placed at the disposal of this survey for the three months of July, August and September, in each season, which was as long as it could be spared from its other duties; but it has proved unsuitable for the purpose, as it is so slow and unwieldy as to add materially to the difficulty of carrying out the work to advantage, and the time allowed cuts the season too short, even with the best endeavour to take advantage of every available day, and to make the observations continuous day and

night. The further survey of the currents was discontinued this season to save expense to the department; and when it is resumed, a steamer of suitable character and properly equipped for the purpose should be made available for the work; and in some regions one or two schooners, if properly fitted out, could be used with advantage as auxiliaries.

The regions in which the currents most require investigation at present, are on the south coast of Newfoundland and in the Bay of Fundy. On the south coast of Newfoundland it is reported that there is a strong indraught into the larger bays, and to this several wrecks are attributed. The distance from shore that this is felt, and the conditions of wind and tide which give it the greatest strength, should be ascertained; as two of our leading steamship routes follow this coast. I had the opportunity this season of obtaining some preliminary information which will serve as a guide in carrying out this investigation. In the offing of Cape Race, the variation in the Arctic current should be better understood, for information of inward-bound vessels; and no detailed examination has yet been made of this current further north, off the outer end of the Strait of Belle Isle, for the assistance of vessels in making that strait. The currents on the south-western coast of Nova Scotia and at the mouth of the Bay of Fundy have also much importance, and to obtain the necessary tidal data for comparison, a tide gauge should be established at Yarmouth without further delay. In the upper part of the Bay of Fundy, and its arms, the currents are probably more nearly parallel with the coast line, as on the Lower St. Lawrence; but on the other hand, the navigation being entirely dependent on the tide, it comes to be of the first importance to determine the time and height of the tide itself correctly. An examination of these currents should be made while the principal tidal stations now established continue in good working order, as the currents are chiefly tidal, and their behaviour can only be ascertained by direct comparison with a tidal record.

And here I want to emphasize as best I can the importance of a proper investigation in that respect along the route where such important matters as are embraced by these notices are conducted:

The investigation has included the currents found at the three angles of the gulf, namely, (1) in Cabot Strait which forms the main entrance to the gulf, between Cape Breton and Newfoundland; (2) in the Strait of Belle Isle; and (3) at the entrance to the St. Lawrence and around the Island of Anticosti. The currents met with in the open gulf have also been examined and their direction traced; and much information has been collected from seamen and fishermen as to the currents, and with reference to the drift of the ice in winter and spring.

I read also from the letter of the Chairman of the Board for Examiners to the Department in 1897, pages 58 and 59.

In December, 1895, I received a letter from the department, stating that it was carrying on a survey of tides and currents on the coast by which important additions to its knowledge was being obtained, and informing me that the latest knowledge of this character would be included in the subjects for examination before my board.

So important did they deem this matter that it was constituted a matter of inquiry before the board of licensing and granting certificates of competency and so on. The report continues:

And I notified the instructors of navigation to that effect.

The information gained from a survey of the Gulf of St. Lawrence and Straits of Belle Isle, made for the purpose of ascertaining the movements of the tides and currents of those waters, will, no doubt, be of much service to mariners, and the inauguration of the method of continuous tidal records, obtained from the automatic gauges placed at some of the principal ports of our coast, and other places in the Gulf of St. Lawrence, will no doubt hereafter prove beneficial and assist in the safe navigation of all classes of vessels.

The influences which act upon the waters of the Gulf of St. Lawrence, are ever changing, making it most difficult for officers of ships to calculate the force and direction of the tidal current with any great degree of certainty.

Mr. W. Bell Dawson, who conducted the survey, has given much valuable information upon the subject, and it is to be hoped the government will see their way to prosecute this useful work for many years, as the short time occupied in the survey is not sufficient to give any proper knowledge of the movement of the tide.

I regret to say that the officers who have been examined for certificates have not given this matter the attention it deserves.

That is from W. H. Smith, chairman of the board of examiners. I also desire to read the enumeration of the principal tidal stations from W. B. Dawson's report of 1897 at the first page:

In establishing these stations originally, a careful selection was made of the most commanding points on the Atlantic coast, at the gulf entrances, and on the St. Lawrence. The stations, therefore, are not only of direct value to our principal harbours, but they also serve as reference stations from which to determine tidal data in the regions lying between them. There are now seven stations in operation, situated at St. John, N.B., Halifax, St. Paul Island in Cabot Strait, Forteau Bay in the Strait of Belle Isle, South-west point of Anticosti, Father Point and Quebec.

Then I read from the report on the preparation and improvement of tide tables on the fourth page of the same report:

The improvement which can be made in the tide tables each year has to depend upon the balance remaining after the charges of first importance are met. Out of the small vote available for this survey, the special appliances for deep-sea anchorage, and all current meters and other marine instruments required for the survey of the currents, have to be provided; as well as the salaries of assistants and of the tidal observers, and maintenance and supplies for the tidal stations. The question of expense made it necessary to choose between these and improvement of the tide tables.

Now I come to another matter of prime importance, and that is the result of these investigations in this work in regard to the fisheries. I read from the same report of 1897. (Pages 36 and 37):

It is probable that the temperature and density of the water and the direction of its currents, may have

important bearings upon the movements of fish, which as yet are imperfectly understood. This opinion is held by the countries bordering the North Sea; and the information afforded by the investigation of the movements and other characteristics of the water are there used as a basis in arriving at the reasons for the distribution and migration of fish at different seasons. The information has its chief application in the North Sea to the herring fishery; and yet a practical return is expected for the outlay which is made in obtaining it; and the investigation is of such importance that arrangements are being discussed for international co-operation amongst the countries bordering the North Sea in carrying it on. In our fisheries, the cod and mackerel, have a greater importance relatively than the herring; which would warrant the expenditure of larger sums in proportion in promoting their interests by such investigations.

As an example of the importance of knowing where fish are to be found, and why they prefer one region to another in different seasons, it may be mentioned that during last season's fishing schooners were returning from Labrador in September with half cargoes while within the Gulf we found on the "Lansdowne" that cod were everywhere abundant throughout the summer on the thirty and forty fathom banks, which no schooners were taking advantage of. It is held by fishermen that fish are never caught while the water is clear; and its clearness must have some relation to physical conditions which could be ascertained. It is also known that the cod are caught in shallower water in the spring, and further from shore as the season advances. This may depend more directly on the movements of the herring or capelin which they follow; but these fish may themselves be influenced in their movements by the temperature or other characteristics of the water which may differ at different times.

In the sixth item, I read the present position of this branch of the tidal service and future work at page 38 of the same report. I have selected these different excerpts, as far as I possibly can, in order to give them a sort of succession to make the story continuous—having a text of such importance as this work—and to make it as intelligible as I can in that way.

I read now of the present position of this branch of the tidal survey and future work:

During the past three seasons a general examination of the currents in the interior of the Gulf of St. Lawrence and the straits connecting it with the ocean has been made with special reference to the leading steamship routes which pass through it. Little attention has yet been given to the currents in the wide bay formed by the sweep of the coast from Miscou to Cape Breton, in which Prince Edward Island lies. The strong tidal currents of the Lower St. Lawrence have not yet been examined, as they are usually parallel with the shore and have less tendency to set a vessel out of its course, and also, because from Father Point to Quebec, vessels have the advantage of the pilot service. It was also necessary to obtain first some knowledge of the gulf currents and their relation to the ocean. No detailed examination has yet been made of the currents in the Atlantic, off the outer end of the Straits of Belle Isle, for the assistance of vessels in making the strait. On the south coast of Newfoundland, it is reported that there is a strong in-draught into the larger bays, and to this several wrecks are attributed. The distance from shore that this is felt, and the conditions of wind and tide which give it the greatest strength, should be ascertained, as two of our leading steamship routes follow this coast. Some information has been collected with regard to the general set of the current on the Atlantic coast of Nova Scotia; but the currents on the south-western coast and in the Bay of Fundy are much more important. In the upper arms of the bay the currents are probably parallel with the coast line, as in the Lower St. Lawrence. But there, the navigation is entirely dependent on the tide, and the time and height of the tide are of the first importance. Towards the mouth of the bay, the currents require investigation in the interest of steamship lines running to St. John and to ports in western Nova Scotia. An examination of these should be made while the principal tidal stations are still in operation, as they are chiefly tidal and their behaviour can only be ascertained by direct comparison with a tidal record. This may serve to indicate the information which is most needed with regard to the currents on our eastern coasts, and which it is important to obtain, as soon as possible, in the interest of Canadian shipping.

I will read now of the seven tide gauges now in operation from Dawson's report of 1896, on page 6:

The seven tide gauges now in operation are as follows:—

1. St. John, N.B.—Gauge sitnated at Reed's wharf in St. John Harbour. To furnish a basis for tide cables for this harbour, and also to serve as a reference station for the Bay of Fundy.

2. Halifax, N.S.—Gauge situated at the wharf of the Department of Marine and Fisheries. To furnish a basis for tide cables, and also to serve as a reference station for the Atlantic coast.

3. St. Paul Island, C.B.—Gauge situated at Atlantic Cove, on the east side of the island. To command Cabot Strait, the main passage in which the tides enter the Gulf of St. Lawrence from the Atlantic.

4. Strait of Belle Isle.—Gauge situated at Forteau Bay, at the inner end of the strait. To command this entrance to the Gulf of St. Lawrence, and also to bring the currents in the strait into relation with the tides.

5. Anticosti.—Gauge situated at south-west point. To command the entrance to the St. Lawrence.

6. Father Point.—This gauge is at the pilot station, and at the head of the deep channel of 150 fathoms, which extends up the Lower St. Lawrence from the gulf. It serves also as an intermediate station between Anticosti and Quebec.

7. Quebec.—Gauge situated at the dry dock, Lévis. To furnish a basis for tide cables for Quebec harbour, and with reference to depth of water in the St. Lawrence Ship Channel.

These are pretty much the data in regard to the condition of matters as far as the work itself is concerned and the progress which it has made. I come now to read what is thought of this service and its importance by corporations and by gentlemen who are experts and whose authority is recognized all over Canada, and in many cases throughout the world. I read now the petition of the Royal Society of Canada, presented to the government in June, 1897:—

PETITION OF THE ROYAL SOCIETY OF CANADA, JUNE, 1897.

The Royal Society learn with regret that no grant has been made by parliament this year for the contin-

uance of the survey of the tidal currents. Ignorance of these currents has been made the cause of immense losses to shipping in the past and will in the future until it is removed by a thorough investigation. The sooner, therefore, that investigation is completed the better for Canadian navigation; but the need for prompt action has become much more pressing since a parliamentary grant has been passed for a "Fast Atlantic Service." The importance of tidal observations in connection with these currents was urged upon the attention of the Dominion government for several years by the Royal Society of Canada, acting in co-operation with the British Association for the Advancement of Science.

The force of the reasons submitted by the society was invariably acknowledged, but delay arose from various causes. At length after a thorough inquiry by the Minister of Marine, the work was undertaken by the government in 1890, and although the grants were small, inadequate in fact to such a prompt execution of the survey as the interests of navigation demanded, yet progress was being made and there was every year a hope that an increase would be made which would bring nearer the time when the practical knowledge acquired would become of extensive value.

Much disappointment has been caused by the retrograde step of reducing the yearly grant so that observations of the currents will be lost for at least a whole year.

The society is persuaded that this reduction would hardly have taken place if the full weight of the reasons for establishing a tidal survey had been present to the mind of the government, and therefore beg leave respectfully to present them again.

For proof of the assertion that ignorance of the tidal currents is a great danger to navigation it is only necessary to refer to the list of wrecks published annually by the Dominion government since confederation. There it will be found that a very serious proportion is attributed to "unknown currents," which may be fairly assumed for the most part to be "tidal currents.' As year after year, trade is more and more, carried on by steamers, attention may be specially drawn to the wrecks of steamers. A list officially prepared in which those due to unknown currents and fogs in which the currents are most dangerous and causes connected with the tides generally, would be very instructive, if a comparison were made with the total loss of steamers from all other causes.

The magnitude of the total loss in the case of steamers on the St. Lawrence route, may be estimated in another way, which shows a heavy burden on Canadian navigation. It is stated on good authority that while the insurance of a steamer for the season of navigation by the St. Lawrence route may amount to as much as 10½ per cent of the value of the vessel, the insurance of the same vessel to United States ports will be only from 3½ to 6½ per cent, according to the port—a difference against the Canadian route of from 4 to 7 per cent. Should not means be taken to remedy this enormous disadvantage as speedily as possible?

If the rate of insurance on the St. Lawrence route for steamers could be reduced by only 3 per cent, a very short calculation will show the great aggregate gain. What is the total value of the ocean steamsers on the route? To this only an approximation can be made. Lieut. Gordon, R.N., in a report to government published in the Annual Report for 1889 of the Department of Marine, estimates roughly the average value of a single steamer at $250,000.

This would give us a total for 64 steamers coming to Montreal this summer, the sum of $16,000,000, an amount that may fairly be considered to be below the true value when it has been officially stated in parliament that the cost of the four new steamers for the "fast Atlantic service" will be $10,000,000. Two years hence we may, therefore, reasonably expect the total to be at least $26,000,000.

If the insurance on this amount can be reduced by 3 per cent, the saving will be $780,000 yearly. This, it is to be remembered, is on the vessels alone. How much should be added for the insurance on the freight? When this has been done may we not, keeping within safe bounds, say that it seems probable that a reduction of even less than 3 per cent would result in a saving of not less than $600,000 yearly. This will be on the St. Lawrence route alone. How much more will it be when other Canadian waters are taken into account?

Compared with this annual sum, the total additional outlay that the government can be asked to spend on every form of improvement of all the different routes for navigation is small. Fogs are the chief source of danger for steamers, and this mainly because of the "unknown currents." In fogs, the lighthouses, on which the government, very properly, spends large sums of money, are useless; and all fog-signals, though useful, are, owing to atmospheric causes, very untrustworthy. Soundings, too, are often deceptive. It becomes, therefore, a matter of necessity that the master of a ship should learn as accurately as possible in which direction and how fast the current is carrying his ship.

In the case of the steamer "Montreal," which was wrecked in the Straits of Belle Isle in August, 1889, in a fog in which the explosion of the foghorn-gun was heard and soundings were constantly taken, the unavailing efforts of the master to ascertain the drift of the ship, due to the tidal current, and the over-dependence on the sound of the gun, which eventually destroyed the vessel, are very instructive on this point. The details are given in the report of the Depart of Marine for 1889, p. 112, etc.

Admitting the great magnitude of the losses to Canadian trade caused by "unknown currents," the evidence for which is to be found in the government reports, the following questions may be asked:

1. Can a knowledge of these currents be attained which shall be of practical value to navigation?
2. Do shipmasters desire it, and can they use it? Do ship owners and agents desire it?
3. What will the cost be?

Evidence in reply to these questions has been collected and submitted to the government on former occasions. Canadian waters are not the only waters in which currents are dangerous, and the experience of other maritime nations in dealing with these currents can be appealed to. Here especially may attention be drawn to the tide tables for British and Irish ports published yearly by the Admiralty, in which full information is given about the tidal currents around the coast of the United Kingdom. The knowledge is deemed of such importance that shipmasters in order to obtain certificates of competency are obliged to pass an examination on the subject. Reference may also be made to the work of this kind done by the Coast and Geodetic Survey of the United States.

Besides this evidence, a circular with definite questions bearing on the subject and issued to leading shipmasters on the St. Lawrence and to others, and the replies, which were practically unanimous, were transmitted to the Minister of Marine. Copies of these replies can again be submitted if necessary. The reply of Staff-Commander Maxwell, R.N., then engaged on H.M.S. "Gulnare" in surveying the gulf was very direct and plain approval and was quoted.

Further direct evidence was received by the late Minister of Marine himself in reply to inquiries addressed to the chief officers in the Hydrographic Services of Great Britain and the United States. This evidence also recommended a survey. Other evidence also was submitted, but the above seems sufficient.

The answer to question 2 concerning the wishes of shipmasters is given by a petition addressed to the Minister of Marine by nearly 400 (393 is the exact number of masters and officers of ships). A printed copy is herewith submitted, to which is attached a copy of a petition from the "Shipping Interest" of Montreal. A body which sent many deputations to the government in favour of the movement.

Petitions came also from boards of trade. More especially has the board of trade of Montreal, the commercial capital of the Dominion, urged steadily and repeatedly by memorial and deputation the necessity of the survey.

For the third question, the cost, an estimate for tidal observations in general was submitted by the late Lieut. Gordon, R.N., which will be found in the Annual Report of the Department of Marine for 1890, pp.—84 to 85. The amount, $40,000, suggested for the tidal currents alone, seems too small, but, even if the sum should be trebled, it would still be small, compared with the gain on the St. Lawrence route alone. His estimate is based on observations for a number of years.

In the case of the tidal currents the time may be reduced by increasing the annual outlay for a few years, and as it is of the utmost importance that everything should be done to make the "Fast Atlantic Service" successful, it is respectfully submitted that it would be wise by immediate outlay to remove the danger arising from these currents as much and as quickly as possible. A great deal may be done before the vessels are ready. The operations might be restricted to this steamship route until it has been thoroughly surveyed.

While pressing so strongly the need for a survey of the tidal currents, the society would deprecate quite as strongly the idea that this should be carried out to the neglect in the smallest degree of the other measures which are necessary for the safety of navigation.

A survey of tidal currents is in reality only part of a hydrographic survey, taken in the fullest sense of the term, and the society has already recommended to the government the complete organization of a hydrographic survey for the Dominion corresponding to the coast survey in the United States. It is a matter of fact, that hydrographic work is being regularly done for the Dominion. There has been a hydrographic survey of the Georgian Bay, a hydrographic survey of the Bay of Quinté, hydrographic work on the Pacific coast, hydrographic work on the Great Lakes. The tidal observations on the Atlantic side of the Dominion are also, as has been stated, part of a hydrographic survey.

The importance of the work seems deserving of more recognition than has yet been given to it. If a hydrographic survey department were organized and put on the same footing as the Geological Survey, both the public and parliament would be more likely to give weight to its recommendations. The officers of such a department would be responsible advisers of the Minister of Marine and would be recognized in this capacity by the people of Canada. It would be their duty year by year, to determine and report to the Minister of Marine what was the hydrographic work that was most urgently needed for the time, and to execute this work when duly authorized. It is not likely that with such a department in existance so important a work as a tidal survey would be overlooked or neglected.

After the organization of such a department it is not likely that the survey of any region would be postponed until attention has been drawn to the need by the wreck list.

It is not probable that such a statement would again be made as appears in the report for the Department of Marine for 1889, p. 68, where it is said that the survey of the Georgian Bay was caused by the great loss of vessels every autumn, culminating in the loss of the steamer "Asia" with some 150 lives, coupled with a prospect of increasing trade.

The loss of 150 lives or a great number of ships or even of one very costly vessel, ought not to be necessary preliminary to inquire into the condition of the navigable routes.

The Royal Society would go one step further in its recommendation.

The hydrographic survey of the Georgian Bay beginning in 1883 was the first that was ever undertaken "by and at the sole expense of the government of Canada" (It should be remembered that the Dominion had then been in existence for only 16 years.) No hydrographic survey of the Gulf of the Atlantic coast has ever been undertaken by the Dominion itself. All this work has been done by the Admiralty either wholly at the expense of the Imperial government or when the Dominion government has made a special application, the cost has been divided between the two governments.

It is likely that in future much more will have to be done by the Dominion government itself. Greater economy and efficiency will, no doubt, be attained by acting in concert with the Imperial government. By proper consultation it ought not to be difficult to arrange what work should to be done by each in Canadian waters or their neighbourhood, or what by both in common.

In short, it may be suggested that the Dominion Hydographic Survey might form part of an Imperial Hydographic Survey, and while quite independent, might thus act well in concert with the Imperial government. It does not seem that there ought to be more difficulty in effecting this than in making common postal facilities for both countries.

It may be objected that this may cause greater outlay for the Dominion. That, however, is a matter that will be determined by the Dominion itself. It certainly cannot expect, nor ought it to desire that Imperial funds should be spent as freely in the future as in the past in the survey of Canadian waters.

If it were to follow the example of New Zealand, which contributes $50,000 yearly to the Royal Navy, or of Australia, which gives $600,000, it also would contribute to the Royal Navy, the protection from whose armed ships it shares. But if this cannot be done, it ought, in the future, to pay at least for that work in its own waters, which has hitherto been so largely done by the surveying vessel of the Navy.

I wish to call the attention of the House to the fact that while, in the St. Lawrence route, the insurance is ten and a half per cent, the insurance of the same vessel in the United States port would be only three and a half to six and a half per cent. I shall now read a statement showing the losses from wrecks :—

LIST OF WRECKS IN RIVER AND GULF OF ST. LAWRENCE AND BAY OF FUNDY.

	1886.	
Gertrude	July 4	Cape Pine, N.F.
Benonia	" 10	Cape North, C.B.
Acton	Aug. 13	St. Shotts, N.F.
Advance	" 28	Fox River, Gaspé.
Eastern Star	Oct. 10	Trinity Bay.
Lubna	Nov. 23	Near Halifax, N.S.
	1887.	
John Knox	May 1	Point Basque, N.F.
	1888.	
Fernholme	July 9	St. Mary's Bay.
Bk. Maria	" 20	Bird Rocks.
	1889.	
Cynthia	May 22	Longue Point, Montreal.
Bessie Morris	June 3	Point au Pic, C.B.
Lemuria	July 11	Matane.
Montreal	Aug. 4	Belle Isle Straits.
Geographique	Oct. 2	Off St. Pierre.
	1890.	
Thornholme	July 18	Barret Ledge, River du Loup.
Idaho	" 23	S. Point, Anticosti.
Gerda	" 27	Sable Island.
Aslacoe	Aug. 17	Cape Race.
Barcelona	Sept. 13	Red Island.
Melmerby	Oct. 13	New Glasgow, N.S.
Mary Graham	Aug. 17	Point Rich, N.F.
Napoleon III	Oct. 19	Glace Bay, N.F.
	1891.	
Stratsraald Loange	June 26	Bryon Id., Gulf of St. Lawrence.
Circe	July 18	Heath Point, Anticosti.
Mondego	Sept. 14	St. Mary's, N.F.
Annie	Nov. 23	S. W. Point, Anticosti.
	1892.	
St. Joseph	Aug. 12	Mille Vache, River St. Lawrence.
	1893.	
Wandram	May 14	(Almost lost) River St. Lawrence.
Hurona	" 10	(Ashore) Cape Magdalen.
Craigside	" 19	White Head, N.S.
John E. Sayer	July 6	Channel, N. F.
Alcides	" 23	(Almost lost.)
Beatrice	Aug. 18	Magdalen Island.
Otto Antonio	" 18	" "
	1894.	
Texas	June 4	St. Shotts, N.F.
Haverton	" 3	St. Croix Reef.
	1895.	
Mexico	July 7	Straits Belle Isle.
Dracona	Aug. 14	Fox River, Gaspé.
Mariposa	Sept. 24	Straits Belle Isle.
Brazilian	Oct. 27	Cape Sable.
Canadia	Nov. 6	Matane.
Thames	" 21	Peter's Ledge, Gulf St. Lawrence.
Elsie	" 25	S. W. Point, Anticosti.

LIST OF WRECKS IN RIVER AND GULF OF ST. LAWRENCE AND BAY OF FUNDY—*Cont.*

	1896.	
State of Georgia	Dec. 23....	Never arrived.
Ealing	Jan. 7....	Off Nova Scotia.
Parkmore	June 17....	" Anticosti.
Wm. Geake	Aug. 3....	Byron Island.
Warwick	Dec. 31....	Grand Manan, Murr Ledge.
	1897.	
Assaye	April 5 ...	Gulf of St. Lawrence.
Hungaria	July 2....	" "
Baltimore City	" 20....	Straits Belle Isle.
Derwentholme	" 29....	(Almost total loss) River St. Lawrence.
Arcadia	May 16 ...	Cape Ray.
Arabia	Sept. 27....	Cape Laroche, River St. Lawrence.
Turret Cape	Oct. 22....	St. Valier Shoal.
	1898.	
Greona	Jan. 1....	Seal Island.

It is impossible to get values of steamers or cargoes lost, but seeing that the total losses number fifty-three, seven and a-half to ten millions of dollars would be a moderate estimate of the value for the steamers, or, say £30,000 to £40,000 each, and their cargoes should amount to an equal sum, so that the entire loss may be fairly estimated at fifteen to twenty million dollars.

I read now a letter from a prominent steamship firm in Montreal to the Minister of Marine and Fisheries last year:

We beg to bring to your notice the stranding of the steamship "Arcadia," near Cape Ray, Gulf of St. Lawrence, with probable total loss of this very valuable boat, which taken in conjunction with the total loss of the steamships "Warwick" and "Assaye" in Bay of Fundy last winter will, we fear, bring about very serious consequences to the steamship trade of Canada, by greatly advancing the rates of insurance upon both hulls and cargoes.

Insurance, as you are doubtless aware, is a most important and very large item in a steamer's outlay, and it is also an important item in the matter of costs with shippers, most of our grain, flour, deals, &c., being sold on such a small margin of profit as to take but little additional cost to make the business impossible, or deflect it to United States ports where insurance can be done at much lower rates than from Canadian ports.

The reason for high rates on steamers to Canadian ports is largely owing to the feeling amongst English underwriters, Lloyds and others, that our coasts are not properly lighted and surveyed and the charts *re* soundings and currents very defective. The actual condition of things may not be so bad as supposed, but it must be, we think, acknowledged that but little has been done of late years in improvements to our lights or fog signals and but little in the way of determining the existence and strength of the currents which are known to be dangerous on many parts of the coast, particularly to the entrance of the Gulf of St. Lawrence and the Bay of Fundy.

We inclose you letter received from a firm of marine insurance brokers in London which treats of this matter and we hope that as Minister of Marine you will give this subject your earnest attention and that you will see your way to the publication of some information that can be distributed among the underwriters and marine insurers of England, giving the exact position of lights, fog signals, &c., on the Canadian coasts and in shape serviceable as a guide to captains commanding steamers in the Canadian trade, especially strangers coming to a Canadian port, it may be for the first time.

The enormous difference in insurance against steamers engaged in the Canadian trade is probably unknown to you, but when we inform you that the common rate of insurance on vessels running to Canadian ports is 10 per cent per annum as against three to four per cent per annum on steamers of same class running to United States ports, you will understand how heavily we are handicapped.

Taking 50,000 pounds as an average price for a freight steamer—the "Arcadia" is said to have cost over 100,000 pounds—and many of the vessels now engaged in the trade have cost fully that amount, but taking 50,000 pounds as an average the difference of insurance per annum would be about 3,500 pounds per year, or say 500 pounds per voyage an amount they can badly afford to pay. Indeed the heavy insurance charge has been the cause of a great deal of the disasters which have befallen the Canadian steamship companies and anything the government can do to increase the safety of our coasts, and especially the St. Lawrence route, will be a great boon to the shipping interests.

Then I read from a letter from a firm of merchants in London, England:

With reference to the insurance of steamers trading between this country and Montreal, we very much regret to say that there is a great amount of prejudice existing here, both at Lloyds and with all the companies, about the navigation of the St. Lawrence. Indeed the difference in premiums between the trade to the United States and Canada is something like 50 per cent to 60 per cent against Canada. We cannot of course suggest any remedy, but if your government could in any way take steps by improved lighting of the river, if that matter is at all defective, it would be the means of saving the shipowners who carry on the trade, a considerable amount of money.

We have always had the feeling that Montreal traders were placed at considerable disadvantage and if the authorities would see if any improvement in the existing arrangements could be made, it would enable owners to insure their steamers at somewhat lower rates.

I have here a memorandum as to insurance rates for grain. The rates are as follows: From New York $\frac{3}{4}$ cent per bushel; Montreal $2\frac{3}{4}$ cents per bushel; other goods—it does not specify the other goods, they can be any class of goods—other goods from New York, 5 cents; from Halifax, 8 cents; from Montreal, 15 cents. Then the regular insurance on the Fast Line steamers is enormous, so much so that it would almost pay the Messrs. Peterson and Tate to pay for the cost of carrying on this survey themselves. Now I am going to read a letter from a high authority connected with the British Admiralty:

I have been much exercised at hearing a rumour that investigations connected with the tidal survey were to be curtailed, if not dropped. The work has been so far well carried out, but the nature of the water movement requires a long continued series of observations to arrive at any practical conclusion, and if dropped now the money already spent may almost be said to be thrown away.

I read now an extract from the Journal of Commerce of Liverpool, dated April the 9th, 1898:

The survey of tides and currents has been carried out under the able superintendence of Mr. W. B. Dawson and that official's report appears, and contains much that is of value to navigators in the St. Lawrence Gulf waters, or more correctly, a portion of that navigation. Every advantage has been taken of the facilities offering, which, by the way, have not been of the most satisfactory nature, the steamer placed at the disposal of the department, being available only some three months. However, a great deal of valuable work has been done and too much stress cannot be laid upon the necessity for a thorough investigation of the tides and currents in this part of the world for the greatest bar to navigation—fog—is so common and persistent that the most reliable information should be at the disposal of captains and pilots. Several wrecks are attributed to an indraught setting on the south coast of Newfoundland yet no adequate knowledge of its force or the conditions inducing it are available. Other portions of the gulf and adjacent waters such as the Bay of Fundy need investigation; and in the interests of our great shipping industry, and with the object of removing ship owners and underwriter's objections, the work should be carried out efficiently and effectually—a course that cannot be followed without expense, but money expended by any country or colony in rendering the navigation to and from it comparatively safe is one of the best investments that can be made. We have on previous occasions referred to the excellent work of this survey, and judging by results as evidenced by the tide tables issued and the tidal diagrams published in the report before us the Dominion Minister of Marine and Fisheries has every cause to be satisfied with the work of Mr. Dawson. The whole report is excellent evidence that the Right Hon. Sir Louis Henry Davies (Minister) is well served throughout.

I read now an extract from the Montreal *Daily Witness* of the 9th March, and I may here remark that this is a matter that ought not to be looked upon from a party point of view at all. For that reason I have cited quotations both from the journals supporting the Liberal government, and the Conservative press. I read from the issue of the Montreal *Daily Witness*, of March 9th:

Among the papers contained in the lately issued report of the Marine Department for 1897, none is of more general interest than those relating to the survey of tides and currents in the Gulf of St. Lawrence and around the coast of the maritime provinces. Mr. W. Bell Dawson, in charge of these particular surveys, states that in the seasons of 1894, 1895 and 1896, a general examination of the currents within the gulf and the straits leading to it had been made, the results throwing light on the circulation of the waters of the gulf as a whole, and the relation of this to the tides, but leaving much still to be desired in this connection. These results have appeared in previous reports, and have been quoted and made use of by hydrographic authorities in the United States, Germany and England. The further prosecution of this work toward completion has, however, been suspended during the past year in order to reduce expenditure, although the saving thus effected is, perhaps, scarcely a wise economy, in view of the great importance to the country, as a whole, of rendering navigation of the gulf and its approaches, as far as possible, absolutely safe. It is at least possible that some of the recent losses of vessels plying in these waters might have been obviated by a more accurate knowledge of the currents, and in order to maintain the confidence of the shippers and underwriters in the Canadian route, it is certain that every reasonable effort should be made to arrive at a complete knowledge of its conditions.

The most important extension of this work at present required appears to be in connection with the south coast of Newfoundland and the Bay of Fundy. Mr. W. P. Anderson, chief engineer of the Department of Marine, under whose control the tidal current work is, writes as follows in connection with Mr. Dawson's report:—

I am particularly anxious to have an investigation of the currents between Cape Breton Island and Cape Race undertaken as soon as the necessary funds and a steamer can be allotted for the work. The large number of wrecks that have occurred at the south-east shore of Newfoundland and the concurrent testimony that there is a strong indraught in that direction emphasize the fact that such an investigation would have eminently practical results.

The tidal observations are, of course, intimately connected with those of the currents, most of which are distinctly tidal in their origin, and to secure the most complete information both should be continued concurrently for a term of years sufficient to cover the varying conditions. During the past year these observations have been continued, but on a reduced scale. It is at least satisfactory to know, however, that we are at length obtaining the necessary data for accurate tide-tables, giving the height as well as the time, of the tide for some of the principal points, such as Halifax, St. John, Quebec, Father Point, and so forth. In order to acquire the necessary data for such tables, a number of specially selected points have been provided for self-recording tide gauges, from which, by means of observed local differences, the

tides at any intermediate points may be calculated. It is thus important to ascertain the local differences by observations at as many harbours as possible, while the principal recording stations are maintained, the information thus once gained being of permanent value and serving as a basis for the calculation of local tides in future years. A beginning was made in this important matter in 1896, including twelve points on the south-western shores of the gulf, extending from Chaleurs Bay along the New Brunswick coast, and around Prince Edward Island to Cape Breton, but the vote available for last year did not admit of its continuance.

Then there is a letter from Alexander Johnson, Chairman of the British Association and Royal Society of Canada on March 30th, published in the Montreal *Gazette:*

The citizens of Montreal are at present naturally congratulating one another on their foresight ten years ago in building a dyke, which, not needed for nine years, has in the tenth saved the city from heavy loss, and possibly from much sickness. If it were proposed now to abolish the dyke, without putting any structure in its place to protect us against the river would there be much indignation, much outcry against those venturing the suggestion? And this because of a chance once in ten years. How much greater would be the indignation if, instead of a mere chance there should be an absolute certainty of loss and of deaths in addition, not once or twice or thrice in ten years but every year? And yet this very thing—a preventable destruction of Montreal property and of life - is happening lower down this same river and in the adjoining waters continuously, and only a very small fraction of the people of Montreal seem to care anything about it, while the rest of Canada, though sharing the loss, seems equally or more indifferent. All this, no doubt because the scene does not lie directly under our eyes and they do not know how much their purses suffer. The difference is just the same as between direct and indirect taxation.

The loss by shipwrecks to which I allude is certainly a heavy annual tax on the trade of Montreal and of Canada. If such a loss or a part of it were to be caused annually by a flood in the city who would submit to it? The citizens would put pressure on the corporation and the corporation would call on the city surveyor and his staff for an instant remedy.

Similarly for the wrecks in the gulf and on the coast of Canada, so far as they can be prevented (and a great deal can certainly be prevented)—why should not the people of Montreal and of Canada put pressure on the Dominion government—and then the Dominion government call for a remedy on—whom? The surveyor of tke gulf and coast and his staff? But there is no such officer. No such staff. Then, obviously, if there should be a likeness between the two cases, as appears, the people of Canada ought to press the Dominion government in the first place to create such a body, whose duty it shall be to guard against shipwrecks as far as possible, just as our city does against floods and against injury to trade by bad roads Who can imagine what a state our city would be in were it not for excellent city surveyor and his staff?

When large stores are bullt—will not the owners do their best to see that the streets leading to them do not offer any unnecessary obstacles to traffic? Large sums of money are being spent and will be spent on the harbour of Montreal. Is the road which leads to the harbour—the gulf and river route—to be neglected, and vacant spaces left in the harbour for the ships which come not?

The petty grant of $15,000 a year made for this purpose was cut down last year through motives of economy to $2,500. It is of the highest importance to the country that it should not only be restored to its old amount, but so increased this year that the work may be more speedily done. The Royal Society of Canada, at its meeting in Halifax last June drew up a petition on this subject, and on the question of hydrographic survey in general, of which this forms a part, which, it may be hoped will, when presented formally and considered by the government, have a proper effect. Of the urgency of the work I hope you will permit me to say more in another letter."

On March 31st in the same paper there is a second letter from Mr. Johnson:

In my previous letter I proposed to speak of the urgency of the work that was needed to lessen the dangers of navigation in Canadian waters. By work I mean, not only the work of the tidal survey—a survey of the tides and currents, but the still larger work of the hydrographic or coast survey which includes the first. Such evidence for the former was laid before the government that the work was (after six years steady pressure) actually begun in 1890, and was proceeding satisfactorily, though on too small a scale and therefore too slowly, until it was intermitted last summer. The extension of it involved in the second was also urged on the government and it was understood that this would follow in the course of the development of the other.

I doubt if it be possible to present stronger evidence of the urgency of the need and, of the possibility of a remedy that was formally submitted, taken from the annual report of wrecks issued by the Department of Marine; from experts in hydrogravhy (British and American); from the mother of all maritime countries, etc. At any rate, there is not space in this letter for such figures as were given formerly, and can be produced again if needed.

The question is, however, to be asked, why other maritime countries have hydrographic or coast surveys, which investigate currents as part of their work? No doubt it is because they find it economical to pay the cost rather than suffer the losses they would otherwise meet. Can Canada afford to be extravagant—to bear heavy losses rather than spend a little to remove their causes—to be "pennywise and pound foolish." And yet, this course of apparently we are in danger of adopting.

The late Lieut. Gordon, R.N., estimated that a yearly grant of $40,000 was necessary for a few years, for an effective tidal survey. Far less was given, and to effect a petty saving out of this small grant, Montreal alone remains subject to an unnecessary annual tax on its trade, which cannot well be less than half a million dollars, and may be much more.

The losses on the gulf route are so great that the annual insurance on a steamer is from 4 to 7 per cent greater than on the same vessels going to United States ports. The actual insurance rates may amount to 10½ per cent, i.e., the whole value of the steamer may be paid away in insurance in less than ten years. If any one will make an estimate of the present value of the steamers coming from Montreal, and suppose that by an improved knowledge of the route such as a hydrographic survey would give, a reduction of only three per cent could be made in the insurance rate, he will be able to judge of the above estimate of the preventable tax of half a million or more. The "fast line" of steamers has been officially valued at $10,000,000. If this be added how much will the preventible tax be?

Hon. Mr. LOUGHEED—Would my hon. friend permit me to suggest that he should hand in those selections to the reporters and

permit us to proceed with the business on the order paper. I do not wish to be discourteous at all. The selections are very valuable, but the hon. gentleman could accomplish his purpose by handing them to the reporters.

Hon. Mr. PRIMROSE—I owe the House an apology for reading so extensively; but I felt the subject to be one of great importance and that really I could make the matter clearer by quoting these extracts than by speaking to the different heads.

Hon. Mr. O'DONOHOE—I think the information is very valuable.

Hon. Mr. PRIMROSE—I feel thoroughly convinced that the large majority of the members of the House are not possessed of the information contained in these documents. It is in a much better shape than I could put it myself. I feel the importance of the matter so much that I think I might trespass on the time of the House. At the same time if it is the desire of the House I will refrain.

Some hon. MEMBERS—Go on, go on.

Hon. Mr. MILLER—If it was the hon. gentleman from Calgary (Hon. Mr. Lougheed) who was dealing with the subject, we could be kept here for a great many hours and no one would raise an objection.

Hon. Mr. PRIMROSE—I read from the Montreal *Witness* of April 2nd, and I do so because this is one of the recognized organs of the government:

The position recently assumed by the *Witness* deprecating the mistaken economy of the federal government in suspending the investigation of the tides and currents of the Gulf of St. Lawrence and around the coast of the maritime provinces has received the support of the Montreal Board of Trade. That influential body takes the ground that the majority of shipping disasters in the lower river and the gulf are fairly attributable to lack of information respecting the currents and the effect of the tides thereon. That several, perhaps many, fine vessels have been lost in the Gulf of St. Lawrence by reason of imperfect knowledge of the set of the prevailing currents is reasonably certain, and the wreck of the "Mexico" at the entrance of the gulf, in the summer of 1895 may be directly attributed to this cause. At that date there was, and there probably is even now, a belief, common among the navigators of these waters, that the current in the Strait of Belle Isle set constantly inwards or towards the west. This opinion has been shown to be quite erroneous, but since the current in question whether flowing westerly or easterly, frequently attains a rate of two knots an hour, it is evident that a misapprehension of its actual direction may cause an error in the ship's reckoning of four miles an hour, often more than enough to account for disastrous consequences. As a matter of fact, the Belle Isle main current under normal conditions varies in direction with the ebb and flow of the tide. During high winds, particularly from the east or west, the current tends to assume the direction of the wind, and under its continued influence may maintain this direction, as observation has shown, for the greater part of three days at a time. The preponderance of duration of direction throughout the year, allowing for influence of the wind, is in favour of a current inward to the gulf. The greatest velocities of current observed during high winds (in the months of July and September) have been from the east 3·15 knots, and from the west 2·50 knots an hour. Entering the gulf itself, it is found that there are other causes of uncertainty besides the rate of current velocity. Thus, in the centre the rate varies from that at the sides in the ration of 0·79 to 1·37 knots. The submarine current of the strait appears to be somewhat more constant and equable than at the surface, and is found to be in general much stronger than the surface current when it flows from the east, but always weaker when it flows from the west.

It will be found that the admiralty charts of the lower gulf indicate a constant current flowing along the coast of Gaspé in a north-westerly direction at a distance of about three miles from the shore and the mariner is informed that this current makes itself felt and nine or twelve miles from land; but these charts show another branch of this current commencing in the neighbourhood of Cap Magdelen and running to South-west Point, and thus crossing the channel between the coast of Gaspé and Anticosti. It is explained, however, that the current does not follow both lines simultaneously, but these latter appear to be alternative, and the variation is attributed to the influence of wind blowing from the south-west. Here is a contingency which confronts the navigator, and it surely is important that he should be informed of the conditions orginating it, and of its probable velocity and extent. The general currents of the gulf, rarely attain a speed of three knots an hour, are locally subject to the influence of prevalent winds, and thus very much in force; there are also of course, largely affected by the tides, which in their turn are influenced by barometric changes; so that there is here presented a complex and ever varying order of things adding much to the difficulties of navigation and suggesting the absolute necessity of a detailed and thorough investigation of all the physical conditions obtaining, more particularly over the routes usually followed by steamers. A considerable amount of information in this connection has in fact been collected by the Department of Marine and the results made public in the departmental report of operations in 1896, but undoubtedly much remains to be done in the same direction.

Confessedly small attention has yet been given to the currents in Northumberland Straits and around Prince Edward Island or to the tidal currents on the lower river from Anticosti to Quebec. A further examination of the currents of the Strait of Belle Isle is necessary, also of those existing to the south of Newfoundland and in the Bay of Fundy. These latter are chiefly of tidal origin and their investigation is, therefore, closely identified with tidal survey. Observation has shown that the general course of the tidal wave which passes across the gulf from Cabot Strait to the entrance to the St. Lawrence is complicated by a return of undulation, and that consequently the time of the tide at any particular station within this area cannot be accurately obtained by a constant difference from a portion of the Atlantic coast, such as Halifax, but that these tides can best be referred to a special selected station within the region in question. The place chosen for this purpose is St. Paul Island, where the tidal wave enters the gulf from the Atlantic. Six other stations have been settled as points of observa-

tion, but time and much patient investigation will be necessary to obtain satisfactory data for comparison and to arrive at approximate certainty.

As an illustration of the necessity above referred to it may be stated that from a provisional series of tidal differences worked out between Pictou and Halifax, it appears that the actual difference in the time of high water between these two places is far from constant, as the time of high water at Pictou was found to range from 53 minutes to 3 hours and 23 minutes later than at Halifax. On the charts of rivers and harbours the soundings show the depth of the water below the level of the water surface at low water at ordinary spring tides, which level is known as the "low water datum." But here again the determination of this datum can only be made by means of tidal observations, and on the correct level of this datum the whole question of the depth of water on shoals and bars and the grounding of vessels must necessarily depend. The height of the tide at low water or at high water, as given in the tide table, will then show what increase of depth is available for a vessel in addition to the depth shown on the chart. The ascertaining the height of the tide thus becomes of quite as much importance to shipping as the time of high and low water. A consideration of the facts here stated will show that no argument should be necessary to convince the government of the wisdom of pursuing a liberal policy in this matter, and that operations tending to an exhaustive investigation of the currents and tidal phenomena with which our seamen have to deal are in the interests, not of ship owners, shippers and underwriters only, but of the entire community and are essential to the proper development of our resources.

Here is one further extract, the letter of Mr. Johnson :

When steamers of 10,000 tons and more and each costing two millions and one-half of dollars are to be introduced on this route, it is a matter of grave consideration for Canada that all precautions be taken to make the route as safe as hydrography can make it.

Suppose only one such steamer is wrecked, how much would the rate of insurance go up? What effect would this have in driving away trade to United States ports?

Then, an extract from a newspaper report of a meeting of the Board of Trade of Montreal :

It was decided to renew representations to the government with respect to the grant for surveying the tidal currents in the lower River and Gulf of St. Lawrence. As a result of the council's efforts some years ago in conjunction with the Commission of Royal Society of Canada and of the British Association for the advancement of Science a grant was procured of $15,000 annually ; but this was reduced last year to $2,500, which meant practically the suspension of the survey. An earnest protest was at once made but the minister's reply stated that it was not proposed to pursue the survey during that season as the department had no vessel at its disposal which could be made available for the purpose.

In view of the importance of the matter, the council resolved to urge the government to approve such a grant as will permit of the continuance of the survey, it being believed that the bulk of the disasters in the lower river and gulf are attributable to the lack of information respecting the currents and the effects of the tide thereon.

Then an extract giving Captain Maxwell's opinion. He was well known to a good many here and was of the Royal Navy.

I am of opinion that it is highly important in the interests of navigation that as thorough an investigation as possible of the strength and duration of tidal streams and currents should be made in the localities named. The advantages of such a survey would be that shipmasters would be enabled to judge almost accurately, of the set of their vessels from these causes ; probabilities of abnormal streams would be anticipated by them and ship wrecks like those at St. Shotts (St. Mary's Bay, Newfoundland) and that of the R.M.S. "Moravian" would be avoided.

Now I am pretty nearly at the end of my discourse. I am sorry it has been so long and apparently, on account of its length, a little distasteful to some of my fellow members. I can easily imagine how those who reside inland would take less interest in this subject. The fact is that England, the United States and India have these surveys. The late Captain Gordon, who was an expert, when in the steamship "Acadia," found that if he followed the prescribed course, irrespective of making allowance for currents, he would in twelve hours be eighteen miles out of his course from the action of these currents. From that circumstance hon. gentlemen can see the importance of this matter. Now, I am going to quote the appropriations made by the government for these surveys. This is the Chief Engineer Anderson's report of 1897. He says :

I am particularly anxious to have an investigation of the currents between Cape Breton Island and Cape Race undertaken, as soon as the necessary funds and a steamer can be allotted for the work. The large number of wrecks that have occured on the south-east shore of Newfoundland and the concurrent testimony that there is a strong indraught in that direction emphasize the fact that such an investigation would have eminently practical results.

The expenditure on the survey of tides and currents to date is given below. In these amounts there is no charge for the steamer used in the survey during three months in the seasons of 1894, 1895 and 1896 ; but the anchorage appliances and equipment for the survey are included. The amounts also include the original construction of the principal tidal stations and the recording instruments for them, maintenance and supplies for these stations, salaries of observers, the expense of the observations at the temporary stations during the summer season of 1896, with travelling expenses and incidentals, and also the cost of reducing the results of the observations and calculating tide tables from them, so far as this has yet been done.

Fiscal year	1891-1892	$ 711 59
"	1892-1893	5,099 17
"	1893-1894	10,187 91
"	1894-1895	11,507 24
"	1895-1896	9,627 45
"	1896-1897	7,134 56
Voted for	1897-1898	2,500 00

Last spring, application was made to the Canadian government by the United States Coast and Geodetic Survey office for permission to land a party at Seymour Narrows, on the east coast of Vancouver Island, for the purpose of obtaining tide gauge records at this point, in the general interests of commerce and navigation, their Pacific coast tide tables requiring data which could only be conveniently obtained by taking observations in the Narrows for an extended period. I understand that a party has been located at this place during the past year. I also learn that the publishers of the British Columbia Almanac are indebted to the United States government for the tide tables of British Columbia waters which they issue. I beg to draw attention to the desirability that tidal observations in British Columbia waters should be made and the records reduced for use by our own service. We have been supplied with two years' records of the tide gauges maintained by the Department of Public Works at the Fraser River and Victoria, the latter station lately transferred to Esquimalt. If these records could be worked out they would probably give results more accurate than anything yet obtained respecting British Columbia tides, which are very irregular and very interesting.

Hon. Mr. MACDONALD (B.C.)—A United States ship was lost in the narrows some years ago, and that accounts for the interest the United States have in the matter.

Hon. Mr. PRIMROSE—Now in these circumstances, which I have just stated, should not Canadians feel in some sort humiliated that such a wholly inadequate appropriation as $2,500 is made for this all-important service, especially in the face of the fact that Americans have actually asked permission to make such surveys on the British Columbia coast in the interest of the commerce of the world at large, and would it not be possible for the government to curtail expenses in some other direction rather than starve out a service of such paramount importance as that which we are now considering? I beg to apologize to the House for having read so much from different sources, but, as I said at the outset, I hope the House will pardon me as I thought the matter was of such importance—and I am convinced yet—that this was the shortest way in which that I could bring it to your attention. I claim no more important matter can engage the attention of this House. These waters on the Atlantic coast constitute the approaches for the ships of all nations to our Dominion, and, considering the position which our Dominion is taking among the nations of the world just now, it surely is among its highest interests, and we should put forth our best efforts to make the access to our country as free from danger as possible for the ships of the world.

Hon. Mr. MACDONALD (B.C.) inquired:

If it is the intention of the Government to extend to the waters of British Columbia a survey of tides and currents similar to that which has been so ably prosecuted by Mr. W. B. Dawson in the Gulf of St. Lawrence, and which is proving of so much advantage to the navigation of those waters?

He said: Before the hon. minister replies I wish to say a few words. My motion is similar to the motion of the hon. gentleman from Pictou, and the same answer will apply to both. The question put forward by the hon. gentleman is of vast importance. He has gone fully into the question so far as it relates to the Gulf of St. Lawrence and the Atlantic coast, where some work has been done, and I will not deal with that at all. But on our coasts the tides are most erratic, and at the steamer narrows the tide is very interesting; one tide goes out to the north and the other to the south, and the channel is about half a mile wide. The current is very strong, both flowing and ebbing. In both directions it comes and goes quickly. A ship of war was lost there two years ago on account of those tides. The chief object in a survey of currents is to enable seamen to know what to do with a steamer in a fog. Of course, without a survey of current, a steamer is helpless in a fog, but if you have a survey she knows the drift of the current and will know whether to drop anchor or take any other precautions. After the elaborate and very instructive address by the hon. gentleman opposite, I will say nothing more but ask my question.

Hon. Mr. SCOTT—Answering the hon. gentleman from British Columbia. First I beg to inform him that Col. Anderson is now in British Columbia. He was sent out there some time ago by the Minister of Marine to make an examination into the currents, with a view of making a full report, and I have no doubt when his report comes in that the Minister of Marine will take up the subject and deal with it in a satisfactory manner. The hon. member for Pictou need not have made any excuses for the time that he occupied in addressing the House, inasmuch as he has given us valuable information. We are rather indebted to him for the industrious collection of facts which he has brought under the notice of parliament bearing upon this question of tides and currents. The government fully appreciate the importance of the subject, as we all do, but as he has

himself recognized, the demands on the revenue of this country are very great and it must be recollected that our coast lines taking the oceans and the inner waters, are probably greater than those of any country in the world, and the demands for expenditure in the way of lighthouses, fog-whistles and dredging are very large, and the government is constantly being pressed for expenditures in that direction, each locality considering the expenditure in its own particular quarter is more important than any other. The collection of facts that the hon. gentleman has brought together is most important, and I shall be very glad indeed to bring it under the notice of the Minister of Marine. In answer to his question I may say that the supplemental estimates have not yet been brought down. They have not yet been submitted to council and, therefore, I am quite unable to say whether it is the intention of the minister to include any sum in supplementals for additional surveying to ascertain the tidal currents. Possibly after reading the evidence the hon. gentleman has brought forward it may have some influence on his judgment, and I shall be very glad indeed to bring it to his notice.

Hon. Mr. PRIMROSE—I am very much obliged indeed to the hon. Secretary of State for his promise to bring this matter under the consideration of the minister. Yet from its tone I do not regard the answer as very hopeful. The principal reason which he urges in regard to the decrease in the appropriation is that of economy. If that is the reason why this important service should suffer, it is a very great pity that economy should be exercised in the direction of such an important service. The principle of economy has been lost sight of altogether, as far as the funds of this country are concerned, in regard to another matter which I shall now submit to the House, and I do not have any compunctions in submitting it, as the plea put forward is economy. I hold in my hand a document which came into my possession from a prominent counsel in Manitoba, and I shall read it just as it is and make my comments after I have done so. It relates to criminal prosecutions for alleged ballot stuffing in Manitoba. This was done by the Liberal government, so economical in regard to its expenditures upon currents and tidal surveys on our coasts—a thing that is of such urgent and absolute necessity :

Informations were laid against eighteen men, nearly all of them representative men in their districts : First, Parker, Dixon, Roberts, James, Waller, McFadden, Kerriman and Brown.

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman has asked his question and there is supposed to be no more discussion. The hon. gentleman introduces an entirely new subject for discussion, and, further, I would call the hon. gentleman's attention to the fact that, even if he were not out of order, the matter which he has brought before the House is irrelevant, because it is the government of Manitoba which conducts the criminal prosecution and not the government of Canada.

Hon. Mr. PRIMROSE—In regard to Federal elections ?

Hon. Mr. POWER—Yes. But I urge the point of order.

Hon. Mr. PRIMROSE—I was under a misapprehension, if that is the case. I thought it came within the purview of the general government.

Hon. Mr. POWER—The hon. gentleman has been under several misapprehensions.

Hon. Sir MACKENZIE BOWELL—Perhaps the hon. gentleman would inform the House whether expenses attending the prosecutions have been charged to the Dominion government or the local legislature ?

Hon. Mr. PRIMROSE—I am certain it is charged to the Dominion government.

Hon. Sir MACKENZIE BOWELL—My impression is that there is an item in the estimates to meet the expenses to which my hon. friend refers.

Hon. Mr. PRIMROSE—Yes, that is my own impression.

Hon. Mr. POWER—The hon. gentleman is unquestionably out of order.

Hon. Mr. PRIMROSE—This has been a question of expenditure——

Hon. Sir MACKENZIE BOWELL—The point of order having been taken my hon. friend cannot proceed till the Speaker has given his decision.

The SPEAKER—Very great latitude has always been allowed in discussions on inquiries. In this case if the hon. gentleman could prove that payments have been made in criminal cases by the Dominion government, it would perhaps give a reason for discussing the matter. But as I am aware, that in criminal matters all expenses are always paid by the local government, I am sorry to say this question would be irrelevant to the question before the House.

Hon. Mr. PRIMROSE—I can procure the evidence and can bring the matter up again.

Hon. Sir MACKENZIE BOWELL—You can move for the papers.

Hon. Mr. PRIMROSE—I will give notice at another time.

AN APOSTOLIC DELEGATE IN CANADA.

INQUIRY.

Hon. Mr. LANDRY rose to inquire of the government:

1. Whether the government or prime minister, or any member of the present administration, or Mr. Charles Russell, of London, solicitor, with the authority or to the knowledge of the government, has asked the authorities of the Vatican to appoint an Apostolic delegate to remain permanently in Canada for the purpose of assisting, directly or indirectly, the government in the settlement of the Manitoba school question?
2. Whether, if such is the case, it is the intention of the government to put in the Supplementary Estimates a sufficient amount to defray the expenses of the delegation it has asked for?

Hon. Mr. SCOTT—My answer to the first question is no, and of course that dispenses with any necessity for replying to the second.

BILLS INTRODUCED.

Bill (68) "An Act respecting the Montfort Colonization Company, and to change its name to the Montfort and Gatineau Colonization Company."—(Hon. Mr. Clemow.)

Bill (64) "An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company."—(Hon. Mr. Power.)

Bill (93) "An Act respecting the Canada Atlantic Railway Company."—(Hon. Mr. Clemow.)

LAKE MANITOBA RAILWAY AND CANAL COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACINNES moved the third reading of Bill (66) "An Act respecting the Lake Manitoba Railway and Canal Company." He said: This bill came up for its third reading yesterday in its regular course, but my hon. friend from Shell River asked me to put off the third reading till to day, to give him an opportunity to make a statement. Although I thought the matter was pretty fully discussed in the Railway Committee when he was present, yet I did not want to appear discourteous, and I therefore assented to his request that the bill be set down for a third reading to-day.

Hon. Mr. BOULTON moved in amendment:

That the following words be added to clause 1: Provided such amalgamation with the Winnipeg and Great Northern Railway Company shall only apply to that portion of the aforesaid railway that lies between the terminus of the Lake Manitoba Railway and Canal Company and Saskatchewan River.

He said: When this bill was before the committee the day before yesterday, I was unfortunately attending another committee as chairman. I asked the messenger to let me know when this bill came up in the Railway Committee, but he neglected to do so, and when I arrived there the bill had practically passed through committee and been signed by the chairman, I was therefore not in a position to formulate the idea I wished to convey to the committee in regard to this bill. Therefore, when it came before the House I desired to have an opportunity of moving the amendment which now appears on the order paper.

Hon. Mr. MACINNES—I do not wish to contradict the hon. gentleman, but I was present when Mr. Lash, the solicitor, explained the bill to the hon. gentleman and he distinctly assented to it. I simply wish to place before the House the matter exactly as it existed before the committee.

Hon. Mr. BOULTON—I am quite aware of that, Mr. Lash's statement was to the effect that this bill conferred no powers on this amalgamated company but you can understand that when a member comes into a committee that has already disposed of a bill as I did at that

late hour, it is not so easy to place one's views before the committee, and I failed to do so. But I wish now to give my reasons for moving the amendment that is now before the House. I merely wish to explain how it was that before the committee I was not able to formulate, in a manner that was intelligible to the committee, the objections I have to the passage of the bill in its present state. Hon. gentlemen, this is a bill to amalgamate the Lake Manitoba Railway and Canal Company with the Winnipeg and Great Northern Railway, and one or two railways, the Manitoba and Northwestern Railway of Canada, the Winnipeg Great Northern Railway Company, and the Manitoba South-eastern Railway Company. This Winnipeg Great Northern Railway Company is the old Hudson Bay Railway that has been before this House for a great number of years, and I would just like to point out the various Acts under which it is constituted. They are as follows :—

STATUTES OF CANADA RELATING TO THE WINNIPEG AND GREAT NORTHERN RAILWAY SINCE ITS INCORPORATION.

1880, 43 Vic., Chap. 59, p. 55.

An Act to Incorporate the Winnipeg and Hudson's Bay Railway and Steamship Co.

Power to build railway from city of Winnipeg to Port Nelson or some other point on the shores of Hudson's Bay at or near the Nelson River, and to own steam and other vessels for the purpose of transport from terminus of railway to Europe or otherwise. Construction not to be commenced until location approved by government. Railway shall be commenced within two years, and completed within six years from the passing of this Act.

1880, 43 Vic., Chap. 57, p. 43.

An Act to incorporate the Nelson Valley and Transportation Company.

Power to construct the railway between a point on the north shore of Lake Winnipeg, and a point at or near the Churchill River at or near the shore of Hudson Bay, with power to own steam vessels and to build a branch line from any point on its main line to a point on the Pacific Railway west of Lake Winnipegosis. Railway shall be commenced within two years, and completed within six years from the passing of this Act (7th May, 1880). In default powers shall absolutely cease with respect to so much of the railway as remains uncompleted.

1883, 46 Vic., Chap. 69, p. 62.

An Act to unite the Winnipeg and Hudson Bay Railway and Steamship Company, and the Nelson Valley Railway and Transportaion Company into one corporation under the name of "The Winnipeg and Hudson's Bay Railway and Steamship Company.

From and after the adoption of this Act the shareholders of the companies hereby amalgamated are declared to be a body corporate and politic under the name of the "Winnipeg and Hudson Bay Railway and Steamship Company." All rights of each of the companies hereby amalgamated are vested in the company. The provisions of this Act to take effect when ratified by a general meeting. Power to complete railway from Winnipeg to a point on Canadian Pacific Railway west of Selkirk and east of Portage la Prairie to Port Nelson or some other point on the shores of Hudson Bay and branch line west of Lake Winnipegosis. Power to own steam veesels. The railway to be commenced within three years and completed within ten years from the passing of this Act May 25th, 1883.)

1884, 47 Vic., chap. 70, p. 98.

An Act to Amend an Act to Incorporate the Winnipeg and Hudson's Bay Railway and Steamship Company. Time for completion limited in 43 Vic., chap. 59, extended. Work to be commenced within two years and completed within six years from the passing of this Act (17th April, 1884). Line of railway to be to Port Nelson or Churchill or some other point on the shore of Hudson's Bay, and also to construct branch line west of Lake Winnipegosis. The Act 46 Vic., chap. 69 uniting the Winnipeg and Hudson Bay Railway and Steamship Company and the Nelson Valley Railway and Transportation Company is hereby repealed. Whereas it has been agreed between the two companies that the Nelson Valley Company be wound up. Power is given it to do so by vote of its shareholders and all its rights, privileges and franchise shall be held by the Hudson Bay Railway and Steamship Company. This brings the time down to the year 1890.

1886, 49 Vic., Chap. 73, p. 38.

An Act to amend the Acts relating to the Winnipeg and Hudson's Bay Railway and Steamship Company.

Time for completing railway extended so that railway may be commenced within one year and completed within four years from the passing of this Act. (2nd June, 1886).

That brought the time down also to the year 1890.

1887, 50-51 Vic., Chap. 81, p. 100.

An Act to consolidate and amend all Acts relating to the Winnipeg and Hudson Bay Railway and Steamship Company, and to change the name thereof.

The corporation heretofore known as the Winnipeg and Hudson's Bay Railway and Steamship Company shall be called "The Winnipeg and Hudson's Bay Railway Company." The company shall have power to build railway from the city of Winnipeg northerly to Port Nelson or Churchill or some other point on the shore of Hudson Bay, and to construct branch line from point on main line where it crosses the Saskatchewan River to a point on the Canadian Pacific Railway west of Lake Winnipegosis. Branch line shall not be commenced until location approved by government. Company may own vessels and they may ply between railway terminus on Hudson Bay and any port in Europe or elsewhere.

Sec. 33. The main line shall be completed within four years from the 21st day of June, 1887. Other Acts relating to the company hereby repealed, and this Act is substituted for them.

That brought the completion of the road down to the year 1891. Those are the facts with regard to the main line of the Hudson Bay Railway running to the Hudson Bay. In 1890 the policy of the government in

power at that time seems to have changed; they dropped that portion of the line going to the bay and confined their policy to aiding a line to the Saskatchewan River, and the following Act was passed:

1890, 53 Vic., Chap. 80, p. 108.

An Act respecting the Winnipeg and Hudson's Bay Railway Company.

Sec. 33 of 50-51 Vic., chap. 81 is repealed and the following substituted therefor: "33. The said main line of the railway shall be completed to the Saskatchewan River within four years from the 21st day of June, 1890."

Without any reference to the portion of the line that led to the bay.

And then the following Act was passed in 1891:—

54-55 Vic., Chap. 81, p, 88.

An Act respecting the Hudson Bay Railway Company.

Government may enter into contract with Company for carriage of supplies to Saskatchewan river. The location of the line south of Saskatchewan Railway shall not be commenced till approved by government.

In 1894 the same policy was pursued by the government confining the operation of the Act to the line from Winnipeg to the Saskatchewan River, as the following will show:—

57-58 Vic., Chap. 94, p. 175.

An Act respecting the Winnipeg and Hudson Bay Railway Company, and to change the name thereof to the Winnipeg Great Northern Railway Oompany.

Sec. 33 of the statutes of 1887 as amended by statute of 1890 is hereby repealed and the following substituted therefor:—

33. The main line of the railway shall be completed to the Saskatchewan River by the 31st day of December, 1896, otherwise the powers granted with respect to such construction shall be null and void as respects so much of the railway as then remains uncompleted.

The name of the railway is changed to the "Winnipeg Great Northern Railway Company."

And in 1895 the following was passed:—

58-59 Vic., Chap. 8, p. 53.

An Act respecting the Winnipeg Great Northern Railway Company.

Referring to contract for carriage of supplies south of Saskatchewan River.

And in 1896 the last amendment to the Act was as follows:—

1896, 59 Vic., Chap. 40, p. 97.

An Act Respecting the Winnipeg, Great Northern Railway Company.

Sec. 33 of the Act of 1887 as amended by the Act of 1894 is hereby repealed and the following substituted therefor:—

33. That portion of the main line of the company's railway reaching to the Saskatchewan River shall be completed by the 31st day of December, 1898, otherwise the powers granted with respect to such construction shall be null and void as respects so much of the railway as then remains uncompleted.

Now those were the Acts relating to the bill which is now before the House. This charter has been before parliament for a great number of years, and has always been opposed by the opposition in the various amendments made to it during that time. I feel quite confident that hon. gentlemen in this House desire that our legislation shall be consistent, and that it shall leave this chamber, at any rate, as perfect as we can possibly make it. The contention is that the charter has ceased to exist to the bay in consequence of the non-fulfilment of conditions. A new charter has been granted to the Hudson Bay and Pacific Company, and parliament has given authority to another company, practically to build over the same route. Now the amalgamation that is sought for here is to amalgamate with that Winnipeg and Great Northern Railway. I say that that amalgamation should not go beyond the Saskatchewan River, I do not raise any objection to the other part. but I do object to its going beyond the Saskatchewan to the bay on two grounds, One is that there are very great doubts (it is almost a feeling in my mind), that the charter for the section between the Saskatchewan River and the bay is not in existence, and it is not wise for this parliament to assent to a bill, authorizing an amalgamation with a company whose powers have, to all intents and purposes, so far as we can read from these various Acts, ceased and it would be imperfect legislation; it would not only be that, but there is such a doubt as to the validity of the legislation, in so far as it applies to the line to the bay, in consequence of the time never having been extended and no time set for its completion, and no work having been performed on that section from 1880 down to the present time, that it might lead to litigation. Now we have suffered in the western country very much from litigation of railway companies, that is to say railway promoters and companies fighting with one another in the courts, to the injury of the public interests and the delay of the construction of these lines. We had an instance of it only to-day in the Railway Committee in regard to the Great North-west Central Railway. That

has been in litigation for ten years between the company and the contractors. The Manitoba North-west Railway Company has been in litigation for some years; it has been tied up. Both these companies are still virtually in litigation. Now the Hudson Bay Railway is a line that is looked on with very great interest in our western country. The people are sincerely anxious to see that route developed for what it is worth. According to the latest report that has come out there is navigation through the straits for three and a half months and possibly four months. That is the report that Commander Wakeham has made, and the people are convinced that if this route can be used for three or three and a half months, it is going to assist them in reducing the heavy rates which are pressing upon them now, and enlarge their transportation facilities. It would be a disastrous thing if, in consequence of any legislation of this parliament, litigation should result that would tie up that Hudson Bay Railway for ten years. That is one thing that I wished to point out, in order that we may remove any doubt upon the subject by confining the amalgamation to the point that I speak of. Another objection I have to it is this: that the charter was granted in 1880 and it has ever since been a close preserve for that line of railway—that is to say, it is a private corporation which is only utilized for its own advantages, and is not open to competition in any shape or form. The people out west feel that that railroad leading from the Saskatchewan River to Hudson Bay, which is the most difficult portion should be open to any railroad—that the prairie lines should concentrate upon that point and take advantage of the line between Winnipeg and Hudson Bay to reach the sea. For that reason also I do not wish that any colour of the revival of the charter should be given to it by the passage of this bill as it stands. This bill provides that the company may enter into an agreement—we do not know what the agreement is or what the parties to the other side of the agreement are to agree to; parliament is asked to abandon all power over it by passing this bill in its present shape. You can see by the various Acts to which I have called attention that the time for completion has not been contemplated by the government, which gave those subsidies and the charter. The contention is, that while a time was fixed for the completion of the line to the Saskatchewan River and that time was extended, and no time was given for the extention of it to the bay, that the portion relating to the latter is virtually dead. The present owners of that charter hold that it is a perpetual charter. Hon. gentlemen know very well that it is not the policy of this parliament, by any inadvertence or any means whatever, to grant perpetual charters. Our general Railway Act provides for that and shows that the policy of parliament in the matter is. The general provision relating to limitation of time is to be found in sec. 89 of that Act, and is as follows :—

> If the construction of the railway is not commenced, and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of the Act authorizing the construction of the railway, or if the railway is not finished and put in operation in seven years from the passing of such Act, then the powers granted by such Act, or by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted

So that if no special provision is made with reference to the line of railway, then the general Railway Act comes in and interferes and says, that if the road is not commenced within a certain period and completed within a certain period, the charter becomes null and void. That is the announcement of the policy of this parliament, that perpetual charters should not be granted, and that operates on this particular charter which is now before us. The charter was granted in 1880, and here we are, eighteen years afterwards, and not a single penny has been expended and not a single effort has been made to construct the Hudson Bay Railway which is so much desired in Manitoba and the North-west Territories.

This Manitoba Railway and Canal Company got a charter to build 125 miles north from Portage la Prairie to Lake Dauphin—it is called the Dauphin Railway. That railway was chartered on the west side of Lake Manitoba, while this Hudson Bay Railway is designed to go on the east side of Lake Manitoba. The Lake Dauphin Railway obtained a subsidy of 6,400 acres per mile and $2,000 a mile for its construction, and with the aid of a guarantee of bonds of the Provincial Government it has completed 125 miles of its road. It has no further subsidies than those I spoke of. The Saskatchewan River is 300 miles from Portage la Prairie, or Winnipeg. Now this charter of the Winnipeg and Great Northern Railway contains a subsidy of

$80,000 a year for the line from Winnipeg to the Saskatchewan River, besides a land grant of 6,400 acres per mile, and the object of the promoters in amalgamating with the Winnipeg and Great Northern Railway is to be seized of those franchises and subsidies, in order to go on with their canal and railway system to the Saskatchewan River. I am prepared to acknowledge that parliament's intention was that they should have an extension of time for the commencement and completion of that part of the line up to the 31st of December this year, so that I am not opposing the amalgamation of these co npanies to that extent, and so far as the policy of the government may permit, of their taking advantage of whatever subsidies may be applied to that. There is no doubt that that is a perfectly legal position, and there is no opening for litigation up to that point, nor do I know of any public or private interest that would be likely to contest with that railway company the right to that amalgamat on if it is authorized under this bill; but what I do contend is that there are such very grave doubts as to the legality of the whole charter through to the bay that if the powers were granted to the Lake Manitoba Railway and Canal Company under this Act of amalgamation of the whole line, that the parties who are interested—say the parties who have already got another charter covering the same route—would be in order if they filed a bill and asked for an injunction to restrain the company from either operating the amalgamated road up to the Saskatchewan River or beyond that point. It is to avoid that possibility of litigation that I propose this amendment. I would just read to you shortly an extract from the Commons *Hansard* to show what the policy of the government was with regard to giving these subsidies. In 1891 the then Minister of the Interior, Hon. Mr. Dewdney, resolved the House into committee on the following resolution :

> That it is expedient in order to enable the Winnipeg and Hudson Bay Railway Company to construct a railway from the city of Winnipeg to some point off the Saskatchewan River, to enter into a contract with such company for the transport of men, supplies, materials and mails for twenty years, and to pay for such services during the said term eighty thousand dollars per annum, such payment to be computed from the date of the completion of the said railway.

(In the Committee.)

Mr. DEWDNEY—The House will recollect that for the last two or three years the policy of the government has been to connect the two extensive arteries, the Canadian Pacific Railway and the Saskatchewan River at different points in the Territories and Manitoba by branch lines of railways. Some two years ago, a resolution of an almost similar character to the one now before the House was presented. That was to grant a financial subsidy to a railway starting from Regina and running to Prince Albert, on the same terms as those presented to the House. Last year hon. gentlemen will recollect that an arrangement was also made by which we assured the construction from Calgary to Edmonton. With regard to the construction of those two roads, I am glad to be able to state that they are commencing to realize what they expected of them, and a large settlement has been going in to both the districts served by those two roads, and especially on the western route.

The conditions upon which we ask the assistance of this House and the terms on which we propose to give assistance to the company who propose carrying out the work are precisely the same as those given to previous companies, we propose that the company shall contract for the transport of men, materials, supplies and mails for twenty years from Winnipeg to a point on the Saskatchewan at $80,000 per annum to be paid on the construction of the railway from a point within the city of Winnipeg to a point on the Saskatchewan river, such payment to be computed from the completion of the railway to such last mentioned point. The subsidy will be made payable in half yearly payments and be assignable to trustees to secure the company's bonds on the whole or any part of the undertaking. The tariff rates will be the same as those agreed on for the Qu'Appelle, Long Lake and Saskatchewan Railway Company, and remain undisturbed for six years. And in case the amount earned by the company between Winnipeg and the point on the Saskatchewan river should not amount to the sum paid by the government one-third of the land grant earned, will be kept to recoup the government. At the same time the government wish it to be distinctly understood that they are assisting this railway, not as the great Hudson Bay Railway, which we have heard so much about lately, but on its merits as a colonization road. It is also understood, that the company shall at no future time make any demand on the government for financial assi tance for the construction of the railway northward from the Saskatchewan river. The line originally located, and which has already been filed within the Department of Railways, commenced at the city of Winnipeg and ran along the eastern side of Lake Manitoba to the Saskatchewan river. It is now proposed to probably alter the direction of that road in order to accommodate the very large settlement which is going in to what is known as the Dauphin Lake district. For the last eighteen months settlers have been flocking into that country and constantly calling out for railway communication. I may state, for the information of hon. gentlemen, that the character of the country is excellent. I hold reports from different engineers who have been there, and who all express the opinion that it is one of the most valuable portions of our western country for settlement. There is no occasion for me to read extracts from these reports, but I hold them in my hand and will show them to any hon. member who wishes to look at them. When I brought this matter up first in the House the hon. member for South Oxford (Sir Richard Cartwright) said he would like to have some idea with regard to what surveys had been made and the estimated cost of construction. It is estimated that the road can be built, the whole of its length, equal to the Canadian Pacific Railway standard, and for the sum of $15,000 per mile. I might also state that a contract has already been let to the firm of Mann & Holt, who have constructed the roads from Regina to Prince

Albert, and are also now building the road from Calgary to Edmonton. The contract has been let to those gentlemen for the sum of $11,000 per mile for the line proper, without the rolling stock. A land grant has been given for some years to this company to the extent of 6,400 acres per mile within the limits of Manitoba and 10,000 per mile from Manitoba to Hudson Bay—although we have nothing to do with the Hudson road proper beyond the limits of Manitoba and towards Hudson Bay. Now I believe that subsidy of $80,000 a year was subsequently divided, $40,000 upon completion of one half and $40,000 upon completion of the other half.

I just read that in order to show what the policy of the government was in regard to the railway in question, that it was changed from the idea of keeping alive this charter to the bay to the construction of a colonization road to the Saskatchewan, a road similar to the Regina and Prince Albert or the Calgary and Edmonton, and the same subsidies were given as were granted to those other roads. Hon. gentlemen will see what the policy of the government that had control of this legislation at the time was—that they wished to carry on the railway up to the Saskatchewan River, that they wanted to leave the question of going to the bay an open question for the present, and since then a charter has been given to another company to construct a line over the same ground. This company applied for a charter, as I understand, under the impression that the charter of the Hudson Bay road between the Saskatchewan River and the bay was defunct. It is not good legislation, in my opinion, to revive the question of the validity of the charter for that section between the bay and the Saskatchewan River by a side issue of this kind. It is quite in order for this company, when it has completed its road to the Saskatchewan River, to come to parliament and get legislation to construct to the bay, if they wish to do so, and if the government desire to help them it is quite in order for them to do so. Originally there was the Hudson Bay road, afterwards another charter was given to the Nelson Valley road, there was an amalgamation of these two roads and they became one, and now they are seeking amalgamation with the Lake Manitoba Railway and Canal Company. There is a dubiousness about the legality of the charter being alive, and I would ask this honourable House to allow me, through my amendment, to confine the operation of that amalgamation to the portion of the line south of the Saskatchewan River, in the interests of the people of the west who are really anxious to see a railway built to the bay and made common property for any other railways that wish to connect with it; and also that it may be proceeded with upon lines that are laid down with the intention of completing it to the bay. I think I have shown you how the policy of the government changed, how the Acts show that it was the intention to keep the charter alive up to the Saskatchewan River only; how it was intended to assist it as a colonization railway and not as a railway to Hudson Bay, but to allow the road between Saskatchewan River and the bay to stand for future consideration. I am attacking no interest that is likely to be injured in the slightest degree by my amendment. I am quite willing that whatever advantages or virtues there may be in amalgamation up to the Saskatchewan River shall be attained by the Lake Manitoba Railway and Canal Company. About the legality of the legislation before us, I think there is very grave doubt, at any rate sufficient doubt to enable a rival company to place the whole thing in litigation which might operate against the company reaching the Saskatchewan River under the amalgamation, and beyond as well. Whereas, if you confine the operation of the amalgamation to the section south of the Saskatchewan River, they would be able to go on under whatever arrangement the government may see fit to make with regard to subsidies. I hope that the House will see the points which I have made, which I was not able to formulate before the committee. But there is an additional reason, and an important one, why it is desirable that this amendment should carry. If by reason of this amalgamation this company should become possessed of this charter to the bay north of the Saskatchewan, and that it was revived by future legislation, a huge monopoly would be created, controlling both the avenues of outlet for our western produce, which, though designed to compete with one another in the interest of the public, cease to be competitive when they are both controlled by the same influence. Messrs. Mackenzie & Mann, who control the Lake Manitoba Railway and Canal Company, apply under this Act to amalgamate with the South-eastern and Rainy Lake route to Lake Superior, and at the same time to amalgamate with the route to the Hudson Bay. Now, it is not in the nature of things that they can act impartially towards the

promotion of both of these undertakings, and considering influences that have always operated in opposition to the Hudson Bay route it may lead to a tie-up of this route for an indefinite period under those influences which we cannot ignore. The outlet to the bay is of more importance to the people of the west, the greater the distance they reside away from the lake route, and we should not allow legislation of this character which, though apparently harmless in itself, does not convey on its face the full purpose or meaning of the legislation. If this legislation goes through without this amendment it would in all probability block any other effort to open an independent avenue to Hudson Bay with freedom of train service for other railways over the line which the charter of the Winnipeg and Great Northern Railway Company forbids. To remove all doubts as to the powers still vested in this charter to go to the bay, which are open to litigation and a consequent tie-up of this important work, I ask your support for the insertion of this amendment which will leave a clear course for those who are in earnest to secure the opening of this new ocean route for the produce of our great western country.

Hon. Mr. ALLAN—The motion should be that the bill be not now read the third time, but that it be amended in that way.

Hon. Mr. BOULTON—Yes, I will put it that way.

Hon. Mr. LOUGHEED—I do not purpose occupying the time of the House at any length in speaking upon the object which my hon. friend from Marquette has in view. But I desire to point out to the House wherein the suggestion made by my hon. friend would be entirely inconsistent with the intention he evidently holds. I think every hon. gentleman in this House will accord to my hon. friend a very great degree of sincerity in desiring to have this road constructed. My hon. friend has always been a very strong advocate of the building of the Hudson Bay road.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. LOUGHEED—And in this chamber and outside of it has always advocated that particular subject. My hon. friend will easily perceive this; that while he advocates the principle involved in this bill, namely, the amalgamation of those companies, yet he proposes by this amendment to destroy that part of the charter which would render this particular work a valuable one, namely, the construction of the road to the Hudson Bay; and thus leave the charter entirely helpless, so to speak, of any machinery by which the object could be carried out.

Hon. Mr. BOULTON—That was not the tone of my remarks.

Hon. Mr. LOUGHEED—My hon. friend will freely admit that he has stated he approves of the amalgamation to the Saskatchewan River. Then my hon. friend contends that the Winnipeg and Great Northern Railway Company have now a charter to run from the Saskatchewan to the Hudson Bay.

Hon. Mr. BOULTON—That is what I contend.

Hon. Mr. LOUGHEED—If my hon. friend be correct, that that charter has lapsed and has no virtue and no life in fact, then there can be no purpose in the amendment which my hon. friend has moved, because the power given to the Lake Manitoba Railway and Canal Company to amalgamate with the Winnipeg and Great Nortern Company can certainly prove of no injury either to the public or the individuals dealing with it. I think my hon. friend will concede that fact. My hon. friend seems to be afraid that litigation will spring up by reason of the Lake Manitoba Railway and Canal Company absorbing a right which he says is non-existent. Certainly, if the right is non-existent no litigation need be feared.

Hon. Mr. BOULTON—I do not contend that there will be any litigation if it is confined in the way I speak of, but that there is an opening for litigation if it is extended to the bay, and if it is opened to the bay it brings up the whole question.

Hon. Mr. LOUGHEED—Then let us deal with that phase of it which I was directing the attention of the House to, namely, if the right has ceased certainly no injury can occur. If the right is existent, then my hon. friend at once thwarts the

object which he so long has advocated—the building of a road from the Saskatchewan River to Hudson Bay.

Hon. Mr. BOULTON—There is another charter for it.

Hon. Mr. LOUGHEED—My hon. friend has referred to the question of litigation. He need exercise no apprehension or anxiety on the ground that litigation will be instituted by any persons against the Lake Manitoba Railway and Canal Company in the event of their building from the Saskatchewan to the Hudson Bay, because there are no individuals who can institute litigation to prevent them building that road, except it be the government of Canada.

Hon. Mr. BOULTON—Cannot an opposition charter?

Hon. Mr. LOUGHEED—There is no opposition charter which has the exclusive right to build over that particular tract of country, and I apprehend the Winnipeg and Great Northern Railway Company would not build exactly over the route which parliament may have granted to any other company. Certainly, no line is so closely delineated, that any other existing charter could say that this very company had adopted the route which they would have the right in law to preclude others from traversing. My hon. friend knows very well that no plans or surveys have yet been made for the construction of that route: consequently so far as any other company instituting litigation against the Lake Manitoba Railway and Canal Company is concerned, he need have no anxiety. If the right does exist—and the right must if there is to be litigation, because they can only quarrel over an existing right—then my hon. friend will at once perceive that he is handicapping an existing company, namely, the Lake Manitoba Railway and Canal Company from building a railway, which he has strongly advocated in the past.

Hon. Mr. BOULTON—Not to the bay.

Hon. Mr. LOUGHEED—As to the ability of this company to build, my hon. friend will concede, without hesitation, that the Lake Manitoba Railway and Canal Company, whose bill this is, is a company possessed of strong financial credit, and in fact I might say, and say it advisedly, the only company that can carry out this undertaking. This company has constructed 125 miles of road over the original route of the Hudson Bay Company's road. They practically have adopted the route which was adopted by the Winnipeg and Great Northern Railway Company, the route which was endorsed by parliament, and they have constructed to the satisfaction not only of the settlers in that district, but to the satisfaction of the Dominion and the provincial governments that particular section of the road. My hon. friend, as I have said, concedes the advisability of allowing this company to amalgamate with that part of the charter from the terminus of their present road to the Saskatchewan River. Hence my hon. friend will see that he approves of an important part of the undertaking. If that section of the road is to be carried out, then surely my hon. friend, if sincere, must consent to the more important part of the undertaking, viz., its construction to Hudson Bay. He should be one of the first to advocate most strongly that power be given to this company to amalgamate as is sought to build that section, from Saskatchewan River to Hudson Bay. That charter at present exists, according to the showing of my hon. friend, as it does not lapse, according to his showing, till the 31st December next.

Hon. Mr. BOULTON—Up to the Saskatchewan River, but not further.

Hon. Mr. LOUGHEED—I presume that no capital would be invested in the carrying out of a large undertaking of this kind without those who are placing their capital in the undertaking satisfying themselves thoroughly that they have the right to enter upon that undertaking and to expend the capital which must necessarily become absorbed in the building of that road. I might further point out to the House that it is a matter of public knowledge that the old company have a very large number of outstanding liabilities, and it is very desirable that the creditors of that road should be paid, and those liabilities liquidated.

Hon. Mr. BOULTON—There is ample to pay them out of the subsidies, the $80,000 a year and the 6,400 acres a mile on the Saskatchewan River section.

Hon. Mr. LOUGHEED—But the credi-

tors in no way can exercise any right or any disposition over that subsidy.

Hon. Mr BOULTON—Yes, by the agreement in the Act. This Act provides that an agreement shall be made with those parties.

Hon. Mr LOUGHEED—But my hon. friend must recognize that except the undertaking be carried out in its entirety, as desired by this company, the promoters of this bill will not accept an inferior or partial franchise, and satisfy those creditors. They ask a very reasonable concession in the bill under discussion. As I say, the old company must become a party to this amalgamation: that is to say, the Lake Manitoba Railway and Canal Company will not have the power to enter into this amalgamation without the consent of the Winnigeg and Great Northern Railway Company, and furthermore that agreement must receive the assent of the Governor in Council, and it does not become an agreement of amalgamation until the order of the Governor in Council approving of the amalgamation is made. I presume, therefore, that those companies will not enter into this arrangement, nor will the Governor in Council sanction the arrangement until due provision is made for the payment of any liabilities which exist against the old company. I think the question is so very reasonable and plain in the public interests that the Lake Manitoba Railway and Canal Company should have the power to amalgamate with this company, and thus liquidate the debts and carry out its obligations, that there will be no hesitancy to pass the bill as it stands.

Hon. Mr. SCOTT—I should like to ask this question of my hon. friend, who seems to be familiar with the subject—is the charter in existence now giving life to the Winnipeg and Great Northern?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SCOTT—I mean the part from the Saskatchewan to the Hudson Bay: has not that lapsed?

Hon. Mr. LOUGHEED—It is not conceded that it has lapsed.

Hon. Mr. SCOTT—I think in passing a bill of this kind we ought to know the fact. If we are by a side wind reviving a charter—

Hon. Mr. LOUGHEED—We are not in any way reviving a charter. There is not a word said in the bill about reviving a charter. There are no new rights given to any of these companies except the right to amalgamate. Although the right may have lapsed, which is not conceded, from the Saskatchewan to the Hudson Bay yet the corporation exists, the liabilities are there, they have to be paid I presume, and if there be any rights then the Lake Manitoba Railway and Canal Company that purpose to pay off these liabilities, of course desire to avail themselves of any existing rights.

Hon. Mr. MACDONALD (P.E.I.)—The discussion which has taken place on the third reading of this bill would have been very appropriate at the second reading; it would have afforded us a great deal of information which we did not then possess. We would have been better able to look into the merits of the case than we have been up to the present time. It appears that the bill which is now before us refers to a matter for which a charter was granted some eighteen years ago, and the conditions of that charter have apparently not been fulfilled up to the present time. This, I think makes one fact plain to us, that we are granting a great many railway charters here to those who apply for them which we should not grant so readily. It is clear to my mind, and perhaps to the mind of some others, that there should be some restriction respecting the mode in which such railway charters are granted, those who apply for such charters as we know frequently do so merely for the purpose of holding them and preventing other persons from going on with the work, thereby retarding the advancement of the country. It would be a wise policy on the part of the government of Canada, to require that those who apply for railway charters should, in the first place, before those charters are granted, make a deposit with the government to guarantee that they will go on with the projects which they undertake.

Hon. Mr. O'DONOHOE—And give them a certain time within which to commence.

Hon. Mr. MACDONALD (P.E.I.)—Give them a certain time within which to commence the work; if they do not commence it within that time, then the money that

would be required to be deposited would be forfeited by the government and the charter lapse. I believe it will be necessary for the government of Canada to take such a step as that within a very short time ; for we see the immense number of charters that have been applied for even during this present session, and there is no doubt at all that many of those works will not go on immediately or be completed within the time, and we will hereafter have applications for many years to come for the extension of the time for which they were originally granted.

Hon. Mr. LOUGHEED—I would point out that this road has been partially constructed.

Hon. Mr. BOULTON—None of it is constructed.

Hon. Mr. LOUGHEED—The Lake Manitoba Railway and Canal Company have constructed 125 miles of the road.

Hon. Mr. BOULTON—Oh, yes, but this question refers to another road.

Hon. Mr. MACDONALD(P.E.I.)—They want to amalgamate with another road that is not constructed at all.

Hon. Mr. LOUGHEED—For the purpose of constructing it. They cannot do it without these corporate powers.

Hon. Mr. MACDONALD (P.E I.)—It appears that even with the road they are now constructing the time has been extended some ten or fifteen times by various bills that were passed by this House, and that the time within which it was to be finished will expire at the end of the present season.

Hon. Mr. LOUGHEED—Don't you think it is time it should pass into the hands of some other company who would build it ?

Hon. Mr. MACDONALD (P.E.I.)—The great question is whether the other company would build it any more rapidly than the one that has the contract now ; if they find that it is a money making undertaking I have no doubt they will.

Hon. Mr. BOULTON—If there is any litigation they will drop it.

Hon. Mr. MACDONALD (P.E.I.)—And if it is a fact, as has just been stated by the hon. member for Shell River, that there is likely to be litigation, it is very likely they will not go on with it at all. From the discussion which has taken place, I feel disposed to vote against the bill entirely.

Hon. Mr. ALLAN—I do not think that anybody who knows anything about the parties who are now seeing the passage of this bill can question their competency and ability to carry out any undertaking which they take in hand, and if it is desirable that this road should ultimately be completed to Hudson Bay, I do not know of any corporation more likely to do it than those now seeking amalgamation by this bill. I have not been a very great believer in the Hudson Bay route myself, but I venture to say that if that road is to be built there is greater chance of its being built if this bill passes than there has ever been before. Then with regard to litigation and whether this right to build beyond the Saskatchewan has lapsed—I ought not, perhaps, to offer my opinion in the presence of so many lawyers—it seems to me that that is not touched at all by this bill. It leaves that untouched, and does not in any way complicate the question in that direction.

Hon. Mr. SCOTT—Who are the contractors, may I ask ?

Hon. Mr. LOUGHEED—Messrs. Mackenzie & Mann are among the promoters.

Several Hon. MEMBERS—Question !

Hon. Mr. BOULTON—Hon. gentlemen——

Hon. Mr. POWER—I do not think this discussion should be prolonged.

Hon. Mr. MILLER—The hon. gentleman has no right to speak a second time on this amendment.

Hon. Mr. ALLAN—Question !

The SPEAKER put the amendment to the House.

Several Hon. MEMBERS—Lost ! Lost !

Hon. Mr. BOULTON—Take the yeas and nays.

Hon. Mr. ALLAN—Yeas and nays.

The SPEAKER—The yeas will please rise.

Hon. Mr. ALLAN—The members should be called in.

Hon. Mr. LOUGHEED—I withdraw the motion for the third reading of the bill.

Hon. Mr. SCOTT—It is too late now to do that.

Hon. Mr. LOUGHEED—If I withdraw the original motion——

Hon. Mr. MILLER—You cannot do it without the leave of the House.

Hon. Mr. LOUGHEED—Then I ask the leave of the House to withdraw the bill because it is useless if the amendment carries.

Hon. Mr. MILLER—I would say to my hon. friend if this amendment is carried, as I believe it will be, there will be nothing to prevent my hon. friend then from asking the unanimous consent of the House to withdraw the bill, but the yeas and nays having been demanded I think he cannot stop the vote.

Hon. Mr. ALLAN—It is rather unfair that when there are so few in the House a request to call in the members should not be carried out.

Hon. Mr. MILLER—It is too late now to call in the members.

Hon. Mr. POWER—The hon. gentleman can give notice to rescind.

Hon. Mr. MILLER—Go on with the vote.

The House divided on the amendment, which was adopted on the following vote:

CONTENTS:

The Hon. Messieurs

Bellerose,	Merner,
Boulton,	Miller,
Casgrain,	O'Donoghue,
Clemow,	Perley,
Dever,	Primrose,
Macdonald, (P.E.I.),	Scott,
McKay,	Vidal.—15.
McLaren,	

NON-CONTENTS:

The Hon. Messieurs

Allan,	Power,
Ferguson,	Prowse,
Loughheed,	Ross,
Lovitt,	Sandford,
MacInnis,	Snowball.—10.

Hon. Mr. LOUGHEED—With the consent of the House I will withdraw the third reading of the bill.

Hon. Mr. POWER—Put it off until another day.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SCOTT—The hon. gentleman cannot bring in the bill again this session.

Hon. Mr. POWER—I do not think the amendment that has been made materially affects the bill. If I were in the hon. gentleman's place I should not be in a hurry.

Hon. Mr. ROSS—I am sure the hon. member could easily obtain from the House permission to put off the third reading a day or two, so that he will have time to consider the effect of this amendment.

Hon. Mr. LOUGHEED—I would ask the House to permit the third reading to stand until Monday.

Hon. Mr. SCOTT—The hon. gentleman cannot do that. It is absolutely impossible to do that. The motion is made and you cannot withdraw it except by the unanimous consent of the House.

Hon. Mr. LOUGHEED—Then I ask for the consent of the House.

Hon. Mr. SCOTT—No, I object. The bill must go through as it is.

Several Hon. GENTLEMEN—Let the bill go through as it is.

The bill was read the third time as amended and passed.

THIRD READING.

Bill (35) "An Act to incorporate the Miles Cañon and White Horse Tramway Company."—(Hon. Mr. Allan.)

SECOND READINGS.

Bill (I) "An Act to incorporate the Klondike and Peace River Railway Company."—(Hon. Mr. Lougheed.)

Bill (91) "An Act to incorporate the Klondike and Peace River Gold Mining, Land and Transportation Company, Limited."—(Hon. Mr. Lougheed.)

Bill (96) "An Act to incorporate the Nickel Steel Company of Canada."—(Hon. Mr. Clemow.)

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 2nd May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE MANITOBA SCHOOL QUESTION.

Hon. Mr. LANDRY inquired :

1. At any time between the first July, 1896, and this date has the Government, or the Prime Minister, or any member of the present Administration, or Mr. Charles Russell, of London, solicitor, at the request, or to the knowledge of, or by the authority of the Government, or the Prime Minister, or any member of the present Administration, directly or indirectly, solicited, asked or invited the intervention of the Holy See for the settlement of any question, and of what question ?
2. Has there ever been, for the said purpose, any voyage undertaken to Rome either by the Prime Minister, or by any member of the present administration, or by Mr. Charles Russell, or by any other person, at the request or to the knowledge or with the authorization of the Government, or Prime Minister, or any member of the present Administration ?
3. Has any one whatsoever, at the request or to the knowledge or with the implicit or explicit authorization of the Government, or of the Prime Minister, or of any member of the present Administration, made any overtures whatsoever to the ecclesiastical authorities at Rome to obtain from them any intervention whatsoever ?
4. What were these overtures ?
5. What is the nature of the intervention which was solicited ?
6. Has any one whatsoever at any time been authorized to ask, in the name of the Government, or of certain members of the Government, the nomination of an apostolic delegate with a permanent residence in Canada ?
7. When and by whom has any such demand been made, and for what objection was the nomination of the delegate asked ?
8. If any such demand has been made, is it the intention of the Government to follow it up ? And in what manner ?

Hon. Mr. SCOTT—The hon. gentleman has catechized me very frequently on the subject and I have given him as full information as I think he is entitled to. I may say in general terms that the government of Canada have had no communication with the Holy See. The hon. gentleman is not entitled to cross-examine a minister on matters that are not of public concern.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. SCOTT—My relations with the ecclesiastical authorities of my church are a matter purely with myself, with regard to which no member of this House has any right to make inquiries. It is laid down in Bourinot, at page 323 :

Questions may be put to ministers of the Crown relating to public affairs.

This is not a public affair.

Hon. Mr. LANDRY—What is not a public affair ?

Hon. Mr. SCOTT—The relations that members of any denomination have with the ecclesiastics of their church.

Hon. Mr. LANDRY—For the settlement of any question ?

Hon. Mr. FERGUSON—This is the settlement of a public question.

Hon. Mr. SCOTT—The hon. gentleman must be aware that the present government have settled the school question with Manitoba.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. SCOTT—They adopted the same channels to settle that question as the late government did. The late government sent delegates to Manitoba and had a conference and failed to come to any agreement. The present government had a conference with representatives of the government of Manitoba and they came to an agreement, which was confirmed by the Manitoba legislature, and that is the end of it, so far as the public are concerned. I may also, in further support of the stand I take, quote from Todd's Parliamentary Government in England :

As a rule the proper limit to questions is whether or not they can be made the subject of a motion on a public question.

Todd further says :

Numerous questions can be cited wherein ministers of the Crown and other members have declined to give any answer to questions which they considered to be unnecessary, inexpedient, unusual, impertinent--

The hon. gentleman can take any adjective he likes—

or as involving a matter of too much gravity to be dealt with by way of reply to a question. Generally they state reasons for declining to afford information.

Hon. Mr. LANDRY—That part the hon. gentleman may apply to himself.

Hon. Mr. SCOTT—The relations between a member of any Christian body and the pastors of their church is not a matter of public concern.

Hon. Mr. LOUGHEED—That consideration is not involved in this question.

Hon. Mr. LANDRY—If the hon. gentleman had read my question he would not have made the remarks he did.

Hon. Mr. SCOTT—I have read the question and do not propose to give any other answer.

Hon. Mr. LANDRY—But I might discuss it.

Hon. Mr. SCOTT—You are not entitled to discuss it.

Hon. Mr. LANDRY—I am entitled to an answer?

Hon. Mr. SCOTT—You can put a question, but you have no right to discuss it.

Hon. Mr. MASSON—If the minister makes any statement in replying to the question the hon. gentleman can discuss it

If the minister uses any argument the hon. gentleman has a right to discuss it.

Hon. Mr. SCOTT—I did not advance any argument.

Hon. Mr. MASSON—You have stated that the present government have done what the late government could not do. It would be very easy for the hon. gentleman to give an answer to all the questions. If the minister did not act as a minister of the Crown, of course he did nothing, and that would be a respectful answer for the minister to give.

Hon. Mr. SCOTT—Under the rules, as a matter of etiquette, I am entitled to give the reasons why I do not propose to answer the questions further, and I have read the authority which authorized me to do that.

Hon. Mr. LANDRY—I rise to a question of order. The hon. minister says he declines to answer this question because it affects religious interests. My question is so framed that it does not affect religious interests. I ask:

1. At any time between the 1st July, 1896, and this date has the Government, or the Prime Minister, or any member of the present Administration, or Mr. Charles Russell of London, solicitor, at the request, or to the knowledge of, or by the authority of the government, or the Prime Minister, or any member of the present Administration, directly or indirectly, solicited, asked or invited the intervention of the Holy See for the settlement of any question.

Hon. Mr. SCOTT—I have answered that: the government have had no communication with the Holy See, on any question.

Hon. Mr. LANDRY—Then I ask:

Has any one whatsoever at any time been authorized to ask, in the name of the government, or of certain members of the government, the nomination of an apostolic delegate with a permanent residence in Canada?

What is the answer I got to that?

Hon. Mr. SCOTT—I do not propose to give the hon. gentleman any answer beyond what I have already given; that is all the hon. gentleman is entitled to—he is not really entitled to that, but I explain that the government of Canada have had no communication with the See of Rome on any question.

Hon. Mr. MASSON—Has any minister?

Hon. Mr. SCOTT—I decline to go any further.

Hon. Mr. LANDRY—I ask this "Has any one in the name of the government been authorized"?

Hon. Mr. SCOTT—My answer covers that; the government have not either by themselves or by any other person, authorized any communication with the See of Rome—the former covers that completely.

THIRD READINGS.

Bill (54) "An Act respecting the Edmonton District Railway Company."—(Hon. Mr. Lougheed.)

Bill (48) "An Act to incorporate the Cowichan Valley Railway Company."—(Hon. Mr. Macdonald,—B.C.)

Bill (47) "An Act respecting the Brandon and South-western Railway Company."—(Hon. Mr. Power.)

LAKE BENNETT AND KLONDIKE RAILWAY AND TRAMWAY COMPANY'S BILL.

THIRD READING POSTPONED.

The Order of the Day having been called:

Third Reading (Bill 31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company," as amended.—(Hon. Mr. MacInnes.)

Hon. Mr. LOUGHEED said: The promoters of this bill, in looking over it, concluded to ask for a short amendment by which they will be empowered to construct a wagon road over a very short distance of the route proposed in the bill. I am, therefore, going to ask the House to permit me to discharge the order of the day with a view to afterwards giving notice of amendment. I therefore move that the order of the day be discharged.

The motion was agreed to.

TRADE MARK AND DESIGN ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. SCOTT moved the second reading of Bill (61) "An Act in further amendment of the Trade Mark and Design Act." He said: This bill, when it came up from the other Chamber, I assumed to be a government bill, whereas I was entirely mistaken. It was introduced at the instance of a private member of the other House, and I was not familiar with the object of the bill. It is evidently intended to give labour organizations the opportunity of taking out a trade mark and attaching it to goods that they themselves have been instrumental in making. It confers no exclusive privilege. In the original Act the definition of the word "person" applies to an incorporated company or any party, but it is believed that it is not wide enough to apply to a trade organization, and it is for that reason that labour organizations desire this legislation in order to have the same privileges as are extended to other persons. There is no exclusive privilege granted by it. They pay the same fee that other persons pay for taking out a trade mark in the Department of Agriculture. I believe the Minister of Justice was present when the labour organizations called on some ministers of the government with regard to it. I was not present, but he was, and I had hoped that he would be here to-day to state what they desire. Perhaps if the bill is allowed to take a stage to-day he will further explain it when it goes to committee. It simply gives to any labour organization the right to place a trade mark on goods that they manufacture, placing them on the same plane with individuals or companies, if I am rightly informed.

Hon. Mr. LOUGHEED—I should like to ask the hon. Secretary of State if any reasons have been advanced for this legislation? My hon. friend has simply stated the subject has been discussed, but he has not advanced any reason why this bill should be passed. There may be very good reasons, but I want to hear them.

Hon. Mr. SCOTT—It is asked for by the labour organizations. They simply ask permission to place a trade mark on any goods that they manufacture.

Hon. Mr. LOUGHEED—Why is that desirable or necessary?

Hon. Mr. SCOTT—They feel that they are not on the same plane as individuals or companies. The words in section three of the Act refer to any person within the definition; the definition of the word "person" in the interpretation clause would include an individual or company, but it is considered that it would not include a labour organization, and the labour organizations desire to be placed on the same plane as a company or a person.

Hon. Mr. ALMON—May I ask if this gives the labourers belonging to an organization any pull over labourers not connected with a trades union?

Hon. Mr. SCOTT—I should think not.

Hon. Mr. ALLAN—Will anybody be at liberty to buy goods without a trade mark on them?

Hon. Mr. SCOTT—I think so.

Hon. Mr. FERGUSON—This is a very important amendment. I do not quite understand whether trades unions are to take up the business of manufacturing themselves. I should think, from the remark of my hon. friend the Secretary of State, that trades unions, as such, conduct manufacturing businesses in this country.

Hon. Mr. SCOTT—They may in some instances.

Hon. Mr. FERGUSON—If so, they could register trade marks in their own name.

Hon. Mr. SCOTT—The language of the Act would not cover a trade union. They

have no power now to have any trade mark of their own, simply because they are not covered by the language of the statute. In the Interpretation Act the word "person" includes any body corporate and politic. These trade unions are not incorporated, as a rule, I believe.

Hon. Mr. LOUGHEED—The policy of the Act, as it at present stands, is the recognition of the right of manufacturers, or those engaged in business on their own account, to the use of a trade mark. Are we to understand that the government approves of widening that policy so that trade unions, entirely irrespective of doing business on their own account, may have the right to use a trade mark by which to designate to the public the manufactured products of union establishments? I am not expressing an opinion as to whether it is desirable or not; I am asking, is that the government policy?

Hon. Mr. SCOTT—It is unfortunate that this bill is in my hands. I was not advised about the bill, and it was a mistake on my part to take it up. As I understand, it applies only to trades unions which undertake a manufacture business.

Hon. Mr. LOUGHEED—This extends the clause to the cases I have mentioned, pretty clearly.

Hon. Mr. FERGUSON—This bill goes a great deal further than my hon. friend appears to think it does. If I understand it right, it goes so far that trade union labourers or employees, may be enabled to place some mark on goods manufactured in an establishment in which they are employed. I think it really goes so far as to enable them to put a trade mark upon the products of any firm that employs members of a trade union. If I am right about that, and if the bill goes that far, it could be made the means of boycotting manufacturers who did not employ trade union hands.

Hon. Mr. LOUGHEED—It goes even beyond the case mentioned by my hon. friend. It extends, in my humble judgment, to a case where there may be a union of workmen, say in a dozen establishments, engaged in producing the manufactures of those dozen establishments. They may use a particular trade mark by which they may designate that that particular union of workmen are engaged in producing that article, so that it is not confined to the products of one establishment, but to the products of many.

Hon. Mr. SCOTT—Perhaps, with the consent of the House, further consideration of the bill might be postponed, and in the meantime I will send it to the Justice Department to get an opinion about it.

Hon. Mr. POWER—I might be allowed to say a word or two with respect to this matter. I do not think the bill, in its present form, is the bill that it should be to carry out the purpose of the trades unions. I have some doubts whether the hon. Secretary of State is quite correct with respect to the meaning of the word "person" in the Act. I think the word "party" would, under the clause of the Interpretation Act, apply to such an association as a trades union. What the trades unions really wish is to provide that on goods which have been manufactured, no matter where, but manufactured by members of the trades unions, they shall be allowed to place some mark in addition to what is known as a trade mark. The bill, in its present form, is likely to lead to confusion, because this mark is not really a trade mark at all. It is a mark of another kind. I have no objection to the carrying out of the wish of the trades unions, but I do not think it should be carried out in this way. This bill would do more than effect the purpose of the members of the trades unions, and I think some other language should be used in the bill than is actually employed. I trust that when the matter is brought to the notice of the Department of Justice they will see proper to modify the language so that it will express the intention of the promoters of the bill and will not lead to confusion, as it will, I think, if the bill is passed in its present shape.

Hon. Mr. SCOTT—I move that the further consideration of this bill be postponed till Friday next.

The motion was agreed to.

SECOND READING.

Bill (68) "An Act respecting the Montfort Colonization Railway Company, and to change its name to the Montfort and Gatineau Colonization Railway Company"—(Hon. Mr. Clemow.)

VANCOUVER, VICTORIA AND EASTERN RAILWAY COMPANY'S BILL.

SECOND READING.

The Order of the Day being called,—

Second Reading (Bill 64) "An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company"—(Hon. Mr. Power.)

Hon. Mr. POWER said:—When this bill was read the first time, I gave notice of the second reading in order to expedite its passage, but I have not been asked to take charge of the bill. It seems to me that gentlemen in the other House should ask some senator to take charge of any bill that comes to this House, and I do not care to assume the responsibility of taking charge of it. There are gentlemen from the province of British Columbia in the House, and if they think this is a desirable measure one of them may move the second reading.

Hon. Mr. MACDONALD (B.C.)—I think the hon. gentleman had better move the second reading. I know nothing about the bill, and was not asked to take charge of it. It will simply go to the Committee on Railways Telegraphs and Harbours.

Hon. Sir MACKENZIE BOWELL—It seems to me that it would be much better if they would act on the suggestion I made last session, and the session before, that when bills come from the other House and no intimation is given of their character and no one in the Senate asked to take charge of them, they should be allowed to drop. If the parties interested are not courteous enough to let some senator know that they want the bill passed through the House, I do not see that we should be continually assuming a responsibility the effect of which we know nothing. We have had an exhibition of this to-day when a most important bill was brought before us by the hon. Secretary of State, he frankly telling us that he knows nothing about it or the objects which the promoters have in view in trying to place it on the statute book. I do not desire either to dictate or intimate the course which the hon. gentleman ought to pursue, but had I been in his position I should at once have moved that it be discharged, so far as my name was concerned, and let the parties interested try to get the support of some other senator. If the members of this House would adopt that course in the future, I think the Senate would command the respect of the members of the Lower House and add to its own dignity.

Hon. Mr. TEMPLEMAN—I will move the second reading of this bill, though I have not been asked to do so. I cannot say that I am informed as to all the provisions of the bill, but I know in a general way that it is a bill for the purpose of declaring that this railway, which is a provincial enterprise under a charter from the government of British Columbia for the construction of a road from the coast to the boundary of the country and has a provincial subsidy, is a railway for the general benefit of Canada, and also provides that the road may be leased to the Canadian Pacific Railway Company. It passed through the Commons, and I think there was no objection to it there.

The motion was agreed to, and the bill was read the second time.

CANADA ATLANTIC RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (93) "An Act respecting the Canada Atlantic Railway Company." He said:—By this bill the Canada Atlantic Railway Company ask to extend their road to the boundary line, and also to extend it to a point in the city of Montreal. This railway has done a great deal of business in this country and has been a very successful undertaking, and the bill should commend itself to the approval of every senator.

The motion was agreed to and the bill was read the second time.

BILL INTRODUCED.

Bill (79) "An Act to incorporate the Windsor and Detroit Union Bridge Company."—(Hon. Sir Mackenzie Bowell.)

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 3rd May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

LAKE BENNETT AND KLONDIKE RAILWAY AND TRAMWAY COMPANY'S BILL.

REFERRED BACK TO COMMITTEE.

Hon. Mr. MACINNES moved the third reading of Bill (31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company."

Hon. Mr. LOUGHEED moved in amendment:

That the said bill be not now read a third time but that it be amended as follows:—

Page 1, line 25.—By adding "and also may construct, maintain and operate a wagon road sixteen feet wide, to run on either side of Miles Cañon and White Horse Rapids."

He said: I gave notice yesterday that I would move this amendment to clause four of this bill. As hon. gentlemen are aware, power was given to this company to construct a tramway subject to certain rights vested in two other companies to construct a portion of a tramway over the same route. The right given to the company in question is subsidiary to the right of the other two; and in the event of the other two companies not proceeding with the building of their tramway, it is proposed that this company, in the meantime, shall have the right to construct a wagon road so as to perfect their communication in that country. I understand, from two or three hon. gentlemen who have been interested in the promotion of the two other companies to which I allude, that they desire a reference to the Railway Committee so that they can discuss the advisability of giving to this company the power to construct a wagon road. I must confess that it seems to me a trivial objection. I cannot see why, in the public interests, this company should not have the power to build a wagon road. It seems to me to in no way conflict with the powers given to the two other companies to build a tramway; and I presume if this amendment were not made, this company would exercise the right which any company might exercise, without interference, and build a wagon road, which is only a very short one, some four or five miles I understand, entirely regardless of the fact that they have not corporate power to do it. I apprehend that individuals could not restrain them from building this wagon road over the public domain, and I fancy the Crown, in the public interest, would not consider it advisable to intervene to prevent the construction of such a road. I, however, move that the bill be amended; and if hon. gentlemen think it advisable the bill should go back to the committee, it can be sent there.

Hon. Mr. MILLS—Does my hon. friend drop his amendment?

Hon. Mr. LOUGHEED—Oh, no.

Hon. Mr. ALLAN—I hope my hon. friend will not persevere in that amendment now. There is evidently some misunderstanding about this bill. When the other two bills were before the Railway Committee it seemed to be clearly understood that the clauses enabling them to build these tramways were so worded that if they did not build within a short time the powers granted them should be null and void. It was also understood that this company, which is now asking for incorporation, would not exercise any power of that kind till these two companies had failed, and an order was made by the Governor in Council to allow them to build this road. A wagon road is not a railway, but my hon. friend will admit that if in this bill they have power to build a wagon road sixteen feet wide, it may interfere very materially with the other two companies, and I think on the whole that it would be keeping better faith if the bill were referred back to the Railway Committee for further consideration.

Hon. Mr. MILLS—I hope my hon. friend will not persist in his proposed amendment unless he goes further and amends his bill in the next section. I understand that an agreement was come to in the House of Commons between the promoters of this bill and the promoters of the others to which the hon. senator (Mr. Allan) has just alluded, that this charter was to be subject to delay unless the other companies fail to construct a tramway under their corporate

powers. Now my hon. friend proposes practically to set aside that understanding by proposing the construction of a wagon road, which will be outside of the understanding and outside of the condition in which this bill was passed. If my hon. friend adds the amendment which he proposes to the fourth section, he should also add the words "or a wagon road" to subsection two of the fourth section after the words "the authority conferred on the company to construct a railway or tramway." Then he would build this road under the restrictions in the bill, and I apprehend that my hon. friend, the senator from Toronto, would not object if it were done, but certainly it would be a violation of the understanding arrived at if my hon. friend should propose to construct a wagon road which should not be subject to the restrictions. It seems to me, that unless my hon. friend is prepared to add after the word tramway the words "or a wagon road," the amendment ought not to be persisted in.

Hon. Mr. MACDONALD (B.C.)—I hope my hon. friend will withdraw his amendment. I know he would not give consent to a breach of faith in a matter of this kind. This company gets its charter on condition that it shall not interfere with two other charters given; and now they propose, at this stage, to introduce this new feature. I hope he will withdraw his amendment and not countenance a breach of faith. If he persists in it, I shall ask him to send the bill back to the Railway Committee in order that the matter may be discussed and the bill amended to suit both parties.

Hon. Mr. LOUGHEED—I must certainly take exception to the statement that this is a breach of faith. I understand the facts leading up to the restriction placed on this company, namely, the Lake Bennett and Klondike Railway and Tramway Company, from proceeding with the construction under their charter, was due to the fact that contemporaneously with the passage of this bill in the Commons, two other companies received power to construct this tramway along the Miles Cañon and White Horse Rapids, and that the Minister of Railways suggested to Sir Hibbert Tupper, who was then in charge of the bill, that he should take his bill subject to the rights of the other parties, to which he consented, so far as the building of the tramway is concerned. Now, a certain length of time is given to the promoters of the other two bills to construct that tramway—I understand two years.

Hon. Mr. POWER—One year to begin.

Hon. Mr. LOUGHEED—One year to begin. In the meantime, as hon. gentlemen will easily perceive, the public are inconvenienced by waiting that one year to ascertain whether these companies are going to exercise the rights which have been conferred on them by their bill. In the meantime this company, for the purpose of perfecting or building their links of communication, propose building a wagon road, not in any sense, I submit, as a breach of the agreement which had been entered into by the Commons because the right still exists in all its entirety with the other two corporations.

Hon. Mr. MILLS—My hon. friend proposes to accomplish the same object in another way, which is certainly a breach of faith.

Hon. Mr. LOUGHEED—Building a wagon road and building a tramway I understand are two entirely different enterprises. The wagon road is simply for the purpose of assisting communication in the meantime. If these companies proceed with their enterprise the wagon road, I apprehend, will fall into disuse. But I do not think the promoters of this bill have the slightest intention of violating any agreement with the other company. However, if it be the sense of the House that this should go to the Railway Committee there is no alternative but to consent.

Hon. Mr. POWER—I think the hon. gentleman will see that this is substantially a breach of the agreement which was entered into with respect to these undertakings, because if this company constructed a wagon road sixteen feet in width it would be very likely to have the effect of hindering the other companies constructing the tramway. The inducement to build the tramway, the profit to be derived from it, will be very much diminished by the building of this wagon road. There is another feature in connection with this bill, that the original purpose of this company was not to build a

tramway, or a wagon road either, at White Horse Canon, but to build a tramway from a point on Marsh Lake to a point on Hootalinqua River. That undertaking would not have interfered with the undertaking of the other two companies. I presume there is no objection of the bill going back to committee, where the merits of the proposed amendment may be considered, but I think the House should not, at the present time, at any rate, pass the amendment. I move, in amendment to the motion of the hon. gentleman, that the amendment be not now adopted, but that the bill be referred back to the Committee on Railways, Telegraphs and Harbours for further consideration.

Hon. Mr. LOUGHEED—I consent to that.

Hon. Mr. MILLS—There is no objection in referring this back to committee for further consideration if the House has made up its mind not to permit the amendment to be adopted, then it seems to me that the better way would be not to adopt the amendment. It is better to reject the amendment.

Hon. Sir MACKENZIE BOWELL—That is the simplest way to treat it, we would be able to discuss this matter more fully before the Railway Committee, and the referring it could do no harm.

Hon. Mr. MILLS—As I understand it, the necessary notice was not given for this bill, and it obtained a standing or foothold before parliament only by agreeing to certain limitations. Those limitations were accepted, and the bill was proceeded with upon that ground. Now, after the foothold has been obtained by waiving the irregularity of failure of the company to comply with the rules of parliament as to the notice, my hon. friend proposes to make it a rival institution to the two others that had practically precedence in the intentions of the House of Commons and, as I understand it, so far as the intention of this House is concerned. This is a bill which creates a corporation to construct a public work for purposes of profit, and my hon. friend is going a long way in pressing these amendments upon the attention of parliament in the face of these facts.

Hon. Mr. LOUGHEED—I must again repeat that my hon. friend is not justified in taking the position that there is any breach of faith. The intelligence of the House will be sufficient to draw a distinction between building a wagon road at the present time for the convenience of the public and waiting a year for those two companies to determine whether to proceed to build a road. If my hon. friend is willing that this should be discussed before the Railway Committee it can be done, but my hon. friend will not force the House to the conclusion that it is determined upon rejecting the proposed amendment, which is very reasonable and in the public interest, and which could only subserve the opening up of that country; and if my hon. friend takes the position that the sense of this House is to be tested, I am willing to accept the challenge. If my hon. friend from Halifax will withdraw his amendment I am ready to take the sense of the House.

Hon. Mr. POWER—I do not think the hon. Minister of Justice intends pressing his suggestion, and I hope that my amendment that this amendment be not now concurred in but that the bill be referred back to committee for further consideration will be adopted.

The amendment to the amendment was adopted.

WINDSOR AND DETROIT UNION BRIDGE COMPANY'S BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of Bill (79) "An Act to incorporate the Windsor and Detroit Union Bridge Company."

Hon. Mr. McCALLUM—This is an important matter and I think we should have some explanation.

Hon. Sir MACKENZIE BOWELL—It is a bill for the purpose of enabling the Grand Trunk Railway Company and other railway companies in the United States, who now use the ferries at that point, to construct what is termed a high level bridge. The proposition in the bill is to erect a bridge in place of the tunnel, which was proposed some years ago, and also in lieu of a

railway bridge which the companies obtained power to build from the parliament of Canada ; and, I am informed, the Congress of the United States, and which was what was termed a low level bridge—a draw bridge. It has been decided, particularly by the shipping community, and I think very properly so, that in a river as narrow as the Detroit is at that point, and with the volume of trade that is continually flowing from the west to the east, anything like a draw bridge would be an inconvenience which should not be tolerated by either governments, and the proposition in this bill, as originally introduced, was to erect a bridge 140 feet above the high water mark, but upon consultation with the authorities of the Grand Trunk Railway and others who are interested in the construction of this bridge in the United States, the clause was amended by substituting a provision that no bridge should be built until it had received the sanction of the Governor in Council in Canada, and of the Minister of War in the United States. I am informed that the Minister of War is the party in the United States to whom matters of this kind are referred, and not, as in this country, to the officer who is more immediately connected with the navigation. It will be remembered by this House that a number of years ago authority was given for the construction of a tunnel. I am informed that in the attempt to construct that work it was found that under the surface the whole soil was so full of gas and other explosive matters that it was altogether impracticable. This difficulty was not encountered when the Grand Trunk Railway constructed the tunnel at Sarnia. For the reasons which I have given, the companies have abondoned this scheme, and now the proposition is for the different railway companies to construct a bridge sufficiently high to enable the commerce of the country to be carried on without being impeded in any way unless it be from the construction of two piers. It is for the House and government to say whether two piers would be too many in that river. That I believe was fully considered by the Railway Committee of the House of Commons when they passed the bill in its present shape. Those who are interested in the navigation of that river, particularly the hon. gentleman from Monck and the hon. gentleman from Windsor, will see at once that if that river is ever to be bridged, the scheme which is now propounded is decidedly better than a low level bridge with draws, or a tunnel. That, I believe, is the whole object of the bill. It is provided that they must commence work within two years after the approval of the plans by the Governor in Council in Canada, and also by the Minister of War in the United States ; and a further provision so as not to give them the power in perpetuity, as many of these bills have done in the past, provides that it must be commenced within three years and completed within seven.

Hon. Mr. McCALLUM—When I asked the hon. gentleman to explain I did not intend to convey the idea that I was opposed to the bill, but it is desirable to know what the object of the bill is. Several bills have been passed to construct bridges across the Niagara River, but none of them gives permission to build a low bridge. Of course, it depends a good deal on the span whether it will be an impediment to navigation. We can ascertain that in committee.

Hon. Sir MACKENZIE BOWELL—It is to be 1,000 feet, I think.

Hon. Mr. McCALLUM—That is a very good span. I do not object to the bill at all and I would say further, that this country should not have quite as much objection to it now as formerly. If that projected canal to the Rondeau is built, of course it gives another avenue. The navigation will go through that way and cut off Detroit and Windsor altogether, and that work will be constructed some day There is no doubt about that, because it will shorten the distance and the work can be done cheaply. Even if I had some objection to this high level bridge, I would not be as much opposed to it as I was formerly. It depends a good deal on the height of the bridge and the span whether the committee will pass it or not.

Hon. Mr. McMILLAN—Will not the Georgian Bay Canal cut it out ?

Hon. Mr. McCALLUM—As far as the Georgian Bay Canal is concerned they will be forty years in the wilderness before it is completed.

Hon. Mr. MILLS—I have no doubt a low lever bridge would be an impossibility over the Detroit River. If I remember rightly

it has been estimated that a vessel passes every three minutes, twenty ships an hour, and that would necessitate keeping the draw open constantly. It would be a bridge that could not be used. There are two clauses to which I would like to call the attention of my hon. friend. One is clause 9 :

The right to alter, appeal or amend this Act is hereby reserved.

I suppose the object of that is to prevent any bridge company setting up the contention that the company have a contract with the government or with parliament for the construction of this bridge. Nothing is stated in the clause with regard to any compensation in case the Act is repealed or amended—whether the repeal of the Act is intended to be provided for after the bridge is constructed as well as prior to the construction of the bridge. I do not see anything in the bill that throws any light upon that subject. I am simply calling the attention of my hon. friend who has charge of this bill to this point, so that it can be considered when the bill goes to committee. Then I would call his attention to clause 31, which provides :

If any person shall force or attempt to force any gate or guard of the said bridge, or the approaches thereto, or if any person shall wilfully do or cause to be done any act or acts whatsoever, whereby the said bridge, its lights, stationary works, machinery fixtures, or other appurtenances thereto shall be obstructed, impaired, weakened, destroyed or injured, the person so offending shall forfeit to the company treble the damages sustained by means of such offence or injury, to be recovered in the name of the company with costs of the suit, by any proper action for that purpose, and such person shall also be guilty of a misdemeanour, and be punishable by fine or imprisonment or both, by any court of competent jurisdiction.

What I wish to call attention to is that it is questionable whether we should insert a provision of the criminal law into a private Act, and, in the next place, the offence here is declared to be a misdemeanour which embraced one class of crimes formerly, but under the Criminal Code has been abolished. We no longer make any distinction between felonies and misdemeanours, and that clause has been inserted through an oversight. Then it seems to me if my hon. friend will look at section 499 of the Criminal Code he will find that such an offence as is here spoken of is already provided for. It may be necessary to declare that this is an offence, although I am under the apprehension that it would be reached by that section of the Criminal Code.

Hon. Sir MACKENZIE BOWELL—I am obliged to the hon. gentleman for calling my attention to these clauses. I may state frankly that this was only placed in my hands the other day, and I just had time to look over it for a few moments. Speaking of the ninth clause, hon. gentlemen will see in looking at the eighth clause that it provides for certain concessions under certain conditions—that it must receive the sanction of the Governor in Council in Canada, and also the Minister of War of the United States, and then the right to alter, amend or repeal this Act is hereby expressly reserved. I do not know that I can give the legal interpretation of that, but it says :

To require any change in the said structure or the entire removal at the expense of the company whenever the said minister will deem it in the public interest to do so.

I will call the attention of the gentlemen interested in this bill to these clauses. The only point with the railway companies interested in this clause would be simply as to whether these acts which are spoken of in the clause should not be made offences. If the commission of the acts referred to is provided for in the 499th section of the Criminal Code, then it would be surplusage and unnecessary. If it is not provided for, then it will be for the Minister of Justice to assist us in drafting a proper clause which will make them punishable. He will readily concede that interference with the property of the company in any way might endanger life and that there should be some means of punishing the offender.

Hon. Mr. MILLS—If the committee come to the conclusion this section is necessary, then it would be sufficient to say that this offence here spoken of, shall be an offence against section 499 of the Criminal Code.

The motion was agreed to, and the bill was read the second time.

DELAYED RETURNS.

Hon. Mr. BERNIER—Before the House adjourns, I should like to ask the hon. leader of the House if he has had time to inquire about the return I asked for by motion on the 31st March last. I have already called attention to it, and I would be obliged if the government could furnish those returns this week.

Hon. Mr. MILLS—I will inquire and endeavour to meet my hon. friend's views with just as much expedition as possible.

Hon. Mr. LANDRY—While we are on the same subject, will the hon. gentleman inquire also, if I could get the returns I asked for in July last?

Hon. Mr. MILLS—Of last year?

Hon. Mr. LANDRY—Yes, if there is no prescription for the government.

Hon. Mr. MILLS—My hon. friend's question is a matter of ancient history. I shall make inquiry after looking up the record to ascertain what my hon. friend asks for.

Hon. Mr. LANDRY—To shorten the inquiry, I may say that it is on the subject of dismissals. Last session I made a motion to have the papers laid on the table, and it was agreed to. It was those dismissals in which a friend of the government was deeply interested—Mr. Choquette, M.P.

Hon. Sir MACKENZIE BOWELL—As we are dealing in ancient history, I should like to call attention to the fact that a full return of the motion I made at the beginning of last session has not been presented yet. The second edition was presented to the House a little while ago by the Secretary of State. When may we expect the third return?

Hon. Mr. SCOTT—There is only one return not furnished—that is from the Railway Department. I will speak to the minister about it. I think that is the only department in default.

Hon. Sir MACKENZIE BOWELL—I should like to get it in time to have it printed before the House adjourns, so as to let the whole country know the facts.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 4th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

PROSECUTIONS FOR BALLOT STUFFING IN MANITOBA.

INQUIRY.

Hon. Mr. PRIMROSE inquired of the government:

Whether the prosecutions entered against Parker, Dennison, Roberts, James Walker, McFadden, Herriman, Brown, Mawhinney, McDonald, Orr, Brooks, Finklestein, Clark, Renwick, Anderson, H. E. Walker, Saunders and Hamilton for alleged ballot stuffing in Manitoba at the last general elections were commenced at the instance of the Dominion government, and if so, whether the expenses attending the same have been or are to be paid by the Dominion government?

He said: In order to explain my question, it is necessary that I should put the House in possession of certain facts. Last Friday, when I asked my question as to whether it was the intention of the government to provide, in the supplementary estimates or otherwise, a sum in addition to the $2,500 contained in the main estimates for carrying on the Tidal current survey in Canadian waters a subject of great interest—not to Canada alone, but the whole world and which was suffering for the want of funds to carry it on properly, I was proceeding to show that whilst the government could withhold the assistance that was necessary in this regard, and which was so much required, they could, in the cases which I was about to cite, spend the people's sheckles with a lavish hand, when I was called to order by the hon. senior member for Halifax.

Hon. Mr. POWER—I rise to a question of order, I am sorry I have to trouble the hon. gentleman again. He is out of order in referring to a past debate.

Hon. Mr. PRIMROSE—Then I will have to let the circumstances, as they occurred, be impressed on the memory of those hon. gentlemen who were present at that time, and the others who were not present can acquaint themselves with the circumstances when the debates are published. I was then going to cite what I shall

now cite in consonance with the terms of my question to-day. I said I had in my hand a document received from a very prominent counsel in Manitoba, and was going on to read it when I was called to order. This refers to prosecutions in alleged ballot stuffing cases in Manitoba. I was called to order on the ground that the providing for the cost of this matter came under the cognizance of the provincial and not of the federal government. My hon. friend the senior member for Halifax, has called me to order several times, and I appeal to the judgment of this House if it is not the fact that that hon. gentleman, more perhaps than any other hon. member of this House is guilty of breaches of the rules of the House and yet constitutes himself general censor in this particular for his colleagues. This document reads:

RE MANITOBA CRIMINAL PROSECUTIONS FOR ALLEGED BALLOT STUFFING.

Informations were laid against eighteen men, nearly all of them representative men in their districts.

1. Parker, Dennison, Roberts, James Waller, McFadden, Herriman and Brown—7.

In these cases the magistrates refused to commit for trial. Brown was detained in jail for thirty-six hours until he had furnished bail for $6,000.

2. Mawhinney, McDonald. Orr, Brooks, Finkelstein, Clark, Renwick, Anderson, H. E. Waller, Saunders and Hamilton—11.

In these cases the magistrates committed the accused for trial. The grand jury found no bill in the case of H. E. Waller and true bills in the other cases mentioned in clause 2. Notwithstanding that true bills were found the Crown dropped proceedings against McDonald, Hamilton, Brooks, Finkelstein, Renwick and Orr.

In the following cases the Crown pressed for convictions:—Mawhinney, Clark, Anderson and Saunders.

In Mawhinney's case, the verdict was not guilty. When this man was arrested he was put in jail and kept there for thirty-six hours, being fed on bread and water.

In the case against Clark, the jury disagreed.

In Anderson's case the jury disagreed when he was immediately tried before a second jury, who also disagreed; he was then bound over for trial at the next criminal assizes, for which, I believe, there is no precedent in Canada, and when the application was made the Crown counsel was only able to cite one precedent in England. At the opening of the next assizes the Crown announced they did not intend to proceed against Anderson.

The only case in which the Crown obtained a conviction was against Saunders. The charge against this man was that when a voter gave him a ballot marked for Rutherford he had substituted one marked for Boyd, which he put into the ballot box, putting the unused Rutherford ballots into his pockets. He gave evidence on his own behalf when he denied that he had tampered in any way with the ballots, but he at the same time admitted that after the election was over he had torn three unused ballots from the book which he had marked for Rutherford and given to the informer Freeborn for the purpose of extorting $800 from the Conservatives under agreement with Freeborn to divide the amount between them. It was proved in evidence that Freeborn had offered to sell these three ballots to the Conservative committee for $800. It was upon this evidence that the jury found him guilty, doubtless feeling that upon his own admission of a conspiracy to extort money from the Conservative party he should be made to suffer.

It is a significant fact that Rutherford, the present M.P. for Macdonald was his bail, and in February last he was appointed by the Greenway government a commissioner for taking affidavits, although his appointment was subsequently cancelled.

I wish to show this honourable House the amount of money that was uselessly spent—absolutely worse than uselessly spent—on these matters. You see, they did not get one single conviction. The closure was attempted to be practised on me on Friday last, to prevent, I suppose, the bringing forward of this matter; and as I have said to you already, I was told that it was entirely within the purview of the provincial government. Now, I felt all the while that I was standing on safe ground in bringing this matter to the consideration of the House, although I had not then the proof at hand, but I have since taken the trouble to inform myself more definitely upon the subject, and I now submit to the House a letter which will be found in the records of the Public Accounts Committee, as will also be found all the accounts and vouchers connected with the proceedings coming under this heading. The letter is addressed to His Excellency the Governor General in Council, and is dated June 30, 1897, and reads as follows:—

June 30, 1897.

To His Excellency the
Governor General in Council:

The undersigned recommends that in connection with the recent prosecutions for election frauds in Manitoba, an advance of $6,964.41 be made to the Hon. the Minister of the Interior, to enable him to make advances on account of the several agents, pending the taxation of their bills, which amount in the aggregate to a very much larger amount, such amount to be charged to the vote for Miscellaneous Justice, and to be accounted for.

O. MOWAT.

The solicitor's fees, as certified by the Deputy Minister of Justice, Mr. Newcombe, were cut down from $10,325.57 to $5,760.07; and when we add the disbursements in connection with the different matters that are connected with this, which come to $7,146.33, it will make a total of $12,906.40 an amount about equal to the amount that was in the past appropriated for the prosecution of the work for which I pleaded on Friday last, and for which I plead now, namely, the efficient maintenance of the tidal current survey in our Canadian waters, so as to facili-

tate the safe approach of vessels with their commerce to our Dominion. I say that the amount spent here by the government, in the way I have stated, was, at any rate, as large as that which, in previous years, enabled this survey to be carried on, although not so efficiently as it would have been carried on with a larger appropriation. Now if I am not out of order in referring to a past debate, I would remind the House that the hon. the senior member for Halifax with his usual blandness and courtesy of speech and manner, stated that I had been under several misapprehensions—I leave it to the judgment of the House as to who stands today under a misapprehension. It is scarcely necessary for me to put my question after the information which I have laid before the House, and which I consider to be incontrovertible, but I will make the inquiry and await the reply.

Hon. Mr. MILLS—My hon. friend, in putting his question, gives the information which he professes to wish.

Hon. Mr. PRIMROSE—That is what I said before resuming my seat.

Hon. Mr. MILLS—My hon. friend is not seeking information at my hands, but is seeking an opportunity to make an attack on the administration of justice by my predecessor in office. My hon. friend professed to read a letter from Sir Oliver Mowat stating that the expenses incurred had been paid. In my opinion that was a proper payment. My hon. friend says that the jury disagreed and that in some cases there were two prosecutions and still a disagreement. That, I think, is a very unfortunate state of things, and where men undertake to stuff the ballot boxes on which the liberties of the people depend, on which their fair representation in the other branch of this parliament depends, and after those facts are established, any section of the community who may be called on to serve as jurymen, say upon indubitable evidence that the parties are not guilty, I say they commit a serious offence, morally at all events, against the public interest and that is a matter to be deprecated. In regard to both these matters, I think this House ought to deprecate the facts that have been disclosed in the statements made to the House by my hon. friend. In the first place, there is a very serious wrong done in attempting to prevent a general election from resulting in a proper expression of public opinion, and in undertaking to defraud the electors of the representations which they possess in the House of Commons. When that fact becomes known, I think it is equally to be lamented that any section of the community should be disposed to defend a transaction of that sort. If there ought to be purity associated with the constitution of parliament, or with the discharge of any public function, it ought to be with respect to an election, and yet I know—I am speaking from my own personal knowledge when I say—that the attempt at ballot stuffing was not alone in the province of Manitoba, but that it extended to other portions of the Dominion, and if that practice were in any very considerable degree to continue to prevail it would render it absolutely necessary that all the elections should be open elections instead of elections by ballot, because the public will have no assurance that the parties for whom they voted and whom they undertook to return to parliament would come here as their representatives, but those whom they intended to reject, and whom, so far as their votes were concerned, they did reject, would nevertheless sit in parliament as their representatives. I do not know from the speech addressed to this House whether the hon. gentleman thinks that no prosecutions ought to take place in a matter of this sort. I cannot say whether that is his deliberate opinion or not, but certainly the drift of his speech was in that direction.

Hon. Mr. PRIMROSE—I say that great care should be exercised, in the first place, before taking proceedings, to see that there is some chance of conviction in those cases. Here were eighteen persons proceeded against and not one of them was convicted.

Hon. Mr. MILLS—That was not the fault of the department. If a jury, or a portion of them, will say that parties are not guilty, when the evidence shows that they have been guilty, it is a great misfortune and shows that political feeling in the community has become so strong as to overshadow the sense of right in that community. I have no hesitation in saying that I think, when my hon. predecessor in office recommended the payment of these charges, he adopted a proper course. Ordinarily the administration of justice belongs to a province; ordinarily it is the duty of the pro-

vince to see to the administration of criminal justice, but this is not a matter belonging to the ordinary duties of the local government or legislature, any more than the trial of controverted Dominion elections. It is a matter which concerns the constitution of this parliament, a matter which is peculiar to that constitution.

Hon. Mr. BOULTON—Did not the provincial government take the initiative?

Hon. Mr. MILLS—I think the initiative was taken here. My impression is that the papers were moved for in the other House and have been brought down, and my hon. friend will see, by examining the papers, that the initiative was taken here, and properly taken here, because it is a matter which specially concerns the constitution of this parliament and not the general administration of justice affecting the community at large.

Hon. Mr. FERGUSON—I am sure that every hon. gentleman in this House will fully agree with my hon. friend, the leader of the Senate, in the language which he uses in condemnation of such a practice as ballot stuffing in connection with the elections held in this country. While we all agree with him that this is a practice that ought to be condemned and very severely punished, yet I think it is proper that we should look very carefully into such a matter as this to find whether party objects are not being advanced under cover of prosecuting offenders against the law of the Dominion, and against a great moral principle. We must remember that most ample provision is made by law in this country by which a candidate who is defeated in election, or any elector can petition against the election. Ballot stuffing would be a cause for voiding an election if it were proved, and if this is not so our laws must be very faulty indeed. If that is so, why not allow the candidates or electors to prosecute their cases by petition and have the matters ventilated in court? No doubt my hon. friend will say that perhaps the charges in a bill of particulars might not reach some of these cases in such a way that they could be properly unearthed.

Hon. Mr. MILLS—It has nothing to do with them.

Hon. Mr. FERGUSON—It is very likely that would be the case, but if the judges, on investigation, found that extensive corruption prevailed they could by their report recommend that a general inquiry should be held into the conduct of the election and of the extent to which bribery or corruption was carried on in any particular constituency, and under that provision an inquiry might then be held which would reach the case. I think the machinery provided by the law is sufficient, without the Minister of Justice being asked to intervene, as has been done in this case, and the authority of the Minister of Justice given for the purpose of facilitating or prosecuting an investigation of this kind. Great care should be taken by the Department of Justice not to lend itself to any such prosecution as this, because as soon as it does so in one case it will be invited to do the same in others, and there are some of us, at all events, who would have our doubts, notwithstanding the very great respect we have for the Minister of Justice and his very eminent predecessor, as to whether these gentlemen might not be moved a little easier to facilitate an investigation of this kind when men of their own political party were soliciting such interference. It gives to the Department of Justice a power to be employed in the interests of one political party in this country, and we believe that the Department of Justice would hesitate a long time should their interference be invoked by members of the Conservative party who might want to move the department in a matter of this kind and they would be a very long time at work before they would get the hon. gentleman to interfere for the purpose of facilitating or starting prosecutions against Liberals who may have been accused of ballot stuffing. On the whole, I think my hon. friend from Pictou has done a distinct service in bringing this question before the House. I do not know the particular history of this case very well. I have read about it in the newspapers. There are gentlemen in the House who know more about it than I do, but I think that the circumstances should have been very serious indeed and the ordinary laws provided for the investigation of election frauds must have been shown to have been utterly inadequate to meet the case before the Department of Justice should have interfered.

Hon. Mr. MILLS—This is not an election trial; this is a criminal prosecution.

Hon. Mr. KIRCHHOFFER—Nobody desires more than myself to have the purity of elections kept up to a high standard, but in this case those of us who are residents of Manitoba are perfectly aware of the general feeling in regard to this matter, that it was not in any case a prosecution for the purpose of trying to enforce the purity of elections, but of persecution as regards political opponents. The way in which this persecution was instigated was this : a man named Freeborn, who was very well known in some circles in Ontario, came up to Manitoba and offered his services to the Conservative party. He attached to them such a very large sum of money that he was ignominiously refused. His services were scouted and he was unable to make any money by joining in with the Conservative party. But this gentleman was not coming away from Manitoba without having knocked down his expenses out of somebody, and his services were accordingly offered to and retained by the Liberal party. The government put this machinery in force. At the trials they had not a single witness in support of the prosecutions except Freeborn. When he was placed in the witness box he was cross-examined, and the evidence all went to show that he came up there and offered himself for sale, first to one party and afterwards to the other, and his character was shown up in such a style that there was not one of the juries before whom these men were tried that would convict a prisoner that was brought before them. It has been stated here that, in most of the cases, the juries disagreed. That is not so. My recollection is that in thirteen out of the eighteen cases the parties were acquitted, and acquitted after a great deal of expense had been incurred. They were, first of all, brought before the magistrates. They were not even tried before the local magistrates, because it was thought there would be sympathy with them, and the government would not allow them to be tried by local judges. They were taken some hundreds of miles from where the offence occurred, and tried, principally, before the police magistrate of Brandon, who is said to be—and I say it without fear of contradiction—one of the most bitter partisans in that country ; and in every instance, no matter what the evidence was, he committed them for trial.

Hon. Mr. SCOTT—The grand jury found true bills.

Hon. Mr. KIRCHHOFFER—These men were committed for trial and if they could not get a conviction in one place the venue was changed to another, and it was changed from time to time. These people were taken hundreds of miles until their cases could be sent up for trial. When this magistrate was not prepared to try it another outside magistrate tried it. In some cases there were no true bills found, and when they were tried, as I said before, Freeborn's evidence was the only evidence given and on cross-examination he broke down entirely. The result was thirteen were acquitted, and in the remainder of the instances, with the exception of one, where a man was convicted upon his own testimony, the jury disagreed. Even then the government were not satisfied but in most of these cases ordered a new trial, and these men were brought up again and were obliged to retain counsel and obliged to attend at these different trials; so that when you see a fee here of nearly $6,000 paid the Crown prosecutors, and the witness fees, you can imagine the loss and expense to those men—the loss of character and loss of time and money, the government pressing them all this time and hunting them down as if they were criminals, and at the present time some of the prosecutions are still hanging over them and the Crown will not proceed. I was not aware that this matter was coming up to-day : but I cannot allow the facts to be distorted, as they have been to-day, the minister putting it forward as if these parties were guilty. Before having entered into a prosecution of this kind the government should have had the strongest ground and should ascertain whether they had cases against these people, instead of, in a wholesale way, arresting twenty or thirty and putting them on their trial.

Hon. Mr. PRIMROSE—That is my contention.

Hon. Mr. KIRCHHOFFER—And then the only evidence they had was from this base informer, whose evidence would not be listened to or believed by any juries to whom it was presented.

Hon. Mr. DANDURAND—It is pretty hard for members of this House to discuss a record which they have not before them. We have just heard a statement of what took place before the courts, and we have also seen quite unsavory evidence reported

by the press. We saw that parties had been taken into dark chambers to be taught how to mark ballots, how to spoil ballots and stuff boxes. We do not know the character of the party who gave the evidence, but we know, through the press of the province of Quebec and the press of the country generally, that very extraordinary evidence was laid before the courts at those different trials, and it is difficult to say, especially when there were disagreements in certain cases, whether those trials were started in a light way and without mature consideration. Some member of this House should move for the papers, if we are to hold the government responsible for the spending of such a sum. We should have the evidence that was taken at those trials, so that the House could then judge for themselves as to the nature of the charges that were laid against those parties. We know that political trials, where party feeling runs high, generally end in disagreements. There may be a strong or a weak case. We all know the difficulties in the way of selecting twelve men to form a jury who will agree to condemn a party who has done party work of an illegal character perhaps, which has benefited his own party. We know that such trials generally end in disagreement, but as some hon. gentlemen on both sides of the House have said, it does not mean for all that that the government should not try to mete out justice to the culprits whatever the result may be. Of course if the bill is too high it should be discussed, but until we have the record before us it is hard to say if those prosecutions were entered on without mature consideration.

THE RESIGNATION OF CAPTAIN BELANGER.

INQUIRY.

Hon. Mr. LANDRY inquired of the government :

Why has the Militia General Orders, No. 55, of the year 1894, in so far as it relates to Captain and Brevet Major P. Belanger of the 61st Battalion, been cancelled and the following substituted in lieu thereof, as published in the *Canada Gazette* of 18th December, 1897 : "Captain and Brevet Major P. Belanger is permitted to resign his commission and to retain the rank of Major on retirement, 29th October, 1897"?

Hon. Mr. SCOTT—I have the answer here from the Major General. He says : "On investigation of this case I found that Mr. Belanger had certainly left the limits, but as he explained that this was done inadvertantly, and it was urged on his behalf that his long good previous service entitled him to a certain consideration, I thought favourably ot this, and, therefore recommend that he be placed on the retired list with the rank he previously held."

MR. RUSSELL'S MISSION TO ROME.

INQUIRY.

Hon. Mr. LANDRY rose to direct the attention of the government to the following letter written by Mr. Russell to His Eminence Cardinal Rampolla, Secretary of State :

(Translation from the French.)

ROME, 26th November, 1897.

EMINENCE,—I have just arrived at Rome once again, at the urgent request of the Catholic members of the Government and of the parliament of Canada, in whose name I have already presented myself to you. Although I have come so far I do not dare to present myself to Your Eminence, because I would not in the least like, at this moment, to seem to be bringing pressure to bear or to wish to impede the complete liberty of His Holiness. Moreover, I know how busy Your Eminence is, and I remember with what patience Your Eminence has so many times before heard our representations on the subject of Manitoba, which, besides, Your Eminence now fully understands.

I should not even like to give you the trouble to read this letter if I had not been very particularly asked to go to Rome by those whom I represent, and who, living far from Rome, do not know quite what to do in order to plead their cause and fulfil their duty to the Holy See.

This is therefore why I take the liberty of writing to Your Eminence as follows :—

Some days ago the Canadian newspapers caused to appear an item by which it was set forth that His Holiness had published a letter condemning in the most formal terms the concessions obtained for the Manitoba schools.

A few days afterwards a declaration of official appearance made it known that no such letter existed.

Although not resting upon any foundation, the publication of this news has created in Canada such a state of feeling that my principals thought they would be wanting in their duty to His Holiness if they did not bring their respectful representations before him.

The object of my visit is to call the attention of Your Eminence to the subject upon which I have so often negotiated, to know that such a condemnation would have the most disastrous effects for the peace of Canada and the cause of Catholic education in this country, while at the same time it would sow discord among the Catholics themselves.

We do not solicit His Holiness to sanction as perfect the concessions obtained, but that in his wisdom he will be pleased to regard them as a beginning of justice. With the aid of time and thanks to the patient work of persuasion by their compatriots, the Catholics of Manitoba may hope to obtain satisfaction. The condemnation of the concession made would, at the present hour, render (I am begged to insist upon this point) any future concessions impossible.

My instructions enjoin me again to renew to Your Eminence the desire, which I had already the honour to express to you, that His Holiness will be pleased to name a permanent delegate in Canada. The representative of His Holiness would reside on the spot, but would be outside local interests, and thus he could with more wisdom guide Catholics through the difficulties which they have to surmount.

There is another point which I dare to beg Your Eminence to be good enough to consider.

Almost immediately when the Latin text of the letter of the Holy Father appears, difficult and even contradictory translations will appear and, I am sure of it, most regrettable discussions will at once arise as to the interpretation of the words of His Holiness.

That is intended to apply to our bishops, who are supposed to be ignorant and unable to translate a Latin text properly, or dishonest and not to be trusted to translate it correctly—a compliment to them made, *en passant,* by Mr. Charles Russell, who represented the Catholic members of the government.

In order to avoid such a misfortune, may I be permitted to suggest to Your Eminence, how desirable it would be that the Latin text should be accompanied by authorized texts in French and English. This procedure has been followed, if I recollect aright, on several occasions in the case of France and of England.

I shall leave Rome on Saturday; till that day I am entirely at the disposal of Your Eminence.

I think, before I put the questions which this letter suggests, I may be allowed to show the House in what position the question is now standing. In this House a few days ago I asked the government whether Mr. Russell, of the firm of Day, Russell & Company, of London, was in the employment of the government. I received the answer that he was. I then asked what was the amount of money he received since he was in its employment; and by the answer I got it appears that Mr. Russell received in the month of January, 1897, or some time before that, the amount of £100 sterling on account of a special case called the Queen's Counsel case. Then on the 23rd July he received an advance of £400 sterling on general account; and the minister gives further disbursements made to Mr. Charles Russell making a total of £2,587, 13, 10,—that was about $12,437, out of which there is two thousand for general account. I had, naturally some doubts and I thought the best way to get those doubts cleared was to put a question to the government, and ask if any of that amount had been paid to Mr. Russell for a certain trip he made to Rome, not at the instance—I never said at the instance—but with the authorization of the government; and for that purpose I put a few questions on the papers just to call the attention of the government to that special fact and to get the information if that was the case or not, and I asked on the 27th April:

Whether, since the 1st of July, 1896, the government or any member of the present administration has authorized Mr. Charles Russell, of the firm of Day, Russell & Co., of London, Solicitors, to go to Rome, with instructions or a mission to speak or act in the name of the government, or of the Prime Minister, or of any member of the administration, with regard to the Manitoba school question?

2. Was it to the knowledge of and with the consent of of the government that Mr. Russell went to Rome and took upon himself, in the name of certain members of the government, to urge upon the ecclesiastic authorities of Rome a settlement of the Manitoba school difficulties?

The Minister of Justice replying to the question if that trip had been authorized or if it was within the knowledge of the government, took great care to answer me that it was not at the instance of the government that such a thing was done, and when I wanted to know what he meant by that answer he said my question had been answered. But my question was on the paper and my question was "whether since the first of July, 1896, the government or any member of the present administration, has authorized Mr. Charles Russell to go to Rome with instructions or permission to speak or act in the name of the government or of the Prime Minister or of any member of the administration with regard to the Manitoba school question?" The answer was that Mr. Charles Russell did not do such a thing at the instance of the government. I immediately replied that I wanted to know whether there was a distinction between doing a thing at the instance of the government and being subsequently authorized to do it. The hon. minister answered me and I quote his words, that he was informed that Mr. Russell "was not authorized either by the Prime Minister or any member of the government." So then I have it in black and white that Mr. Russell had never been authorized to fulfil that mission towards the Holy See or to act in that capacity in behalf of the government. But I wanted to know a little more. I had in my questions mentioned the Manitoba school question, a fact that in my thought might have limited my question and diminished its scope. So I put a more general question, asking if Mr. Russell had gone to Rome at the instance, at the request, with the

authorization or with the knowledge of the government, and what had he been doing at Rome, if he had solicited the interference, or asked the interference, or invited the interference of the Holy See on any question at all; and to my great surprise the hon. Secretary of State brought up Bourinot and Todd, and told me that he should not answer a question that did not relate to a matter of public interest. I do not know how the hon. minister could find that the question, which is so wide in its scope, is not of public interest when he knows that it was that same question which brought the present government into power; if the hon. gentleman's party succeeded in the last election it was because of the promise of the Hon. Sir Wilfrid Laurier that he would do better than the Conservative government, that he would name a commission, put the Hon. Sir Oliver Mowat at the head of a special commission and send him to investigate in Manitoba. It was that promise of the Prime Minister that induced the people of Quebec to give him the mandate he has now. And yet I am told that that is not a public question! I do not feel convinced, after the reading of Bourinot or Todd, that I was in the wrong, and I think nobody in this House can understand why the hon. minister brought in the reference to Bourinot and Todd. I hope he will not bring it in to-day. What was the last answer of the hon. minister? I take it from our own proceedings:

Hon. Mr. LANDRY—I rise to the question of order. The hon. minister says he declines to answer this question because it affects religious interests. My question is so framed that it does not affect religious interests. I ask, and I cite the question I asked, "at any time between the 1st July, 1896, and this date, had the government or the Prime Minister or any member of the present administration, or Mr. Chas. Russell of London, solicitor, at the request or to the knowledge or by the authority of the government or the Prime Minister or any member of the present administration, directly or indirectly, solicited or asked or invited, the intervention of the Holy See for the settlement of any question and of what question."

Here is the answer of the Hon. Secretary of State:

I have answered that. The government have had no communication with the Holy See on that question.

Hon. Mr. LANDRY—If any one at any time has been authorized to ask in the name of the government or of certain members of the government the nomination of an apostolic delegate with a permanent residence in Canada. What is the answer to that?

Hon. Mr. SCOTT—I do not propose to give the hon. gentleman any answer beyond what I have already given. That is all the hon. gentleman is entitled to. He is not really entitled to that but I explained that the government of Canada have had no communications with the See of Rome on any question.

Hon. Mr. MASSON—Has any minister?

Hon. Mr. SCOTT—I decline to go any further.

Hon. Mr. LANDRY—I ask this: Has any one in the name of the government been authorized?

Hon. Mr. SCOTT—My answer covers that; the government have neither by themselves nor by any other person authorized any communication with the See of Rome, the former answer covers that completely.

That was the second time I was calling the hon. minister's attention to the fact that a demand had been made at Rome for the nomination of a permanent delegate. The day before I had asked the hon. minister whether the government or the Prime Minister, or any member of the present administration, or Mr. Chas. Russell of London, with the authority or with the knowledge of the government, had asked the Vatican to appoint an apostolic delegate to remain permanently in Canada for the purpose of assisting directly or indirectly in the settlement of the Manitoba school question in Canada. The answer I received was:

My answer to the first question is no.

So no one was authorized—that is the answer of the government. I suppose I have no right to doubt that it was made in good faith and that the same good faith will compel the government to give honest answers to the few questions which the letter I have just given to this House suggests and which I may now ask the government:

1. Whether the words "at the urgent request of the Catholic members of the government" can, in the present instance be applied to any other government than the government of which the Hon. Sir Wilfrid Laurier is the Prime Minister?

2. Whether Mr. Russell tells the truth when he affirms that he went to Rome at the request of the Catholic members of the government?

3. Whether Mr. Russell tells the truth when he affirms that he had already presented himself to the Secretary of State in the name of the same Catholic members of the government?

4. Whether Mr. Russell tells the truth when he reaffirms that he was particularly requested to go to Rome by the Catholic members of the government whom he represents?

5. Whether Mr. Russell tells the truth when he affirms that those whom he represents, living far from Rome, do not quite know what to do in order to fulfil their duty to the Holy See?

6. Whether Mr. Russell tells the truth when he affirms that his "principals the Catholic members of the government" thought they would be wanting in their duty to His Holiness if they did not bring their respectful representations before him?

7. Whether Mr. Russell tells the truth when he affirms that the Catholic members of the government beg him to insist upon the fact that the condemnation at present of the concessions already made in the

school question would render impossible any future concession ?

8. Whether Mr. Russell tells the truth when he affirms that his instructions enjoin upon him to renew the demand which he has already made for the nomination of a permanent delegate ?

9. If Mr. Russell tells the truth, how can the answers given up to this date in the Senate by some members of the government be reconciled with such contradictory assertions ?

10. If Mr. Russell does not tell the truth, is it the intention of the government to continue to make use of a man whose assertions it is obliged to disavow ?

I hope the government will take a manly stand, and if they are in the wrong admit it, and not try to get out of it by mere words or a quotation from Todd, that they will take the bull by the horns and answer the question correctly.

Hon. Mr. MILLS—Which bull ?

Hon. Mr. LANDRY—During all the time that they were haggling with the Holy See, they were not doing so with the fair play we would expect from good fighters. Were they not hitting below the belt all the time ? Let them take a stand worthy of their own position and of the dignity of this House, and let them answer the question, yes or no, in a frank, open manner. If they had no negotiations with the Holy See, why do they give the Holy See the impression that all that is coming from this side of the water is coming from members of the government. If it is private individuals who are acting with the Holy See, let them act as private individuals, and let Charles Russell be prevented in the future from saying that he is requested by the Catholic members of the government to make representations for them. I hope the government will take a manly stand, and not try to take advantage of their position to act in—I do not know that the word would be parliamentary—in a sneaky way.

Hon. Mr. SCOTT—I do not propose to comment on the very bad taste exhibited by the hon. gentleman in dragging matters of this kind before this chamber—matters which he had no right whatever, under the rules which govern parliamentary inquiry, to put on the paper or expect an answer to. I have no knowledge that Mr. Russell wrote that letter—never heard of it, never saw the letter in print till it was read to-day, and I never had any correspondence with Mr. Russell. I do not know the gentleman at all. No communications passed one way or the other, and I am quite unaware what he has done, and I can give no answer further than I have given to this inquiry. I stated distinctly that the government had submitted no question to the See of Rome either affecting the Manitoba schools or any other point, and that is the only answer the hon. gentleman will receive at my hands.

Hon. Mr. LANDRY—It is short.

Hon. Mr. MASSON—Did the hon. minister say he could not give the answer because he had not the document ?

Hon. Mr. SCOTT—No ; that is in reference to another question.

Hon. Mr. McMILLAN—I think the hon. minister is evading the question.

Hon. Mr. SCOTT—No.

Hon. Mr. McMILLAN—Had Mr. Russell authority to use the name of the Catholic members of the government as he has done?

Hon. Mr. MILLS—We do not know that he ever wrote a word.

Hon. Mr. McMILLAN—That is begging the question again.

Hon. Mr. MILLS—The whole thing is out of order.

Hon. Mr. McMILLAN—Does it sound as if Russell was talking with authority—that he had this authority from the Catholic members of the government ?

Hon. Mr. MILLS—Let me say to my hon. friend that the whole of these questions are based upon an assumption of facts that we do not know to exist at all, that we have no reason to suppose exists, and the whole list of questions which the hon. gentleman has put were highly irregular and out of order.

Hon. Mr. FERGUSON—I think when we come to look at this letter and read it very carefully that we will not be disposed to agree with the leader of the House that it is a mere assumption that such a letter was written by Charles Russell. I think there is within the letter itself, pretty substantial intrinsic evidence that it is genuine.

Hon. Mr. MILLS—No such letter has been brought before the House, and no such letter is before us.

Hon. Mr. FERGUSON—It is before us.

Hon. Mr. SCOTT—No.

Hon. Mr. FERGUSON—With due deference to my hon. friend, the Secretary of State, I repeat we have it before us. When it is put before us, as it is, by a member of the House on his responsibility as a senator.

Hon. Mr. LANDRY—Yes; I take the responsibility.

Hon. Mr. FERGUSON—We have a right to take it as bona fide, until some hon. gentleman will give us reasons to take a different stand with regard to it. The conclusion that this letter forces upon our minds are rather strange. We are led to inquire as to who is entitled at this present moment to be regarded as the living George Washington of this country. It seems doubtful where the truth lies as between my hon. friend, the leader of the House, the hon. Secretary of State and Mr. Charles Russell, solicitor of London. We have had declarations again and again in this House made by ministers across the floor, in the most emphatic manner, that neither the premier of this country nor any other member of the government had authorized Mr. Charles Russell to go to Rome. We have had these declarations made in the most solemn manner in answer to questions categorically put to ministers across the floor of the House, and in the face of that we have Charles Russell's letter in which he says he went to Rome at the urgent request of the Catholic members of the government and the Parliament of Canada, in whose name he had already presented himself.

Hon. Mr. DEVER—I rise to a question of order. I find that on our minutes a simple question is put. The question was asked and was answered. I maintain that under such circumstances no gentleman can rise and make a speech on the subject.

Hon. Mr. MASSON—If the hon. gentleman had read the motion he would have seen that he was wrong. The first part of this inquiry calls attention to certain facts.

Hon. Mr. LANDRY—Hear, hear; and Bourinot deals with that.

Hon. Mr. DEVER—I wait for the decision of the Chair.

Hon. Mr. FERGUSON—With regard to the question of order, it is always held in this House when hon. gentlemen——

Hon. Mr. DEVER—Order, order.

Hon. Mr. FERGUSON—I am making a remark upon the question of order. I say it has been the practice of this House upon all occasions that, when the attention of the House is directed to a subject and that is followed by an inquiry, we can discuss it.

Hon. Mr. LOUGHEED—I would direct the attention of the House to Bourinot. The question raised by my hon. friend is fully dealt with, and if the hon. gentleman will turn to page 381 he will find the matter very fully discussed where the opinion is given by Bourinot that not only in the House of Lords but in the Senate of Canada the greatest latitude has been allowed in respect to the discussion of questions to which the attention of the government has been directed. Bourinot says:

> A practice, however, has long prevailed in parliament, and is now established in the Senate and House of Commons of putting questions to the ministers of the Crown, concerning any measure pending in parliament or other public matter, and of receiving the answers and explanations of the persons so interrogated. This deviation from the general rule respecting motions has arisen from the necessity that experience has shown of obtaining for the House material information, which may throw light on the business before it and serve to guide the judgment in its future proceedings. The proceedure in the Senate on such occasions is quite different from that of the Commons much more latitude is allowed in the Upper House, and a debate often takes place on a mere question of inquiry, of which, however, notice must always be given when it is of a special character. Many attempts have been made to prevent debates of such questions, but the Senate, as it may be seen from the precedents set forth in the notes below, have never practically given up the usage of permitting speeches on these occasions—a usage which is essentially the same as in the Lords House.

Hon. Mr. LANDRY — And Bourinot proceeds to say:

> The more regular and now the more common practice is for a member in cases requiring some discussion to give notice that he will call attention on a future day to a public matter and make an inquiry of the government on the subject. Then it is perfectly legitimate to discuss the whole question at length as the terms of the notice show the intention of the person who puts it on the paper.

Hon. Mr. MILLER—The interruption of the hon. gentleman is altogether unusual. The discussion the hon. gentleman was proceeding with is quite in accordance with the rules of the House settled years under the authority just cited by my hon. friend, but if there was any trouble about it, any

member could move the adjournment of the House and give the hon. gentleman an opportunity to speak at any length on these questions; but it has not been the practice of the House to curtail discussions where a matter of interest to the country and to the House has been before the Senate.

Hon. Mr. DEVER—I deny the last speaker's declaration. I myself was called to order under similar circumstances.

Hon. Mr. MILLER—If the hon. gentleman raises a question of order, of course the Chair has to decide it.

The SPEAKER—It is very much to be regretted that we have not yet a formal rule to guide us in the discussion when an inquiry is made or a question is put to the ministers of the Crown. Last year I was called upon to give my opinion on a question of order similar to the one raised in the present case. I then expressed the hope that the Senate would either overrule my decision or provide for a special rule to guide the discussion on similar questions. The 20th rule of our House says:

A Senator may speak to any question before the Senate; or upon a question or an amendment to be proposed by himself; or upon a question of order arising out of a debate; but not otherwise without consent of a majority of the Senate, which shall be determined without debate.

So, in accordance with the 20th rule, any other gentleman than the one making the inquiry could speak on the question or inquiry only with the consent of a majority of the Senate. This rule has not been considered as guiding the discussion on inquiries or questions put to ministers of the Crown. Having no special rule for our guidance, we have to refer to the 124th rule of our House, which says:

In all unprovided cases the rules, usages and forms of proceeding of the House of Lords are to be followed.

It has been the practice in the House of Lords for a member to give notice that he will call attention to a certain subject and will put certain questions to the government, and then comments are allowed and speeches made by other members. That has been introduced in our House, more particularly in 1877, and has been allowed since, though sometimes objected to. It must be admitted that the Senate has never since laid down any distinct rule to limit the debate. Hon. members, in putting questions or making inquiries, like in the House of Lords, have been allowed to comment upon them, and after the answer of the minister other hon. members have been allowed to speak, and long and important debates have been frequently raised. My predecessors in the chair have allowed the practice of the House of Lords to be followed in this House. During last session I was called upon to give my opinion on the same question, and I decided in the same sense.

In the question now before the Senate the hon. member for Stadacona gave a notice that he would call the attention of the government to a certain matter and would follow with certain inquiries, and comments have been allowed by the Senate on those inquiries. Now a question of order is raised to prevent further discussion. In my opinion, as long as the Senate will not make a special rule to limit the debate on similar inquiries, the practice of the House of Lords must be followed in this House; and, provided the hon. gentleman for Queen's will confine his remarks within the question before the House, I cannot rule that he is out of order.

Hon. Mr. FERGUSON—When my hon. friend rose to a question of order I was pointing out to the House that this letter of Mr. Charles Russell which is now before us, contains the information, that Mr. Russell not only went to Rome and was in Rome on the 26th November, 1897, at the "urgent request of the Catholic members of the government," but that he had already presented himself there and as he says later on, he had "so many times before" been heard on these matters. Therefore it is a matter of very great surprise that this was not known to my hon. friend the leader of the House when he told the Senate a day or two ago that he had been informed by his colleagues that Mr. Russell had not gone to Rome to make any representation on the Manitoba school question. I suppose the general question presents itself as to whether the members of this government who made this appeal to Rome on many occasions did it as Roman Catholics or as members of the government. Mr. Russell's statement is that they did it in both capacities. He says "Catholic members of the government." That word Catholic designates the religious faith of the gentlemen who sent him to make the representation, but does not at all change the

latter part of the statement that they were members of the government. Had he said, for instance, that of these gentlemen who had instructed him one was a philosophical member of the government, another a philanthropical member of the government, and another a wicked member of the government, we could have known who was meant by the philosophical member and by the philanthropical member, and hon. gentlemen might suppose the term wicked to apply to the whole of them. But they were all the time members of the government. The conclusion the House must draw is that they made this representation as members of the government. But the point which comes out clearly in this letter, the point that we are most interested in, is the very extraordinary discrepancies in the statements given in answer to inquiries by my hon. friend the leader of the House to former inquiries based on information he had from his colleagues. He did not on these occasions claim to have positive information of his own, but based his statements on information he had from his colleagues. It is a very difficult question to find out who has been telling the truth—whether Mr. Russell went to Rome on these many occasions and wrote this letter acting, as he said, for members of the government, or whether in doing so he was claiming to be what he was not, or whether the hon. gentlemen who have been giving this explanation to the country have been telling the truth or not. I think, for the honour of this House and the credit of the government, the hon. Secretary of State should stand up and make a clean breast of the matter. The hon. gentleman will not require either Bourinot or Todd to enable him to tell the truth, and that is what we want.

Hon. Mr. SCOTT—I rise to a question of order. The hon. gentleman states that I have told an untruth.

Hon. Mr. FERGUSON—Oh, no.

Hon. Mr. SCOTT—The hon. gentleman said I should make a clear breast of it and tell the truth. I have told all I know on this subject. I spoke for the government of this country, and I said, in my answer the other day, that whatever individual members of the government may have done, or any correspondence they might have with the ecclesiastical authorities of the Church was not a proper matter of inquiry by the Senate.

Hon. Mr. FERGUSON—I am sorry that my hon. friend should suppose that I stated he told an untruth. It was on the authority of information given by him that the leader of the House told us that no member of the government had sent Mr. Charles Russel to Rome. I must believe that this wicked man, Charles Russell, made a gross misrepresentation at Rome. I went so far as to say that my hon. friend did not require the assistance of Bourinot, Todd or any other authority to enable him to tell the truth. I must take the other view—that this man Charles Russell has been taking the greatest liberties with the names of my hon. friend and his colleagues in this country. I think we have a right to full information on the subject.

Hon. Mr. POWER—I do not propose to enter into a discussion of this very interesting subject. It is one which is interesting to private individuals, but it is not interesting to us as a House. We know that the government have taken no action on the matter, and, as the hon. Secretary of State has said, what individual members of the government, in their capacity as members of a denomination have done or written, does not come properly before us. If any member of the House who belongs to the Presbyterian denomination should write a letter and submit it to the moderator of the Presbyterian Assembly of this country, that letter would not form a proper subject for discussion in this chamber. I do not think this letter, if a genuine letter, would be a proper matter for discussion here. The hon. gentleman from Prince Edward Island (Mr. Ferguson) assumed that the letter must be considered as genuine and bona fide unless there were circumstances connected with it calculated to throw doubt on its authenticity. I should not have said anything on this subject if it had not been for that observation on the part of the hon. gentleman. Now I find circumstances in connection with this letter which are very much calculated to throw doubt on its authenticity. This is supposed to be a letter confidential in its character.

Hon. Mr. MASSON—Confidential! It was read in the House of Commons by Mr. Tarte last night.

Hon. Mr. POWER—It was never read by Mr. Tarte. The hon. gentleman means to be fair, but his temper sometimes gets the better of his judgment. Now this is a letter written by Charles Russell, professing to speak on behalf of certain members of the government of Canada who happen to be Roman Catholics—written to whom? To a dignitary of the Church, Cardinal Rampolla. I want to know how such a letter could have come here? In what honourable, manly way could a letter of that kind have come into the possession of a member of this House? The presumption is that no hon. member of this House would be guilty of either getting himself, or making use of a letter which had been got by any improper or dishonourable means. Can any hon. gentlemen tell me how a letter of that kind could, by any honourable or proper method, have come into the possession of the hon. gentleman who has called attention to it? That circumstance alone is a strong argument in favour of taking this letter to be simply manufactured.

Hon. Mr. LANDRY—Hon. gentlemen——

Hon. Mr. POWER—The hon. gentleman is out of order; he has already spoken.

Hon. Mr. PROWSE—I move the adjournment of the House for the purpose of continuing this very interesting discussion for a moment. The hon. gentleman from Halifax says the great question is whether this is a genuine letter or not. I take issue with him on that question. I do not propose to inquire how that letter came into the hands of my hon. friend who has read it to the House. The great question for this House to consider is whether the statements contained in the letter are true or not. Does it bear the ear marks of genuineness about it? I think it does, and I should like a direct, straight, honest statement from the government whether we are to have any other answer than we have had up to the present time. Has the government of Canada come to that pass that we are to be told over and over again that a certain gentleman, who is admitted to be the agent of this government in London, has not been authorized to go to Rome—that he has not had any authority from the government, or the leader of the government, to enter into negotiations with the Holy See. We have been told that repeatedly in this House, and here a document comes before us which bears all the marks of genuineness about it, giving a flat, fair and square contradiction to the statement of the hon. gentleman who represents the government in this House, and it is time that the government should come up to the position which this country expects the government to occupy. Surely the government have not descended so low in their own estimation as they will be in the estimation of the public, if questions of this kind are to be put and a flat contradition made merely on the assumption that this letter is not genuine. They can easily find out whether the letter is genuine or not. They wanted to know, and they wanted an answer some time ago, whether a certain man was a Rothschild or not, and they could find that out by a telegram. They could find out in this case, by a telegram to Mr. Charles Russel, whether he sent such a letter as that to His Eminence at Rome. If this gentleman has assumed to write such a letter upon his own responsibility, then I think it becomes the duty of this government to discard Mr. Russell and to stop the large expenditures which this country is called upon to pay for that gentleman's work in London, or Rome, or anywhere he may be employed; it is time that they employed an honest man, who will not exceed the work that is required of him by the government of this country. But if he is carrying out the instructions of his friends in the government—and I am bound to say that I believe he is—then the contradiction of this statement and the answer that has been given to the question put is not creditable to the government of this country.

Hon. Mr. DANDURAND—Mr. Speaker, it seems to me that we have nothing but the declaration of the hon. member of Stadacona as to the letter being sent by Mr. Charles Russell.

Hon. Mr. VIDAL—Is not that sufficient?

Hon. Mr. DANDURAND—This purports to be a copy of an original and if that original does exist, and if what we have here is the text itself of that original, why not produce it? I would not be surprised that my hon. friend from Stadacona who has been in the land of Machiavelli lately—for we

all know that he returns from Rome with less success than he hoped to have,—would have been given a letter as being one from Mr. Charles Russell. But we know nothing about it and I quite understand that the representatives of the administration here will not accept the premises laid down that this letter comes from Mr. Charles Russell. Then if it did come from Mr. Charles Russell what is there in the letter that concerns this chamber? Are we not, as Catholics, free to deal with the head of our church as it pleases us? I quite understand that for political purposes and political ends that my hon. friend from Stadacona would have preferred that the head of the Church would not have brought peace into the Dominion of Canada. On the 23rd June, 1896, my hon. friend thought that with the clergy at his back, or by his side in the province of Quebec, his party would be returned to power. He failed in that attempt. My hon. friend, who thought that he could ride the Catholic horse to a safe goal on the 23rd June, 1896, thinks he can ride with more success the Protestant horse at the next election by raising prejudices, as seems his end, by the present move. What is the object of the question put by my hon. friend from Stadacona? I have not yet seen it. Would it be to establish—and I do not know of any other from a public point of view—that an official of this government had been paid with the public moneys of Canada to do certain work for private parties; that Mr. Charles Russell has gone to Rome in the interest of private individuals at the expense of the public? Even if this letter was taken to be true, it does not concern the House of Commons nor the Senate of Canada, for the Catholic members of the administration, the Catholic members of this chamber, as well as the Catholic members of the House of Commons, are perfectly free, if they deem it just and proper, to appeal to the head of their Church for intervention and justice. We all know that in the other House a petition asking for a papal delegate, signed by the members of the House of Commons and some members of this chamber, was read. Was there anything improper in that? Is not that private dealings between members of a certain church and the head of that church? We know that some hon. gentlemen thought that with the help of some clerical influences success would crown their efforts. A papal decision has come asking that peace should reign in Canada. We have it now. On the 23rd of June, or on the 5th or 6th of July following, when the Tupper administration went out, peace did not reign in Canada. The school question was not settled, but now it is in a fair way of disappearing from practical politics.

Hon. Mr. LANDRY—Is it settled?

Hon. Mr. DANDURAND—My hon. friend may try and persuade the electors of Quebec that it is not settled, but he will find the same success at the next election if he wants to try again that issue—the same success he obtained on the 23rd June last. The people in the other provinces have thought that the province of Quebec was bound to follow the dictations, the unauthorized dictations of self-appointed representatives of the church and religion, as the hon. member from Stadacona poses as one; but the province of Quebec has proved to the other provinces that we are able to distinguish between the religious sphere and the political sphere, and that though we may be accused of being a priest-ridden province, yet when our electors go to the polls they can, they do follow but the dictates of their conscience. We know where our obligations begin, and where they end; and to-day the Manitoba school question has been practically settled. We hear of no more fuss, no more protests from the province of Manitoba. We hear some disappointed politicians who think they can ride back to power by raising those old cries by which they failed on the 23rd June, 1896. What is the use of bringing up here a so-called letter from Mr. Charles Russell, which affects only those members who are connected with the Catholic Church. That is a matter between themselves and the head of their church. The Catholics of this Dominion stand by and respect the law and the constitution of Canada, and if by means which are not dishonourable, but which are absolutely correct according to our Catholic views, we succeed in bringing peace among the members of our community, in passing the sponge over the difficulties which were brought in this country not by us, but by others—if we succeed by peaceful and conciliatory means to bring peace into the Dominion of Canada, if we stand by the law and by the constitution, be they Protestants as fanatical as they can

be with us, they have no right to meddle with dealings between us and the head of our church. So I cannot understand why, except to gain some petty political advantage, the hon. member for Stadacona has been for the last few weeks speaking so often of Rome and the head of the Catholic Church.

Hon. Mr. LANDRY—The hon. gentleman who has just taken his seat (Mr. Dandurand) says there were many things he cannot understand. I agree with him. He does not understand yet the question that I put to the government, and he has come here and has spoken of the Manitoba school difficulty when the real question now under discussion is merely to ascertain if the government or Mr. Charles Russell has been telling the truth. I do not see why the school question should enter into the discussion on that point. I will give the hon. gentleman an occasion to show his warmth another day. He is quite a young man. We know he has all the hot blood of youth, but he might keep cool for a moment. And when the trumpet sounds he might rise and show, not only to the Senate but to the whole world, what his convictions are, and what he has to say for the priests and against them, and all that he understands and all that he does not understand. I refer now to the hon. gentleman from Halifax. I defy the hon. gentleman to stand up and say that this letter is not genuine. I defy the government to cast a suspicion on the letter themselves. If they do not believe in the letter, why have they not the courage to say so? They dare not do it.

Hon. Mr. POWER—We do not know anything about it.

Hon. Mr. SCOTT—I certainly never heard of it, and I do not think my colleague has.

Hon. Mr. LANDRY—Can we believe that? Can we believe that when Mr. Russell spoke in the name of the Catholic members of the government he never spoke in the name of the Secretary of State? But if the hon. gentleman says that Mr. Russell did not speak in his name, or if he says he never heard of the letter, why then does not he answer that Mr. Russell was not even authorized by the Catholic members of the Cabinet to speak as he did?

Hon. Mr. SCOTT—I did not make any statement in reference to that.

Hon. Mr. LANDRY—Why did you not do it?

Hon. Mr. SCOTT—I am not bound to do it.

Hon. Mr. LANDRY—It would be so easy for him, a Catholic member of the government, to say that even the Catholic members did not authorize Mr. Russell to speak as he did. The cabinet is composed of Catholic members and Protestant members, and I know that Mr. Russell would not speak in the name of the Protestant members of the cabinet, but he might in the case of the Catholics, and this he says he did.

Hon. Mr. SCOTT—I have stated that I never heard of that letter.

Hon. Mr. LANDRY—Did you authorize the man to speak?

Hon. Mr. SCOTT—I said I never saw the letter.

Hon. Mr. LANDRY—Did you authorize him to speak?

Hon. Mr. SCOTT—I said nothing further.

Hon. Mr. LANDRY—I want the hon. gentleman from Halifax to deny the letter?

Hon. Mr. POWER—You cannot expect me to deny something I know nothing about. It is the hon. gentleman's duty to establish that there was such a letter, and how it came into his possession.

Hon. Mr. LANDRY—We assist at a funny spectacle. Every man on the liberal side who gets up says: "I do not know a single thing about it," but all of them go on and speak on things they know nothing about. That is the way the hon. gentleman from Halifax treats the question. He wants to defend the ministers, and he must defend them. Either one of two things happened. Mr. Russell spoke with the authorization of certain members of the government or without such authorization. He publicly and solemnly states that he had such authorization. I want the ministers to say if it is true or not. I ask particularly the hon. Secretary of State if, as a Catholic, he is one of those who authorized Mr. Russell? He says it is the first time he has read the

letter, but is it the first time he has heard about the matter? If the ministry employs Mr. Russell, and if this gentleman speaks in the name of the Catholic members of the government without authorization, he should be disavowed. I ask if it is the intention of the government to continue to employ that man. That is a pertinent question; why do not the government answer? Will they answer? They cannot. They dare not.

Hon. Mr. BERNIER—I want to ask the government a question. Do they disavow this letter, or do they disavow the position Mr. Russell takes in writing this letter?

Hon. Mr. SCOTT—I have no answer to make.

Hon. Mr. BERNIER—An objection has been taken by one of the gentlemen on the treasury benches that the letter was not before the House and was not perhaps a genuine letter. It is hardly fair for the government to raise such a question, because when we ask for information or returns we cannot get them. Hon. members of this side of the House have to get those documents in some way or another, and I do not think it is fair on the part of the government when they fail to bring down returns which members have asked for, to raise such an objection as this. The hon. gentleman from DeLorimier has thought proper to go over the school question, and to make the statement that it is settled. I beg to inform him that it is not settled. He may refer to those who are dissatisfied with the action of the government as mere politicians. But it is my hope that future generations will say that politicians are not those who have stood for the constitution and have fought for the rights of the minority and of the people at large, but those who have violated the constitution and have spoliated the minority. The politicians are those who, for party advantages, have stood in the way of redress, like the liberal government of Manitoba, with the complicity of the liberal party here. It is a disgrace to Canada that for eight long years the constitution should have been so violated without redress.

Hon. Mr. DANDURAND—Will the hon. gentleman allow me to put a question?

Hon. Mr. BERNIER—The hon. gentleman has spoken. It is argued on the government side that any member is at perfect liberty to negotiate with the authorities of his church. That is quite true, but why do the government object to state it frankly before parliament and the country? Why do they shirk the responsibility of their action? Let them inform us what they have done. That is what we are aiming at. The object of the hon. gentleman from Stadacona is not to bring before the House the whole school question itself, but to ascertain where the sincerity of the government on this question lies. I am sorry to say that, judging from the position taken by the government on the matter which is before the House to-day, we cannot but arrive to very unfavourable conclusions as to the sincerity of the government in connection with these negotiations, and towards parliament. My hon. friend has spoken about peace. We had peace before 1890, and that peace was disturbed—by whom? By the friends of the hon. gentleman, and if for eight years we have been fighting to get back our rights, it is because these friends of the hon. gentleman have been constantly refusing to grant us the redress we are entitled to, and also on account of the complicity of the friends of the hon. gentleman in this parliament in thus refusing such a redress. You have referred to the elections in Quebec. You must remember that the elections of Quebec were won by the hon. gentleman who is now the premier of Canada, because of his promises to settle the Manitoba school question properly and according to the constitution. And yet, there is nothing of the kind done up to the present. Far from it. On Monday last, the hon. Secretary of State said that the question had been settled so far as this government was concerned, by the agreement entered into in the fall of 1896 between the government of Manitoba and this government, and that the administration to which he belongs intended to do nothing more in the matter. Everybody knows, however, that this so-called settlement is defective in every way and settles nothing. There is only one way of having the question settled. It must be according to justice. In that way only peace can be restored. Peace cannot reign in a country where injustice prevails. I told the government at the commencement of this session that I would not interfere in their efforts to settle the question if they were willing to settle it right, and that we would

wait for some time. Accordingly, I have not said one word since on the question. But I cannot allow to go to the country the statement that the question is settled. If the hon. gentleman considers me merely as a politician, I will cite what the archbishop of St. Boniface says. He is not a politician. On the eve of his departure for Europe, he said, in the church of St. Boniface, that the question was not settled, and I must repeat here that it is not settled. Any effort towards a fair settlement will receive our approbation; but I say the government is bound to have it settled in such a way as will assure to the minority its rights in their entirety, otherwise means will have to be taken so that justice may prevail.

Hon. Mr. DANDURAND—The hon. gentleman said the constitution had been violated?

Hon. Mr. BERNIER—Yes.

Hon. Mr. DANDURAND—Why did not the Federal government veto the law which violated the constitution?

Hon. Mr. BERNIER—Because Mr. Blake wanted to have that matter referred to the tribunals.

Hon. Mr. DANDURAND—That is an exploded farce, because Mr. Blake did not conduct the affairs of the country at that time.

Hon. Mr. BELLEROSE—Two hours have been lost on this question, which, no doubt, if both parties had been willing could have been settled in twenty minutes. The charge made by the hon. senator for Stadacona (Mr. Landry) against the government is, it cannot be denied, of a most serious nature and I cannot agree with the hon. Secretary of State, when he stated on another occasion, that such questions ought not to be brought before Parliament, that they are not public questions, that they are not such as to oblige the government to answer them. But while I have no hesitation in saying so I am bound to acknowledge that the exception which the government have taken against this charge is of no small importance. This letter of Mr. C. Russell to the Roman Secretary of State is no doubt quine genuine, but of such genuiness there no evidence and consequently the exception taken by the government on this ground is, it cannot be denied, pretty well taken. Such is my honest opinion of this case. But while I believe that to be the position, I am bound to say that I consider the government had something more to do under the circumstances in which they are placed.

The author of the letter, Mr. C. Russell, is in the employ of the government, and has already gone to Rome in connection with this very question of the Manitoba schools. Are not those facts which are known throughout the whole Dominion quite sufficient to give to this letter a great deal more importance than it would have under ordinary circumstances and necessarily create a strong presumption that it is genuine and consequently that the government misled parliament when they denied the facts contained in the letter?

I should think that the government ought to have either denied the statements made by Mr. Russell, should the letter be genuine, or ask for such a delay to answer the questions put by the hon. senator making the charge now under discussion, as would allow them to get information from Mr. Russell himself, or at least if they knew the statements to be incorrect to deny the truthfulness of the statements contained in the letter. The government did nothing of the kind. They did nothing to destroy the strong impressions created by the letter. On the contrary, the course they have followed shows them to be wrong all through.

Hon. Mr. SCOTT—We are the guilty ones, according to your judgment?

Hon. Mr. BELLEROSE—What is that? I did not catch the words uttered by the hon. Secretary of State?

Hon. Mr. SCOTT—We are the guilty parties, according to your judgment.

Hon. Mr. BELLEROSE—No, I do not pronounce yet that the government are guilty; but I do say that, while I admit the position taken by the government is strong, that they should have settled the case in the way I stated a minute ago. They did not do that. Evidently that omission of theirs strengthens the presumption already created against them. The hon. Secretary of State himself, a lawyer, knows full well that in courts men are often convicted on

mere presumption. In this case it cannot be denied that there is strong presumption that the government knew the facts stated to be true, and that they are ashamed of the course they have followed and that they would rather be found guilty on presumptive evidence, than admit the facts and by so doing admit they have been wrong.

Hon. Mr. PROWSE—I beg to withdraw the motion to adjourn.

The motion was withdrawn.

THIRD READINGS.

Bill (91) "An Act to incorporate the Klondike and Peace River Gold Mining, Land and Transportation Company, Limited."—(Hon. Mr. Macdonald, B.C.)

Bill (96) "An Act to incorporate the Nickel Steel Company of Canada."—(Hon. Mr. Clemow.)

CENTRAL CANADA LOAN AND SAVINGS COMPANY'S BILL.

AMENDMENTS ADOPTED.

Hon. Mr. LOUGHEED moved concurrence in the amendments made by the House of Commons to Bill (B) "An Act incorporating the Central Canada Loan and Savings Company."

Hon. Mr. AIKINS—I think the hon. gentleman should explain the amendments.

Hon. Mr. LOUGHEED—They are somewhat lengthy, and they have been on the minutes for some days. They are to be found at page 331 of the Minutes of Proceedings. All the amendments to this bill have been made by the Commons, and are an abridgement of the powers given to the company by the bill as it passed this House and sanctioned by the Committee on Banking and Commerce. Those powers which we have given to the company have been restricted to some extent. This House can hardly complain as long as the promoters of the bill are satisfied. I will not move the third reading to-day.

The motion was agreed to.

BILLS INTRODUCED.

Bill (116) "An Act to incorporate the Canadian Mining Institute."—(Hon. Mr. Clemow.)

Bill (109) "An Act to incorporate the British American Light and Power Company."—(Hon. Mr. Clemow.)

Bill (55) "An Act to incorporate the Atlas Loan Company."—(Hon. Mr. Power.)

Bill (77) "An Act to incorporate the Toronto and Hudson Bay Railway Company."—(Hon. Mr. MacInnes.)

Bill (94) "An Act to authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Railway and Manufacturing Company."—(Hon. Mr. Power in the absence of Hon. Mr. King.)

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 5th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

OCCUPATION OF SONGHEE INDIAN RESERVE AT VICTORIA, B.C.

MOTION.

Hon. Mr. TEMPLEMAN moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all correspondence and Orders in Council in respect to the occupancy of a portion of the Songhees Indian Reserve at Victoria, British Columbia, by the Esquimalt and Nanaimo Railway Company.

Hon. Mr. MILLS—There is no objection to the motion.

The motion was agreed to.

THIRD READINGS.

Bill (50) "An Act to incorporate the Montreal and James Bay Railway Company."—(Hon. Mr. Power.)

Bill (62) "An Act to incorporate the Timagami Railway Company," as amended—(Hon. Mr. Dobson.)

Bill (92) "An Act to incorporate the Canada Atlantic Transit Company," as amended.—(Hon. Mr. Clemow.)

Bill (86) "An Act respecting the Brockville and St. Lawrence Bridge Company."—(Hon. Mr. Clemow.)

ST. JOHN BRIDGE AND RAILWAY EXTENSION COMPANY.

THIRD READING POSTPONED.

The Order of the Day being called:

Third reading Bill (78) "An Act respecting the St. John Bridge and Railway Extension Company."

Hon. Mr. DEVER said: I merely moved the second reading of this bill in the absence of the hon. gentleman from Westmoreland, and as I see that the hon. gentleman from Halifax is about to move an amendment to the bill, I do not feel justified in going any further to-day. I therefore beg to move that the Order of the Day be discharged and that it be placed on the Orders of the Day for Tuesday next.

The motion was agreed to.

COMPANIES ACT AMENDMENT BILL.

Hon. Mr. MILLS moved the second reading of the Bill (M) "An Act further to amend the Companies Act. He said: I beg to call the attention of hon. gentlemen to the provision of the law which I propose to supersede by this bill. Subsection five, of section five, of the Companies Act, Consolidated Statutes, as it now stands, reads as follows:

Such aggregate shall be paid into the credit of the company or of the trustees therefor, and shall be standing at such credit in some chartered bank or banks in Canada, unless the object of the company is one requiring that it shall own an estate; in which case any portion not exceeding one-half of such aggregate, may be taken as paid in, if it is bona fide invested in real estate suitable to such object, which is duly held by trustees for the company, and is of the required value over and above all encumbrances thereon.

Hon. gentlemen are aware that frequently differences have arisen in undertaking to organize under this provision of the law; that parties sometimes deposit their cheques, or the cheques of other parties, to the credit of trustees or other parties, to organize the company, and that when the company comes to be organized the cheque so deposited, or the money, is withdrawn; and we have had on more than one occasion applications for a writ of *scire facias* to cancel charters, even after serious liabilities by the companies have been incurred, for the purpose of escaping from the responsibility which being a stockholder in the company has imposed on the party. Now, in order to prevent that, I propose the following amendment:

Such aggregate shall be deposited to the credit of the Receiver General of Canada and shall be standing at such credit in some chartered bank in Canada, and the applicants shall, with their petition, produce the deposit receipt for such amount so deposited.

That will prevent any money that is being deposited as so much paid on stock subscribed being subsequently withdrawn from the control of those who constitute the company. The remaining words of that subsection 5 (a) I propose to leave out. The next subsection reads;

At any time after the signing of letters patent incorporating the applicants as a company, the said aggregate, so paid in to the credit of the Receiver General, may be returned to and for the sole use of the company, or in case of failure to incorporate, to the applicants who have paid in or contributed to the same, under regulations from time to time made by the Governor in Council.

Then the subsection (c) is the remaining portion of the section as it stands in the statute. I now move the second reading of this bill.

Hon. Sir MACKENZIE BOWELL—I confess I do not exactly understand the explanation given by the hon. gentleman. Did I understand him to say that he proposed to leave out a portion of the clause as it now stands on the statute-book, or a portion of the sub-clause (a) of subsection five in the bill that is now before us?

Hon. Mr. MILLS—I propose to leave out the latter part, after the word "deposited" in this proposed bill; the following words are surplusage and would be required only in case there had been a trustee instead of the Receiver General. The money once paid to the Receiver General will of course remain in his hands in accordance with the law.

Hon. Sir MACKENZIE BOWELL—What line is that from which you leave out the portion you mentioned?

Hon. Mr. MILLS—I leave out all words after the word "deposited" in line ten of subsection 5 (a). Those are wholly unnecessary where the Receiver General is made the recipient of the money.

Hon. Sir MACKENZIE BOWELL—If that is the case, then it is not necessary for me to take up the time of the House with a discussion of those words which the hon. gentleman now says he wishes to leave out. I had intended to do so; but now, the only point that strikes me is in reference to the placing of subscribed money with the Receiver General instead of two members of the company or a trustee in behalf of the company; but in case the company is regularly organized and commences operations, there is no power in this, or in any other law, that I am aware of, that would prevent the handing back of that money to the parties who advanced its. It is true the clause says it shall be paid back by the Receiver General to the company for the express use of the company. Well, once it gets back into the hands of the company, I take it for granted they can dispose of it in any manner they think proper. I do not see the great advantages that are to arise from the change in the law. I think I understand what the hon. gentleman intends to do. Under the present law, or under the present practice, money is deposited as provided by the law, and in many cases, more particularly in the case of the formation of companies, they can deposit a cheque certified by the bank; and that would be, so far as the government is concerned, and so far as the parties interested are concerned, just the same as if the money had been deposited, for the reason that the certificate of the bank to the fact of the deposits would be evidence of the money being there, and if the money even was not deposited, if they became security to the bank —gave their endorsed notes or by any other means, following the practice that has existed in the past, and saying, "we desire so much money for a special purpose, but we don't require to use the money, we deposit our note for the amount at a low rate of percentage"—of course, they do not take the money out of the bank, and the bank, on the strength of that, gives them a certificate. Will this place the government or the investors in any safer position than they are in under the present system? I have known cases where the money has been actually deposited (ten per cent on the capital stock), and after the formation of the company and its going into operation and commencing the transaction of business, that the money has been paid back to the party who deposited it. Now, is there anything to prevent a transaction of that kind being repeated; and if it be necessary, why is it necessary?

Hon. Mr. MILLS—My hon. friend will see that the difficulty is in the inital steps taken in the organization of the company. The parties find, after having undertaken to form a company, that they can not raise the amount of money required in order to obtain the charter of incorporation, so they ask some member of the company to place a sum temporarily to the credit of the company until they make the affidavits necessary as to the amount that stands to their credit, and the arrangement is made for the granting of the charter; then the money is withdrawn and paid back to the party who has loaned it to those who undertook the organization of the company. Now that has often taken place. My hon. friend knows of the case of a company at Brantford, not long since, who were organized just in that way. The result was that, although they seemed to have a very considerable amount of money paid on their subscribed stock, they really had next to nothing. Others subsequently became members of the company and they also became directors. They incurred liabilities, losses were sustained, and after losses were sustained, in order to escape the personal liability upon them, they applied for a writ of *scire facias* to cancel the charter of the company. In many cases, if a provision of this kind existed, parties would not undertake to organize if they found they could not raise the necessary amount of money to obtain the charter of incorporation, or if they obtained it, the money would be paid in to the Receiver General and could not be next day paid back to the party who subscribed it. The charter of incorporation will be granted on the full amount of money being paid, and then the parties who constitute the company will be made fully responsible for the moneys paid over to them by the Receiver General until the charter of incorporation is obtained. Of course, my hon. friend knows that we cannot possibly prevent fraud sometimes occurring. It is impossible to prevent persons engaging in enterprises that are illusory, and especially those who have but little knowledge or experience of commercial or mercantile transactions, or transactions of this sort.

Hon. Mr. MACDONALD (B.C.)—What will be the process for getting back that money?

Hon. Mr. MILLS—My hon. friend will see there is express provision in the bill, if the company is organized and money paid over to the Receiver General by the company, and if it fails in its organization it is paid back to the organizers.

Hon. Mr. LOUGHEED—While much may be stated in favour of the protection which my hon. friend seeks to throw around the public in reference to the formation of companies, yet in my opinion the purpose which my hon. friend has in view is not at all effected by the language of this bill. The Act at present covers precisely the case stated by my hon. friend. The company cannot be organized under the Companies Act at the present time until one-half of the stock is subscribed, and until ten per cent is paid up by the stockholder.

Hon. Mr. MILLS—That is the very point.

Hon. Mr. LOUGHEED—My hon. friend says that is the point he desires to cover. The bill under consideration does not cast upon stock holders any greater obligation than they are under at present. My hon. friend must concede the point, that no additional obligation is thrown upon stockholders than that which devolves upon them under the present Act. Now at the present time, so soon as the subscription is made and the ten per cent paid in, the amount is usually arranged for in a bank and it stands there to the credit of the company until section five of the Act is complied with, which section reads as follows:

> At any time not more than one month after the last publication of such notice the applicants may petition the Governor in Council or the Secretary of State for letters patent. Such petition shall state that the money is paid in, etc.

The difficulty which has always obtained in the past, and which my hon. friend desires to remedy by this amending bill, is that the money, instead of being paid into a chartered bank and placed afterwards at the disposal of the promoters of the company or of the company itself, shall be paid into the credit of the Receiver General, but so soon as the letters patent are issued, the Receiver General at once pays back the money to the company, and the company can make precisely the same disposition of returning those funds in the same method as is done to-day by the company who pay the money into their credit in a chartered bank, for the purpose of making the affidavit necessary to be attached to the petition. If my hon. friend can point out any restriction in addition to the restriction which is at present provided for in the Act, I should be very much pleased indeed. I have looked as carefully as I know how at this bill, and I see no additional protection thrown round the formation of companies, except that instead of paying the money into the credit of the company it shall be paid to the Receiver General, and he shall at once pay it back. As soon as the letters patent are issued, the money gets back into the hands of the company, and they can make any disposition of it.

Hon. Mr. MILLS—Certainly.

Hon. Mr. SCOTT—In that case stated by my hon. friend, it is just as he puts it, but when it is paid into a bank to the credit of the company the bank is sufficiently responsible not to pay it to any person till the company is organized. The hon. gentleman speaks of a payment into the bank to the credit of the company. If it were always paid into a bank to the credit of the company, I am quite sure no bank would permit the money to be withdrawn until the company was organized. But that is not the ordinary or common way The usual way has been to pay it into the hands of trustees, and the Act allows it to be paid in to the trustees. There is no security, the trustees continuing their trust until the company has been organized, but after the affidavits have been made and all the paper sent in it involves a delay then of from three to four, or sometimes five or six weeks.

Hon. Mr. LOUGHEED—Subsection 2 of the Act provides that it shall be paid in and held for the company. Then how can they pay it to any other person?

Hon. Mr. SCOTT—"Such aggregate shall be paid in to the credit of the company, or of trustees therefor." The bank is not bound and does not, as a matter of fact, look after the duty of the trustees. You deposit $500 to the credit of A and B as trustees, and

no further explanation is given; the affidavits are made that the money is deposited in the bank to the credit of trustees who hold it for the company. Those trustees are generally parties who are interested in obtaining the incorporation of the company, and it has been found that after the affidavits have been made, and while the case is pending and before the letters patent are issued, that the trustees, contrary to the trust they assume, have paid out the moneys to the parties who originally advanced it.

Hon. Sir MACKENZIE BOWELL—Before the company is formed?

Hon. Mr. SCOTT—Yes, before the company is organized. I suppose the same result probably would follow if the words "or of trustees therefor" were cut out, because I think we can always rely that the bank would not allow the money to be paid, because it would be a payment in contravention of law.

Hon. Mr. MACDONALD (B.C.)—How is the bank to form an opinion that the company is fully organized?

Hon. Mr. SCOTT—It should not pay the money until notified by the original letters patent being produced at the bank showing the officials of the company, its treasurer and secretary and the proper officers who are to sign the cheque for the withdrawal of the money; but where the money is paid in to trustees, that protection is done away with. The trustees withdraw the money and there is no money to the credit of the company when it receives its letters patent, and it is not a company properly organized under the law.

Hon. Mr. LOUGHEED—What better position will the company be in? It is only a question of degree, in time.

Hon. Mr. SCOTT—Allow me to explain. As contemplated in the amendment, the money must be paid into the credit of the Receiver General, and the Receiver General must be advised that the charter has not only been issued, but that the company has been organized and its proper officers named, the treasurer and the president, and a by-law must have been passed defining by what signatures to the cheque that money is to be withdrawn, naming the officials who have the right to withdraw the money. If after that an improper use is made of the money, the individuals forming the company are liable.

Hon. Mr. LOUGHEED—They are liable to the amount of their stock anyway.

Hon. Mr. SCOTT—Yes, but in the other case it was a fraud from the very beginning, and therefore they escaped. In this way if they make an improper disposition of the money, they are liable as stockholders.

Hon. Mr. LOUGHEED—If my hon. friend made provision for that money to be applied after the incorporation of the company for the purpose of the company, I would conceive it to be a safeguard, but you make a provision whereby, after the letters patent issue, the Receiver General may, on the application of the company, at once repay this fund which is held to the credit of the company. In what way is there any assurance that the money which has been paid in will be applied for the purposes of the company? If the Act, as it exists to-day, is susceptible of fraud, that a sum of money may be raised and diverted from the purposes for which it apparently was raised, surely the same weakness and infirmity is to be found in the bill introduced to-day, because if you do not provide machinery by which that money will be applied for the purposes of the company, so as to place it beyond the power of the company to repay it to those who contributed the amount, then it seems to me your legislation will be ineffective.

The motion was agreed to.

ATLAS LOAN COMPANY'S BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (55) "An Act to incorporate the Atlas Loan Company." He said: In one respect this bill is like a number of bills which we have already passed. It proposes to take a corporation in the province of Ontario and make it a Dominion corporation, but the method by which the work is done is different from that usually adopted. I shall just read one or two clauses of the bill to show hon. gentlemen how the promoters of this bill propose to change the Ontario com-

pany into a Dominion company. The first clause is as follows :

1. The shareholders of the said the Atlas Loan Company, hereinafter called "the old company," together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Atlas Loan Company," hereinafter called "the new company."

You see they do not undertake to transmute the old company into a new company, but they take the shareholders. Then the third, fourth and fifth clauses read as follows :

3. The shareholders of the old company are hereby declared to be holders respectively of shares in the new company to the same extent, and with the same amounts paid up thereon, as they are holders respectively of shares in the old company: Provided that two shares of fifty dollars each in the old company shall constitute one share of one hundred dollars in the new company.

4. The president, vice-president and directors of the old company shall respectively be the president, vice-president and directors of the new company until their successors are elected.

5. The by-laws, rules and regulations of the old company, lawfully enacted, shall be the by-laws, rules and regulations of the new company, subject to repeal, amendment or other change lawfully made.

The bill was read the second time.

MANITOBA RAILWAY AND CANAL COMPANY'S BILL.

RETURNED FROM HOUSE OF COMMONS.

A message was received from the House of Commons stating that they had disagreed with the Senate's amendments to Bill (66) "An Act respecting the Lake Manitoba Railway and Canal Company."

Hon. Mr. LOUGHEED—I move that the Senate do not insist on the amendment to the bill.

Hon. Mr. BOULTON—Before that motion is put, I would just like to say a few words, as the amendment was made on my motion. This bill went down to the House of Commons with my amendment and I see that it was received and that Mr. Bostock moved,

That the said amendment be disagreed to for the reason that it merely allows an amalgamation with a portion of a road owned by a company with which it is proposed to amalgamate and is therefore inconsistent with the object of the proposed amalgamation between the two companies, and is, moreover, repugnant to the object of the bill, which was agreed to.

Now, while I do not propose to argue on the merits of Mr. Bostock's objection, I should like to point out to the House the position in which the matter stands, and it will be for the House to decide on the course which they will pursue. I shall quote from May's Parliamentary Practice, at page 589, and show the mode of procedure in a case such as is before us :

When it is determined to disagree to amendments made by the other House—1, the bill may be laid aside; 2, the consideration of the amendments may be put off for three, six, or to any time beyond the probable duration of the session; 3, a message may be sent to communicate reasons for disagreeing to the amendments; or 4, a conference may be desired with the other House. The two first modes of proceedings are only resorted to when the privileges of the House are infringed by the bill, or when the ultimate agreement of the two Houses is hopeless; the latter are preferred whenever there is a reasonable prospect of mutual agreement and compromise. Sometimes when an amendment affects the privileges of the House, it is agreed to, the only reason offered to the Lords being that it would interfere with the public revenue, or affect the levy and application of rates, or alter the area of taxation, or otherwise infringe the privileges of the House; and it is added that the Commons do not deem it necessary to offer any further reason, hoping the above reason may be sufficient. This hint of privilege is generally accepted by the Lords and the amendment is not insisted on. The practice of parliament in regard to conference has been fully explained elsewhere, and it would be unnecessary and irksome to describe at length every variety of procedure which may arise in the settlement of amendments to bills by conference. It will be sufficient to state generally that when a bill has been returned by either House to the other with amendments which are disagreed to, a message is sent or a conference is desired by the House which disagrees to the amendment to acquaint the other with the reasons for such disagreement, in order to reconcile their differences, and if possible by mutual concessions to arrive at an ultimate agreement. If such an agreement cannot be secured the bill is lost for the session.

When one House agrees to amendments made by the other or does not insist upon its own amendments, or upon its disagreement to amendments, no reasons are offered; the object of reasons being to persuade the other House and not to justify a resolution of its own. Thus, on the 21st of July, 1858, the Lords having made an amendment to the Oaths Bill, upon which they insisted after reasons had been offered against it, at a conference; but having in the meantime passed a separate bill virtually to effect the same object—the admission of Jews to Parliament—the Commons, in order to record the true circumstances of the case, without departing from the usage of Parliament, agreed to a resolution: "That this House does not consider it necessary to examine the reasons offered by the Lords for insisting upon the exclusion of Jews from Parliament, as, by a bill of the present session, their lordships have provided means for the admission of persons professing the Jewish religion, to seats in the legislature." After which a message was sent to acquaint the Lords that the House did not insist upon their disagreement, without any reasons.

It will only be necessary to add, that it is irregular to demand a conference with the House which is in possession of a bill, which rule was thus affirmed by the Commons, 13th March, 1575: "That by the ancient liberties and privileges of this House, conference is to be required by that court which, at the time of the conference demanded, shall be possessed of the bill, and not of any other court." As the conference is desired by that House which is in possession of the bill, the bill which is the subject of the conference is always delivered by the managers, with the reasons and amendments, to the House with whom the conference is desired.

And then on page 490 of the same work.

A conference is a mode of communicating important matters by one House of parliament to the other, more formal and ceremonious than a message, and sometimes better calculated to explain opinions and reconcile differences. By a conference both Houses are brought into direct intercourse with each other, by deputations of their own members; and so entirely are they supposed to be engaged in it that while the managers are at the conference the deliberations of both Houses are suspended.

Either House may demand a conference on matters which by the usage of parliament are allowed to be proper occasions for such a proceeding: as for example, first to communicate resolutions or address to which the concurrence of the other House is desired. 2. Concerning the privileges of parliament. 3. In relation to the course of proceeding in parliament. 4. To require or communicate statements of facts on which bills have been passed by the other House. 5. To offer reasons for disagreeing to or insisting on amendments made by one House to bills passed by the other.

That is the rule which applies to just such a case as we have before us at the present moment. As I pointed out, in the first instance, the bill might be laid aside; secondly, the consideration may put off for three or six months, or at any time beyond the probable duration of the session; thirdly, a message may be sent to communicate reasons for disagreeing with the amendment, or fourthly, a conference may be sought with the other House. It is for the Senate to say whether it is desirable that a conference should be held in regard to the question that is now before us, whether the reasons given by Mr. Bostock, who moved the resolution in the House of Commons are are a sufficient justification for us to reject an amendment that was agreed to on Friday last. I desire rather to put the question before the House on that ground than to re-argue the question as I did on Friday last, when the amendment was carried. The reason I stated for moving the amendment, was that this bill sought an amalgamation with three companies, the Manitoba and North-western Railway Company, the Winnipeg and Hudson Bay Company, and the South Eastern Company, and I desired, as I thought in the interests of the public generally, that the amalgamation should only be with the Hudson Bay line as far as the Saskatchewan River. Since I moved that amendment, I may say this afternoon—Mr. Mackenzie, of Mackenzie and Mann, called on me to know my reason for opposition to the bill, and I told him exactly the grounds on which I had moved my amendment. Mr. Mackenzie informed me that he was owner of the charter which was formerly under the control of the old Hudson's Bay Railway Company. That charter as explained to the House had a subsidy granted to it at one time up to the Saskatchewan River of 6,400 acres per mile, and $80,000 a year, and beyond the Saskatchewan River it had aid granted to the extent of 10,000 acres per mile between the Saskatchewan River and Hudson Bay; and the fact that an application had been made by the promoters of the Manitoba Railway and Canal Company to amalgamate with the company which was going to have an outlet by the lakes and also an outlet at the same time by the bay, gave me an idea that a monopoly of these two routes was in contemplation, and that it was against the interests of the people who lived in that country, who desired to see an effort made for the opening up of the Hudson Bay route. My amendment was not in opposition to the effort of Mr. Mackenzie or anybody else to open up the Hudson Bay route, but it was to provide against that contingency, which I thought might arise, of a monoply being created by having the outlets to the ocean and to the lakes controlled by one company and the tying up of the Hudson Bay route by litigation. Mr. Mackenzie informed me this afternoon that in the original bill which he put before the House of Commons he did not apply for an outlet to Lake Superior, that that was added in the Railway Committee of the House of Commons by Mr. Richardson, the member for Lisgar. Of that fact I was not seized when I moved my amendment on Friday last. However, the position in which the matter stands at the present moment is whether this House desires to have a conference with the House of Commons in order to inquire further into the question of the amalgamation of all the interests which possess large franchises, and which, I understand, are being utilized by the Hon. Mr. Greenway in his railway legislation which he has just passed in the Manitoba Legislature. He has I believe just passed a railway measure by which he assists the Manitoba Railway and Canal Company with a guarantee of bonds to the amount of $8,000 a mile for the extension of the 125 miles of road already completed to Lake Dauphin up to the Saskatchewan River. His legislation is to continue that guarantee up to the Saskatchewan, but not beyond that. My amendment was to limit the

amalgamation up to the Saskatchewan River.

Hon. Mr. LOUGHEED—Mr. Greenway could not extend that beyond the Saskatchewan River. It would then be outside of the province of Manitoba and he could only give the guarantee to the limit of the province.

Hon. Mr. BOULTON—That forms an additional reason to the contention I held last Friday, that the company was practically divided in two, so far as that is concerned. I pointed out how the former Federal government, which dealt with this matter three or four years ago, divided the road and limited the application of the subsidies to the completion of a line up to the Saskatchewan River. The object of that was, I suppose—and in fact it was stated by Mr. Dewdney who introduced the measure—that it was not a question of going to Hudson Bay, but merely the construction of a colonization road up to the Saskatchewan River. However, I am not disposed to press those matters unduly upon this House. I merely put before hon. gentlemen the position in which the matter now stands, and to decide whether it is desired to have a conference committee under the rules to inquire further into the position of this amalgamation that is sought for now, or whether we will concur in the resolution which has been put before the Senate by the hon. member for Alberta. I do not claim to be sufficiently long in this House to understand exactly what is the proper course for this honourable body to pursue in regard to the matter, whether they should ask for a conference or whether they should let the matter drop where it is. I do not desire to make this question a source of conflict with the House of Commons. The company will have to come for further legislation before its interest in the charter north of the Saskatchewan is beyond question.

Hon. Mr. POWER—With respect to the question of procedure, I may say that a conference is a rather old fashioned and cumbrous method of procedure that is rarely resorted to now-a-days. At a time when everything is printed, a conference does not seem to be as necessary as it was in former years. I do not think, during all the time I have been a member of this House, I have known of a conference between the two Houses. If the question to be dealt with was one of a complicated character, there might be some ground for a conference, so that the members of the two Houses who went to the conference could discuss the various questions and arrive at a satisfactory solution of them, or at some compromise that might be satisfactory, but here the question is a very plain and simple one, and I think the procedure adopted by the hon. gentleman from Calgary is the proper one. If it is thought that the members of the House are not sufficiently informed of the matter, the hon. member for Calgary might give notice that he would move the motion which he has submitted now at some future day ; but if, on the other hand, it is thought—and I presume that is the case—that the members of the House are sufficiently familiar with the matter to deal with it now, the method adopted by the hon. member for Calgary is the most convenient. As stated by the hon. gentleman from Shell River, all the business of the two Houses would be suspended while the members were attending the conference, which the hon. gentleman seemed to indicate he thought would be a good thing. With respect to the reason given by the House of Commons for not concurring, it seems to me a reasonable one. It seems a rather remarkable thing to authorize a company to amalgamate with another company and then to say that the amalgamation shall apply only to a portion of the work which the other company is authorized to construct. And, further, I may say that it has struck me all along that if the hon. gentleman from Shell River is anxious to see this road built from the Saskatchewan to Hudson Bay, then the best chance he has of having his wish carried out is not to interfere with this legislation or to attempt to tie the hands of the company who are looking for the amalgamation, because if there are any people in the western country, or in any part of Canada, who are thoroughly capable of undertaking a work of that sort, they are just the gentlemen who are asking for this bill. As far as I am concerned myself, I do not think that it is in the interests of Canada that a road from the Saskatchewan River to Hudson Bay should be built, but the hon. gentleman is of a different opinion, and the only chance he has of ever seeing it built in his lifetime is that it should go into the hands of some

company such as that which is looking for this bill. The old corporation have had this charter since 1883 and have done practically nothing. I think the hon. gentleman had better withdraw his amendment and concur in the motion made by the hon. member from Calgary.

Hon. Mr. PERLEY—I was one of the members who voted with the majority in support of the amendment moved by the hon. gentleman from Shell River the other day. I may say that for the last few years I have not been favourably impressed with the project of building a railway to Hudson Bay. I have been under the impression that it would rather affect the interests of the farmers in the North-west in dividing the traffic of the Canadian Pacific Railway. But I had very little hopes of the railway being built under this company, because they had done nothing for a great number of years. I understand they did not pay the parties they made the contracts with. They were a failure, and I did not desire to support an institution which was defrauding the people, as I understood they had been, in connection with the short portion of the Hudson Bay railway which had been constructed out of Winnipeg, and for that reason I had been opposed to the Hudson Bay Railway. I thought it would interfere with the traffic of the Canadian Pacific Railway. There was not enough business for two roads, and the Canadian Pacific Railway would be better able to give us reduced rates than if they had a competing line which would take traffic from them. Up to this time in the North-west we have been going through a stage of experiment. Our crops were not large and we had not as much grain to export as circumstances now indicate we will have. The last two years our country has been very productive; the farmers have acquired a knowledge of how to treat and prepare the soil, so that the last two years we have had magnificent crops and that has encouraged the people materially in going on to develop the agricultural resources of that country. It is said this year we will have 50,000,000 bushels of grain to export, and there is every indication of it. The soil is in good condition and the crop is promising. We will have a great harvest and much more grain to export than we have had in the past. This will inspire the people with hope and give tehm courage. In the very near future there will be 100,000,000 bushels exported out of that country every year. If that should be the case we would be justified in providing increased facilities for the transportation of the products of that country. Whilst in the past I have been opposed to the building of the railway, still I felt, when the bill came up the other day, we had no time to consider the matter, but taking the idea advanced by the hon. gentleman from Marquette (Mr. Boulton) that the Hudson Bay and Pacific was a strong financial concern of English as well as Canadian capitalists, I felt that the granting of this charter and giving these men a monopoly, which the amalgamation would do, would have a tendency to interfere with the rights of the other company, which rights had not yet lapsed. For that reason, I thought they were interfering with the project, and placing the road in the hands of a company who might not build it at all, because up to that time the Hudson Bay Railway Company had a very poor reputation for constructing a railway. I have learned since then that there is some doubt with regard to the Hudson Bay and Pacific Railway Company. I understand the moneyed man has died and the company is not in that strong financial position which we supposed. I understood that in view of that fact, the attorney of the Hudson Bay and Pacific Company made a proposition to Mackenzie and Mann's attorney to sell the charter. I am opposed to dealing with charters in that way, and I at once consulted the attorney of the Hudson Bay Pacific Railway Company. He said he had not offered to sell, that it was a misunderstanding on the part of the other gentleman, that he had only offered to amalgamate on account of the principal promoter in Canada having died, and having no Canadian member of the company, they were not in a position to go on and build the railway. That alters the case very materially. I do not now, in view of the prospects in that country, wish to retard the building of a railway to Hudson Bay, so that I may say that I will not offer any objection, because the company I was endeavouring to protect by my vote the other day has become a different company to what it was. One of its principal promoters is dead, and the company is not in that strong financial position which would warrant us in thinking it would build the railway, and therefore I do not object to the position taken by the

House of Commons, and I am willing to allow the bill to pass without the amendment. I thought it but right to make this explanation in order to explain the position I took on the previous occasion and why my present position is a different one.

Hon. Mr. BOULTON—With regard to the question my hon. friend has raised, as to the selling out of the charter of the Hudson Bay and Pacific Railway Company, I think it is called, I might just say that I asked the solicitor of this company the same question that my hon. friend asked him, and he said that it was quite a misunderstanding, that what they proposed was that they should amalgamate the two interests and promote the interests of the Hudson Bay Railway. That is a very desirable thing indeed. This Hudson Bay and Pacific Railway Company has at its head such men as Admiral Markham and Col. Harris, and other strong financial men who are interested in developing a new ocean route to our prairie region, and therefore, if the discussion which I have occasioned in this House should result in amalgamation in the interests of the Hudson Bay route, I shall feel that my criticisms and my amendment have not been made in vain. I concur in the remark of the hon. gentleman from Wolseley and will not press for a further consideration of the matter by this House.

The motion was agreed to.

BILL INTRODUCED.

Bill (114) "An Act further to amend the Act respecting the Department of Geological Survey."—(Hon. Mr. Scott).

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 6th May, 1898.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

WINDSOR AND DETROIT UNION BRIDGE COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BAKER, from the Committee on Railways, Telegraphs and Harbours, reported Bill (79) "An Act to incorporate the Windsor and Detroit Union Bridge Company," with amendments.

Hon. Sir MACKENZIE BOWELL—There are a number of amendments made to this bill, but they do not affect the principle. If, however, it is thought better to have these amendments printed in the Minutes, I would move that the amendments be considered on Monday next. If there be no objection, we could adopt the amendments now and take the third reading Monday.

Hon. Mr. VIDAL—I do not think there could be any objection, because the amendments do not affect the principle of the bill.

Hon. Mr. McCALLUM—I do not know why we should concur in the amendments until we know what they are. There may be some objection to this bill.

Hon. Sir MACKENZIE BOWELL—Then I move that the amendments be taken into consideration on Monday next.

THIRD READINGS.

Bill (80) "An Act respecting the Ottawa and New York Railway Company."—(Hon. Mr. Clemow.)

Bill (67) "An Act to incorporate the London and Lake Huron Railway Company."—(Hon. Sir John Carling.)

BRITISH AMERICAN LIGHT AND POWER COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (109) "An Act to incorporate the British American Light and Power Company." He said: This is a bill which is principally applicable to the Yukon district and contains the usual provisions; there is nothing novel or extraordinary in it.

The bill was read the second time.

CANADIAN MINING INSTITUTE BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (116) "An Act to incorporate the Canadian Mining Institute." He said: This bill is for the purpose of incorporating this association which has for its

object the obtaining of various samples of minerals and metals for the purpose of giving information respecting the products of this country. It is necessary that this bill be passed in order to allow the gentlemen interested in the proposed organization to carry out their praiseworthy object.

The bill was read the second time.

COMPANIES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (M): "An Act further to amend the Companies Act."

(In the Committee.)

On sub-clause *b* of clause 1.

Hon. Mr. MACDONALD (B.C.)—I should like to place this case before the hon. gentleman: in British Columbia there is a clerk acting for the Receiver General. Is he to be a judge as to when he should return these moneys? How is he to take evidence, and to be satisfied that the organization has not been completed? This bill constitutes him a judge, and could a clerk in any outlying district undertake to settle questions of this kind? I can understand a case here in Ottawa being all right, because the Receiver General is here and has lawyers at his elbow to tell him the legal mode he should adopt.

Hon. Mr. MILLS—My hon. friend will see that subsection (a) provides that "such aggregate shall be deposited to the credit of the Receiver General of Canada, and shall be standing at such credit in some chartered bank in Canada," that is the position in which the money is when deposited; and then clause (b) says: "At any time after the signing of letters patent incorporating the applicants as a company the said aggregate, so paid in to the credit of the Receiver General and for the sole use of the company." He will require the production of the necessary evidence, which would be the letters patent: that is, if the company fail to become organized, then the money is to be returned to the contributors. My hon. friend will see that the provision is as simple as it can be; it differs very little from the provision as it exists, except that the money is a deposit that stands to the credit of the proposed company in the hands of the Receiver General until the letters patent are issued, and then it is paid over to the officers, on the production of the letters patent, that are designated by the company as the proper parties to receive it. We are making no attempt to regulate the business of the companies. We are not undertaking to manage their affairs; we are not interfering with the rights of the public; we are simply, in the initial steps that are taken by a company to obtain letters patent, seeing that the acts done are a real and not illusory compliance with the provisions of the law. My hon. friend will see that in this regard the proposed bill does not differ from the statute as it now stands, except that the payment is to the Receiver General instead of to some officer of the company or trustee designated for the purpose.

Hon. Mr. MACDONALD (B.C.)—There is no trouble about depositing the money in the bank, but the trouble is to get that money out of the bank in a legal way, and a young officer charged with that duty might not be able to do it.

Hon. Mr. MILLS—There will be no trouble on that score; the Receiver General, or his agent, will see that the parties comply with the law.

Hon. Mr. MACDONALD (B.C.)—It can be tried.

Hon. Sir MACKENZIE BOWELL—But all that has to be done now, with the exception of depositing the money with the Receiver General.

Hon. Mr. MILLS—Quite so.

Hon. Sir MACKENZIE BOWELL—How will this avoid an illusory deposit of the character to which my hon. friend refers? In making a deposit of the percentage necessary to enable them to apply for letters patent, that is made under the solemn affidavit of the parties who have made the deposit, and unless they commit perjury direct, palpable and wilful, there could be no such thing, to my mind, as an illusory deposit of the money.

Hon. Mr. MILLS—There have been many such.

Hon. Sir MACKENZIE BOWELL—I am sorry to hear that, because, if they did, the parties who made it committed perjury.

The point I wish to receive a little more light upon is that to which my hon. friend referred when the bill was before the House before. He mentioned a case in Brantford in which the moneys had been withdrawn and handed back, as I understood him, to the parties who made the deposit before the letters patent had been obtained; and in the meantime they had received money from other stockholders, which was misappropriated. If that is correct I cannot understand, under the law as it stands on the statute book, how that could be accomplished.

Hon. Mr. MILLS—Not before the letters patent were applied for; but my hon. friend knows that the application is always made for letters patent and the affidavit is made before they are issued, and it is after all those facts are established, for the information or satisfaction of the officer to whom the application is made under the provision of the statute, and before they are received, that the moneys may be dealt with.

Hon. Mr. LOUGHEED—Will my hon. friend point out to the House what public end will be served in the repayment of this money to the parties who advanced same immediately subsequent to the issue of letters patent. Assuming for the moment that the practice has been to repay the money to the parties advancing it before the issue of the letters patent, my own knowledge—and I have some knowledge on this point—is that the practice observed in the formation of companies of this character has been to leave the money in the bank till the issue of the letters patent; but the hon. Minister of Justice has stated that cases have come under his observation in which the money has been paid out previous to the issue of the letters patent. Now, the slight degree in time is almost unimportant for this reason: the present Act provides that within a month after the last notice the affidavit must be made that ten per cent has been paid in and practically that the money stands there to the credit of or for the company. If the money is simply to go back after the issue of the letters patent to the channels from which it came I am certainly at a loss to understand what good aim can be served by this legislation. I am in favour of assisting legislation of this character because I think that there is room for an amendment to the Act, but if an amendment to the Act is to be made it seems to me that some machinery should be introduced into the act by which those funds should be conserved for the purposes of the company, and some prohibition should be placed upon the promoters of the company repaying that money to the channels from which it came, excepting the money is for the legitimate purposes of the company.

Hon. Mr. SCOTT—In the formation of companies, after a month's notice is given, the papers are prepared and sent in to the Department of State. They are always accompanied, when in proper form, by a declaration or certificate from the manager of some bank that the ten per cent stands in the name of "A" and "B" in trust for the company. A delay of three or four weeks usually takes place in the preparation of the necessary documents. A good deal of correspondence is involved: the papers are frequently defective, and they have to be supervised, under present practice, by the Department of Finance and the Department of State. When the company is formed, it may be found that the money has been withdrawn. Of course, the Crown has no knowledge of that. The officials see that on a certain day the money was deposited, but there is no evidence that it continued to remain in the bank, that is, if placed in the hands of trustees. They may withdraw it any time. They may deposit it to-day, forward the certificate to the department and to-morrow withdraw the money, and when the company receive the letters patent there may not be a penny to their credit.

Hon. Mr. MILLS—And the new directors may know nothing about it.

Hon. Mr. SCOTT—It is the party who gets up the organization that may withdraw the money. You cannot say that he is guilty of a fraud, though it is a dishonourable thing to do. As the law stands, he can do it without committing an offence. Where the money has been deposited to the credit of the company, the fraud cannot be perpetrated, but where it is to the credit of trustees the money may be withdrawn, and this provision is for the purpose of keeping the money under proper control until the company has been organized, and it can only then be withdrawn on presentation of the

letters patent and on the signature of the proper officers.

The clause was adopted.

On subsection C.

Hon. Mr. POWER—I notice that in paragraph "C," lines 30 and 31 says the deed is to be held by two trustees for the company. I do not know why it should be limited to two. You might have three.

Hon. Mr. SCOTT—We might say two or more.

Hon. Mr. POWER—Then I move that we insert "or more."

Hon. Sir MACKENZIE BOWELL—What is the difference between this and the old law?

Hon. Mr. POWER—There was nothing in the old but "trustees."

Hon. Mr. MILLS—All this is one subsection in the old law, and the concluding part is now subsection "C."

Hon. Mr. LOUGHEED—Might I ask the hon. Minister of Justice why this is limited to real estate? Cases have come under my observation, and I fancy under the observation of almost all hon. gentlemen, who have had to do with this class of business, that, promoters of a company will organize a company and turn over to that company personal estate of very considerable value, and yet there is no provision by which that personal estate, say it be a manufacturing concern, shall pass into the hands of the company in the same way as real estate will do. It will be observed from subsection "C"—and in fact is the present law under subsection 5 of section 5—that one-half of the aggregate may be taken in as paid if it is bona fide invested in real estate.

Hon. Mr. MILLS—That is the law as it stands.

Hon. Mr. LOUGHEED — Why it should be limited to real estate I am at a loss to understand, because most of those concerns which are organized are organized on the basis of a going concern, such as a manufacturing plant being turned into the company, and that manufacturing plant accepted as so much stock, but no provision is made for that class of property.

Hon. Mr. MILLS—I did not venture to make any alteration in the law. I have just one object in view, and that is to see that parties organizing a company comply with the law up to organization, and once they are organized they are responsible to the parties with whom they deal. Clause "C" does not alter the law.

Hon. Mr. LOUGHEED—I do not say that it does.

Hon. Mr. MILLS—It is precisely as it is in this bill. There would be very great difficulty in ascertaining the value of personal estate sometimes, and my hon. friend speaks of machinery and so on. If it is kept with a proprietory interest it might be regarded as a part of the realty, but in any event there is a great deal of personalty of such a transitory character, and so much subject to waste, that I suppose it was not regarded as safe by those who had large experience in these matters to undertake to extend this provision further than it is found in the law as it now is.

Hon. Sir MACKENZIE BOWELL—I think the point of my hon. friend is met in this way; you form a company what might be called a "going concern." After the company is formed, then the owner of the personal estate sells it to the company and gets so much cash, in some cases, and so much stock, so that the personalty is transferred to the company and the owner in this way gets his pay.

Hon. Mr. LOUGHEED—But the difficulty is in turning in going concerns into such an organization.

The clause was adopted as amended.

Hon. Mr. SNOWBALL, from the committee, reported the bill with amendments, which were concurred in.

DEPARTMENT OF GEOLOGICAL SURVEY BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (114) "An Act further to amend the Act respecting the Department of Geological Survey." He said: It frequently becomes necessary to appoint for temporary service gentlemen connected with the geological department for the purpose of making an exploration for mineralogists or geologists,

or gentlemen who may be conversent with these matters to report on several parts of the country, and this bill is to provide that under the circumstances the minister may appoint, on the requisition of the deputy head or director of the department, such an official, and that he need not pass the civil service examination. There is ample precedent for such legislation, as officers having special qualifications rarely are required to pass the civil service examinations. It is not to be supposed that the examiners are experts in some of the special scientific subjects that special officers are appointed for.

Hon. Mr. FERGUSON—There is a strange provision in the second clause of this bill. It provides that the person so appointed may be paid at the rate of more than $400 a year. It might be $4,000 a year under that.

Hon. Mr. SCOTT—No limit on that side. As it is now you cannot appoint an ordinary clerk. The late government made certain changes and abolished the third class clerkship, so now you cannot appoint a clerk at more than $400.

Hon. Mr. LOUGHEED—Is it necessary that the appointment should be made under the Civil Service Act?

Hon. Mr. SCOTT—No, this is to relieve the department of the necessity for making the appointments under the Civil Service Act.

Hon. Mr. LOUGHEED—Then why should you make the Civil Service Act apply?

Hon. Mr. SCOTT—You cannot appoint a temporary clerk under $400 at the present time.

Hon. Mr. LOUGHEED—That is under the Civil Service Act?

Hon. Mr. SCOTT—No; a clerk of any kind. You cannot appoint a temporary clerk now drawing a higher salary than $400, and you cannot appoint him unless he has passed the civil service examination.

Hon. Sir MACKENZIE BOWELL—But you can appoint a clerk at any salary, up as high as a chief clerkship, if he possesses technical knowledge, and it is so represented to the government by the head of the department. The present government has acted on that principle. The hon. gentleman is in error—I say so respectfully—in saying that no clerk can be appointed except at $400. You can appoint a second-class clerk at $1,100, providing he has passed the examination and he has technical knowledge which brings him within the law, because the law provides for appointing a clerk in any capacity, or in any grade, in any department, if he has the knowledge necessary for that purpose. For instance, the Minister of Militia appointed an accountant at the highest possible salary given to a chief clerk. He had never passed any examination.

Hon. Mr. SCOTT—No, he had not.

Hon. Sir MACKENZIE BOWELL—There may be some technical reason why this provision is necessary in order to enable the hon. gentleman to make such appointments.

Hon. Mr. MILLS—The point is this: The Auditor General assumes that parties who are appointed for technical purposes belong to one or other of the classes mentioned. The opinion expressed in my department is that the person appointed on account of technical fitness is a class by himself, and therefore is not of the second or first-class, or a chief clerk, and that his salary is not regulated in the way that the statute provides for the regulation of the salaries of those who are called second or first-class, or chief clerks, and therefore it was necessary to make some provision.

Hon. Sir MACKENZIE BOWELL—That is the construction which has been put upon the law always, but in this case you make a provision for appointing a person to a particular staff and you take the power to give him a higher salary than the minimum salary, provided he has a technical knowledge necessary to do the work on the geological survey. I think it is a good provision. I am not objecting to it.

Hon. Mr. MILLS—Because you think the regulation as to salaries applies to those who are classified clerks and not to others.

Hon. Mr. CLEMOW—It seems to me extraordinary that the government should take power to employ a man at more than $400, and place no limit to it. Should it

not be at a salary not exceeding so much? That would be more business like. You may employ him at $4,000. Cannot you make some limit?

Hon. Mr. MILLS—My hon. friend will see that we always come down to parliament for money, and parliament has always control over the amount.

Hon. Mr. CLEMOW—But you take the power in your own hands and you must employ at a salary exceeding $400. Is there any way of saying the limit shall be any particular sum?

Hon. Mr. SCOTT—No, you cannot regulate the salary. The man might only be employed for a month.

Hon. Mr. CLEMOW—Say that you cannot pay more than a certain sum.

Hon. Mr. SCOTT—Then they would all want the full amount.

Hon. Sir MACKENZIE BOWELL—It does not provide that the person so appointed as a deputy assistant shall possess any technical knowledge. You may appoint a labourer if you like and send him on the geological survey with one of your explorers, say Dr. Dawson, and all he might have to do would be to carry luggage on his back.

Hon. Mr. MILLS—That is provided for in the Civil Service Act.

Hon. Sir MACKENZIE BOWELL—This places the appointee outside of the provisions of the Civil Service Act, and it says:

> Notwithstanding anything contained in the Civil Service Act or any Act in amendment thereof it shall not be necessary that any person appointed a temporary assistant under the next preceding section shall have passed any examination under the Civil Service Act, and such person may be paid at the rate of more than $400 a year.

You can scarcely obtain a man with the technical knowledge necessary to be an assistant on a staff of that kind, unless he has it, but this does not confine the appointment, if I read it correctly. You could appoint a hod carrier under this clause.

Hon. Mr. SCOTT—Clause one reads:

> That upon the requisition of the deputy head and director of the department, the minister may employ such number of temporary assistants as are necessary, having the qualifications requisite for appointment as technical officers of the department under section 4 of the Act respecting the Department of the Geological Survey.

He must be a scientist, graduate of either a Canadian or foreign University, or the Mining School of London, or some other recognized Science School.

Hon. Mr. CLEMOW—What do you pay?

Hon. Mr. SCOTT—Just according to their value.

Hon. Mr. CLEMOW—Cannot you establish a value?

Hon. Mr. SCOTT—No, we do not know who they are. The men are appointed temporarily and it would be impossible to establish a value.

Hon. Mr. POWER—There can be no objection to the main purpose of this measure, but I hope the Secretary of State will be prepared, when the House goes into committee on this bill, to show that this clause two is absolutely necessary. I have always been a very strong advocate of enforcing the Civil Service Act, while I am reasonably ready to be shown that such a provision as is contained in this second clause is necessary.

The motion was agreed to.

SAFETY OF CERTAIN FISHERMEN BILL.

AMENDMENTS CONCURRED IN.

A message was received from the House of Commons to return Bill (G): "An Act for better securing the Safety of Certain Fishermen," with several amendments.

Hon. Mr. POWER—I propose to ask the House to concur in the amendments, and I may as well briefly explain what they are and let the House deal with them now. Page one, line four, leave out from "place" to "set" in line five. The amendment is to leave out the words "be launched or." Then in line six, the second amendment, "after the first fishing" insert "or be launched therefrom." The original stood, "shall be launched or set out from any vessel," etc. They propose to make it read, "set out or be launched therefrom." The third amendment: in line ten, leave out "and" and insert "to be." The original reads "unless there is placed in such boat and retained

therein during absence from such vessel," and the amendment is "to be placed in such boat to be retained therein." Then line eleven leave out from "vessel" to "serviceable" and insert "a". The original reads "such vessel an accurate and serviceable mariner's compass" and they have left out the words "accurate." A mariner's compass, if it is not accurate is not serviceable and if it is not serviceable, is not of much use. Line 16, after "serviceable," insert "mariners." The bill read before "the owner of such vessel shall supply her at the commencement of her voyage with as many serviceable compasses as she carries boats," and the amendment is to insert the word "mariner's." It should be a mariner's compass to be serviceable at sea. The next amendment is line 18, after "a" insert "serviceable." She is to be provided with necessary utensils to hold water—a serviceable fog-horn or trumpet. Line 30, "this Act shall come into force and effect on and after the first day of October, 1898." We in this House, hon. gentlemen, are sometimes twitted with our tendency to make amendments which are merely verbal and not substantial. I venture to say that the amendments which the House of Commons have made to this bill, with the exception of the last, are quite equal in that respect to any amendments which this House has ever made to a bill coming from the Commons.

The motion was agreed to.

BILLS INTRODUCED.

Bill (127) "An Act further to amend the Fisheries Act."—(Hon. Mr. Scott.)

Bill (72) "An Act further to amend the Adulteration Act."—(Hon. Mr. Mills.)

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 9th May, 1898.

The SPEAKER took the Chair at three o'Clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (N) "An Act to amend the Canada Evidence Act."—(Hon. Mr. Mills.)

DRUMMOND COUNTY RAILWAY PURCHASE.

INQUIRY POSTPONED.

The Notice of Inquiry being called by the Hon. Mr. Wood, that he will inquire of the government:

1. Whether they will, during the present session, introduce legislation to ratify the agreement made with the Grand Trunk Railway bearing date the 1st February, 1898, and lately laid before Parliament?
2. Whether the government will, during the present session, introduce legislation to authorize the purchase of the Drummond County Railway, or consent to an agreement for the purchase of the same?

Hon. Mr. MILLS—Will the hon. gentleman let this notice stand?

Hon. Sir MACKENZIE BOWELL—Can the hon. leader of the House give us information as to when he will probably be able to answer these questions? Or can he tell us what measures of any importance are likely to come before the Senate before the prorogation of Parliament? It is usual, I believe, for the leaders of the government in both Houses, to indicate what may be expected, in order that the members will be better able to judge, not only of the length of the session, but of the character and importance of the measures which may be laid before them.

Hon. Mr. MILLS—I am not able to answer with regard to all the measures that may be yet laid before us, but will do so in a day or two. My hon. friend knows there is the Franchise Bill. There is the Superannuation Bill and the Plebiscite Bill which are before the House of Commons but which we expect to be laid before us in this House at an early day. They are measures in the hands of the government that will be before the Senate some time during the week. Then there is a very short Bill providing for the appointment of additional judges in conformity with the Acts passed by the provinces during the past session, which will necessarily be before us and perhaps one or two other measures, which I can give the hon. gentleman more definitely in the course of a week.

Hon. Sir MACKENZIE BOWLLL—Some little time ago the hon gentleman intimated to the House that it was his intention to introduce a bill providing for the government of the Yukon Territory.

Hon. Mr. MILLS—Yes, that is one of the measures.

Hon. Sir MACKENZIE BOWELL—The government have been remiss in not introducing more of their measures in this House. In the past few years before the accession to office of the hon. gentlemen, several very important measures were brought here, and the Senate had plenty of time to consider them while the lower House were discussing what I may call the political aspect of affairs, and if the hon gentleman would follow that practice, there are a number of bills to which he has referred which we might just as well have been discussing here, thereby saving time. It has been too much the practice in the past to bring down all important measures at the close of the session, when all of us desire to go home, and when they have really nothing to do in the Lower House, and if we delay them, there is a great deal of fault found. I may safely say to the hon. gentleman that when those measures of importance, to which I have alluded, and which he has indicated, will come before us the Senate will have to take full time for their consideration, even if they delay the prorogation of the House.

Hon. Mr. MILLS—I have no fault to find with the observations of the hon. gentleman. I entirely agree with him, and my experience here for a great many years confirms me in the view which he has expressed. I know since 1878 a large number of measures have been introduced in parliament at a very late period of the session. I think it is desirable to introduce the measures at as early a day as possible. Upon that point my hon. friend and myself in theory agree.

Hon. Sir MACKENZIE BOWELL—Let us try and do it in practice.

Hon. Mr, MILLS—Well, I cannot say much for the practice of my hon. friend. Then let me say further, that with regard to the Franchise bill, my hon. friend will admit it is a measure which must necessarily be introduced in the other House.

Hon. Sir MACKENZIE BOWELL—Not necessarily the plebiscite.

Hon. Mr. MILLS—Then I told my hon. friend that we would introduce the Yukon Bill very soon, and there will be ample time for its consideration. Certainly some day during the present week the measure will be introduced here.

CORRESPONDENCE BETWEEN THE GOVERNMENT OF PRINCE EDWARD ISLAND AND THE DOMINION GOVERNMENT.

MOTION.

Hon. Mr. MACDONALD (P. E. I.) moved :

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all correspondence and memorials from the members of the provincial government of Prince Edward Island who composed the recent delegation from that province ; and will inquire what action the Federal government have taken in response to such applications ?

Hon. Mr. MILLS—I would say to my hon. friend that as I see that the papers he refers to are proposed to be brought down from the other House, we will certainly make no objection to comply with my hon. friend's request to bring down the communications and memorials which we have received from the local government of Prince Edward Island. I may say that the Federal government have taken no action on the subject as yet, in fact we have been too much occupied with the work of the session to give to this subject the consideration its importance requires. The usual practice in the Imperial parliament in all matters of this sort is not to bring down communications which have been received till after they have been answered and dealt with, so that the whole case might be before the legislature and the country when the papers are published ; but as it is proposed to bring them down in the House of Commons I see no reason why they may not be brought down here, and so far as we can comply with the hon. gentleman's request it shall be complied with.

The motion was agreed to.

THE MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LANDRY rose to

Call the attention of the government to the following utterances made on the 2nd of May, 1898, by the Honourable the Secretary of State :—

"Hon. Mr. SCOTT—The hon. gentleman must be aware that the present government have settled the school question with Manitoba.

"Hon. Mr. LANDRY—Hear, hear.

"Hon. Mr. SCOTT—They have adopted the same channels to settle that question as the late government did. The late government sent delegates to Manitoba, and had a conference, and failed to come to any agreement. The present government had a conference with representatives of the government of Manitoba, and they came to an agreement, which was confirmed by the Manitoba legislature, and that is the end of it, so far as the public are concerned."

And inquired :

1. In what position did the Federal Executive stand towards the litigating parties, the Manitoba Government on the one side, and the Catholic minority on the other? Was it the position of a judge before whose tribunal the debated question had been brought, and who had rendered a decision known as the Remedial Order?

2. Did the present Government in holding a conference with the Government of Manitoba treat simultaneously with the other litigating party, the Catholic minority?

3. Was that minority a party to the said conference, and has the agreement arrived at been accepted by the Catholic minority?

4. If not, do the Government really consider that an agreement to which the Catholic minority has not even been a party, but which has been arrived at without its participation, outside its knowledge, and contrary to its interests, may be considered an agreement that puts an end to the Manitoba School difficulties, as stated by the hon. Secretary of State?

5. Is the statement made by the Honourable Secretary of State accepted by the Government?

Hon. Mr. SCOTT—I have given repeatedly the fullest information that the hon. gentleman can claim under the rules of parliament as to the action the government have taken, and I speak for the government in this chamber, and beyond that the hon. gentleman has no right to catechise me; moreover, his questions are in some respects debatable ones which open up matters that have been in litigation, and he is not entitled to ask me questions of the kind.

Hon. Mr. LANDRY—I am not asking the Secretary of State, I am asking the government.

Hon. Mr. SCOTT—I am answering for the government.

Hon. Mr. LANDRY—I do not know how the hon. gentleman could say——.

Hon. Mr. SCOTT—Order.

Hon. Mr. LANDRY—I am in order. The mere fact the hon. minister cries "order" does not make me out of order. I have asked the question of the Minister and I want an answer. I want to know if the minority was a party to that conference? The government is able to tell me whether it has or has not been such a party.

Hon. Mr. PERLEY—That is fair.

Hon. Mr. LANDRY—Is the hon. gentleman unable to tell me whether the minority has or has not been a party to that conference?

Hon. Mr. SCOTT—The hon. gentleman had his answer: the matter was settled by the government of Manitoba at the instance of the Federal government of Canada.

Hon. Sir MACKENZIE BOWELL—But does not the hon. minister think that the hon. gentleman has a right to an answer to the simple question as to whether the minority were consulted in that settlement?

Hon. Mr. SCOTT—I do not think he has. Who are the Catholic minority?

Hon. Sir MACKENZIE BOWELL—You ought to know.

Hon. Mr. LANDRY—One of the litigating parties.

Hon. Mr. SCOTT—There is a great difference of opinion as to that; the Catholic minority might be divided. However, I am not going to debate it.

Hon. Sir MACKENZIE BOWELL—I am not going to discuss that question now; neither am I aware that the Catholic minority has been divided on the question.

Hon. Mr. SCOTT—But as to the method of settling the question.

Hon. Sir MACKENZIE BOWELL—What I want to call the attention of the hon. gentleman to is this: In the question asked, reference was made to the answer to the former government, and it is stated that they had a conference with the Greenway government. I can say to the hon. gentleman that when they had a conference with the Greenway government on this very important question, they consulted the minority at the same time, as to what would be acceptable to them under the circumstances; as under the circumstances, the late government believed they had been deprived of certain constitutional rights. The hon. gentleman simply asks this, a very fair question, I think: was the minority consulted, either directly or indirectly, in what he terms the settlement of that question? I think that is a fair question.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman shakes his head. Does he mean that my position is not a just one?

Hon. Mr. SCOTT—I had an opinion on the subject, and I often expressed that opinion on the floor of parliament. I had

an opinion as to how that settlement should be made. The government acted upon the opinion that they had formed as to the best mode of settling this question.

Hon. Mr. BOULTON—Was the Catholic minority represented in the interview that the late government had in Manitoba?

Hon. Mr. MILLS—I submit to the hon. speaker that this question is not one of which notice has been given, and besides that, these questions contain controverted facts, and are therefore out of order.

Hon. Mr. LANDRY—Did the hon. gentleman say "contrary to facts?"

Hon. Mr. SCOTT—Controverted facts.

Hon. Mr. LANDRY—I am asking a simple question; I am asking if such or such a thing is or is not a fact. There is nothing controverted about that. I am asking if the minority were represented. Can the hon. gentleman tell me if it is a fact or not?

Hon. Mr. SCOTT—I am not going to answer the hon. gentleman's questions. They are entirely out of order.

Hon. Mr. LANDRY—You think so.

Hon. Mr. FERGUSON—I wish to enter my protest against the remarks of the hon. leader of the House that no discussion can take place on this question. There is no use in having that point raised on every question of this kind that comes up. It has been several times decided by the chair.

Hon. Mr. MILLS—My hon. friend is mistaken. These questions have been put, though not strictly in order, and have been answered, and my hon. friend has had this same group of questions upon the paper at least half a dozen times.

Hon. Mr. LANDRY—That is a controverted fact.

Hon. Mr. MILLS—I am not putting it, however, as a question to my hon friend, but I do submit, Mr. Speaker, that the whole series of these questions contains controverted matter—facts which may be questioned, and therefore they ought not to be put.

Hon. Mr. LOUGHEED—Would the hon. gentleman indicate the desirability of pointing out facts that are admitted? It is only controversial facts that would necessarily come up in such cases. If we all agreed upon the facts, there would be no necessity for discussing them.

Hon. Mr. DEVER—The great fact is that the question was settled. That is the trouble with some hon. gentlemen. Their whole stock in trade has been taken away from them.

Hon. Mr. KIRCHHOFFER—Perhaps the hon. gentleman is in the minority in this case. He can give an answer.

Hon. Mr. LANDRY—Is it a controverted fact when I ask this question: was the Catholic minority a party to said agreement?

Hon. Mr. MILLS—I ask the hon. Speaker for his decision.

Hon. Mr. LANDRY—I am open to conviction, but I want to be convinced. How could you convince me that my question contains controverted facts? By assertion or by argument?

The SPEAKER—When a Minister is asked a question and when he declares to the House that he has answered it, and professess to have answered it fully, I know of no rule by which the Speaker could coerce a Minister to answer any more questions, and I believe that all other questions which follow that are entirely out of order.

MINERS' LICENSES AT SKAGWAY AND DYEA.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) Rose to

Direct the attention of the Government to injury which will result to the towns of Victoria, Vancouver and Nanaimo from the directions recently given by the Minister of the Interior for the issue of miners' licenses by the Dominion custom house at the boundary line near Skagway and Dyea.

He said: Last winter the Minister of the Interior very properly gave directions for the issue of licenses at the towns of Vancouver, Victoria and Nanaimo, which resulted in great benefit to those towns. Thousands of passengers landed there who would not otherwise have done so and spent their money for supplies, and left with the government also, for licenses $100,000. The government could control that money at a day's notice. Now, I believe the minister has given instructions that miners may get their licenses at the places I have mentioned

in my notice. According to the present regulations, persons going to the Klondike gold mines can pass Victoria or Vancouver altogether—need not call there at all, and it will be a great injury to those towns if that trade is diverted. I hope the minister will be able to tell me that these regulations are only temporary, and that the rule which prevailed last year will be enforced, so that miners will call at those towns, and Canadian towns will have the benefit of the trade as they had last winter and spring.

Hon. Mr. MILLS—I would say to my hon. friend that the issue of miners' licenses within the territory of the Yukon was deferred by the government just as long as possible. Several people have gone directly from San Francisco and through United States territory to the Yukon country. They have sailed for Dyea and Skagway and landed there, and then proceeded on their journey. They had to obtain their licenses within the territory or they could not get them at all. We have not issued licenses in the United States territory. They have been issued within Canadian territory, and my hon. friend, so far as I know, has not assigned any definite or valid reason why these people should be compelled to go to Victoria or to Vancouver for their licenses rather than go into the Yukon country where the mining operations are to be carried on. We have been endeavouring to make satisfactory arrangements for ingress to that country through United States territory, and in order to do so we were obliged, as we were asking for concessions from the United States government, not to subject them to unusual inconvenience on our part. I should have liked very much myself to have seen the people entering the country from some Canadian point, and pursuing their journey on Canadian territory, but my hon. friend knows that by the success of his motion in this House he has put it out of our power, for the present at all events, to accomplish that result. I think it is unfortunate, but my hon. friend took a different view, and the matter of which he complains is, to some extent, the result of his own action.

Hon. Mr. MACDONALD (B.C.)—The hon. gentleman cannot forget that matter. It is said of Queen Mary she said that when she died they would find Calais written on her heart, and when my hon. friend dies they will find Yukon written on his brain. There is no use going back to that question till the government revives it again, which I hope they will do at a very early date. The hon. Minister of the Interior saw the force of the contention of these people living on the sea coast. It would give a great deal of trade to them and it would not hurt the Dominion in the least. We could not expect those who went to Skagway and Dyea without being aware of the fact to come back to Victoria for a license.

Hon. Sir MACKENZIE BOWELL—Licenses might be issued at the sea coast towns.

Hon. Mr. TEMPLEMAN—How would those people that you refer to get licenses?

Hon. Mr. MACDONALD (B.C.)—They will get them at Dawson and other parts of the country. If the hon. gentleman wants to drive the trade past Victoria he can do so. I do not want it done.

Hon. Mr. MILLS—These licenses are not issued in United States territory.

Hon. Mr. MACDONALD (B.C.)—I know that.

Hon. Mr. MILLS—What possible difference can it make to my hon. friend, and those on whose behalf he speaks, whether these licenses are issued at Bennett Lake, just within our own territory, or issued at Dawson, 300 miles further north? The moment they go as far north as Dyea they are altogether past Victoria. That is a point which my hon. friend loses sight of.

Hon. Mr. MACDONALD (B.C.)—I think the government should be as open to conviction on this point as I am: it is a benefit to the trade of those towns. The hon. gentleman can see that if four or five steamers call at Vancouver and Victoria and a number of men land, it helps the trade of the whole country.

Hon. Mr. MILLS—We get their money when they get to the boundary.

Hon. Mr. MACDONALD (B.C.)—But the towns do not get any benefit from it. The men spend money in outfitting and in other ways, but now we will lose those benefits. But of course the government are determined to keep to their plans.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman made an important statement of which we should have more information. He says they have been in negotiation with the U. S. authorities in order to obtain certain concessions, I presume bonding privileges, by which we can enter the Yukon territory through United States ports and that it was necessary to make concessions to those of the United States who are going to that country in order to obtain some privileges in return for our concessions. Could he inform us whether, in making these concessions, he has obtained anything in return in the way of bonding or any other privileges which are incident to trade in other parts of the world, because the present regulation for granting the miners' certificates inures entirely to the benefit of the citizens of the United States, or those who sail direct by the Alaska Transportation Company's steamers from the United States ports, and if we have made a concession by which our towns and cities on the Pacific coast are deprived of certain trade which would inure to them if the old system prevailed, then we ought to know whether we have obtained anything in return ?

Hon. Mr. MILLS—My hon. friend I think assumes what would be a matter of controversy. Suppose a man goes on board a boat at San Francisco, he may sail to Dyea and get his license, after he enters Canadian territory, for the purpose of mining, if that be the object with which he is going. My hon. friend says do not issue any licenses in the territory.

Hon. Sir MACKENZIE BOWELL—I did not say anything of the kind.

Hon. Mr. MILLS—It means that or nothing : do not issue any licenses in the territory, issue them only at some point on the Canadian coast, either at Vancouver or Victoria, compel the man on board the United States vessel to run into the port of Vancouver in order to get his license. You may put him to great inconvenience in that way. There is no doubt about that. What do you gain by it ? He has his outfit before he starts. You do not in the slightest degree help the trade in any way. You only delay him on his journey and put him to a certain amount of trouble in order that he may get a licence there instead of getting one within our own territory at the end of his journey. I do not see anything in the world to be gained by that, but I do see that we lose by it. We subject a number of Americans to a very great deal of vexation and they complain to their own government, and you invite retaliation. That is one of the things, under existing circumstances, seeing that we are confined largely to the use of a route through United States territory that we think it is desirable to avoid.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has answered me very much as he did the gentleman who put the question to him just now, which is no answer at all. You have gone all round the stump, but you have not touched the point. I asked whether you had made any concessions or any promise of concessions, or was there any probability of receiving any in consideration of what you have done in order to facilitate the entrance into that country of people from the United States.

Hon. Mr. MILLS—I supposed the hon. gentleman had risen to speak to the question of my hon. friend—not to put another question to me, not to stuff into the stomach of my hon. friend's question another expression : but I may say, in reply to the question which the hon. gentleman has put, that we do expect—that we have been promised concessions, and some of those concessions have been made. We have no doubt all will be agreed to.

Hon. Sir MACKENZIE BOWELL—I object in toto to the interpretation put upon my language and to the manner in which it has been received. The hon. Minister, in replying to the hon. gentleman from Victoria, made a certain statement as to the reasons why they had adopted a certain policy, and I was not stuffing anything into his stomach because I asked him an explanation upon that point. That is all I did. He may term it controversial, or just what he pleases, but when a minister makes a statement and gives a reason for the course he has pursued, surely members of the House have a right, without being treated discourteously, to ask him a question as to these reasons. Perhaps, after the hon gentleman has been a little longer in power, he will learn to be a little more courteous.

Hon. Mr. POWER—The hon. gentleman is generally good humoured, but he probably did not hear the hon. Minister of Justice say, Yes, concessions were to be made.

Hon. Mr. FERGUSON—No, no.

Hon. Sir MACKENZIE BOWELL—No, that came after. That was said in the last speech and not in the first.

Hon. Mr. POWER—No. I understood the hon. minister to do so. He can say whether he said it or not.

Hon. Sir MACKENZIE BOWELL—My hon. friend is always ready to come to the rescue.

Hon. Mr. POWER—The hon. minister does not need any one to come to the rescue; I simply speak as a member of the House, because I feel certain the hon. leader of the Opposition would not use as energetic language as he has done if he supposed the question had been answered at first.

ALIEN LABOUR LAW OFFICERS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—inquired of the government:

Whether officers have been appointed to enforce the provisions of the Alien Labour Law? If so, who the persons are so appointed, and in what part of Canada do they reside?

He said: I may say that I had not seen the answer which the Premier gave in the other House when I put the question. Still I ask the question because it goes further than the answer which was given by the Premier.

Hon. Mr. MILLS—The following is the list of agents appointed under "The Alien Labour Act:"

A. C. Paterson	Act. Sub-Collector Customs.	North Portal, N.W.T.
H. Tennant	do do	Coutts, N.W.T.
J. A. McMartin	do do	Huntingdon, B.C.
A. Lawrence	do do	Gretna, Man.
T. J. Mather	Acting Officer	do
G. G. Allen	Preventive Officer	Emerson, Man.
W. Mills	Acting Officer	do
W. F. McCreary	Immigration Commissioner	Winnipeg, Man.
James Lawson	Collector Customs.	Fort Erie.
Robert Rush	Provinc'l Constable	Sault Ste. Marie, Ont.
Arthur Boyle	Collector Customs.	Niagara Falls, Ont.
Jas. H. Kenning	Collector of Inland Revenue	Windsor, Ont.
F. Spain		Bridgeburg, Ont.

We have had a good deal of correspondence from these parties on the subject, and the correspondence shows that the law has not been always rightly apprehended. Of course, the government, in enforcing the Act, can only enforce it in the case of contracts made out of the country with persons in a country whose law imposes disabilities similar to those for which our law provides. The Canadian statute is purely a defensive measure. It does not undertake to impose any disability on foreigners or on contracts made with labourers in a foreign country where there is no disability imposed on Canadians. It applies only to the citizens of those countries where disabilities are imposed on Canadian people.

Hon. Sir MACKENZIE BOWELL—Then no one has been appointed in the city of Toronto.

Hon. Mr. MILLS—There is no name in Toronto on the list given to me; I think however there is a party in Toronto.

REPORTS FROM COMMISSIONER WALSH.

INQUIRY.

Hon. Mr. FERGUSON—Before the orders of the day are called, I wish to remind the hon. leader of the House that some weeks ago I had a notice on the order paper asking that the government might lay on the table of this House any correspondence or report from Commissioner Walsh relating to his administration of affairs in the Yukon country, or in that section. Now at that time my hon. friend informed me that there was no correspondence. Doubtless by this time there will be correspondence on that subject. As we are promised an important measure relating to the government of the Yukon country, might I ask my hon. friend, the leader of the House, whether any reports received from Commissioner Walsh, or any other information which the government may have relating to that country, will be laid on the table of this House before the measure is brought up for discussion?

Hon. Mr. SCOTT—I may have said at that time that there was no correspondence, but shortly afterwards I made application to the Department of Interior, and they sent over all the correspondence which was not

of a confidential nature, which I brought down and laid on the table. It was not very material. It was at the time he was at Salmon River, so that communication could not be got through. I think it came down when the hon. gentleman was away.

Hon. Mr. FERGUSON—All I want is that if there should be any further information, important for this House to know, we should have it.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. KIRCHHOFFER—On the 17th March I made a motion with reference to the employment of W. H. Sowden as immigration agent, praying that His Excellency would cause to be laid before the Senate a detailed account by the Department of the Interior of the expenses allowed to W. H. Sowden, immigration agent, and the names of all persons who, in consequence of Mr. Sowden's work in the midland counties, went to the North-west, and other matters. I inquired to-day and found that no return had yet been brought down, but there are other items in the request which was made that might possibly take some time to ascertain. My hon. friend was kind enough, on a former occasion, to give some instalments of some returns which I had asked for.

Hon. Mr. SCOTT—They are all down now.

Hon. Mr. KIRCHHOFFER—I thought perhaps the hon. gentleman might not object to give me an instalment of this return. The part I am anxious about is the detailed account of the Department of the Interior of the items of expense allowed to W. H. Sowden, and I would ask the hon. gentleman, not in a captious spirit, but in a spirit of love, to allow me to have that information before the other is brought down.

Hon. Mr. SCOTT—I will apply to the department about it.

PACIFIC AND YUKON RAILWAY AND MINING NAVIGATION COMPANY'S BILL.

SECOND READING.

The Order of the Day being called :—

Second Reading Bill (F) "An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company," together with the motion in amendment of the Honourable Mr. Mills "that the said bill be not now read a second time, but that it be read a second time this day six months."

Hon. Mr. LOUGHEED said : This bill has appeared so long and so frequently on the Orders of the day that I am desirous that the House should make some disposition of it. As hon. gentlemen will doubtless recollect, in the latter end of March the debate upon the bill was adjourned, in fact the second reading of the bill stood adjourned from that time down to the present. I was careful not to obtrude the second reading of this bill during the time which has elapsed since the latter end of March on this chamber, from a desire to permit the government to announce to the country any new policy which they might have on the construction of the enterprise which at the beginning of this session they had in view, namely the Yukon road. I appreciate the importance of such an enterprise, and though differing in a very radical way from the views expressed by the government on this subject, yet I recognized the desirability of in no way embarrassing the action of the government in regard to any new policy which they might think fit to pursue in view of the late defeat which the Yukon Bill met in this House. The days of the session are approaching a close—at least I hope so—and it is therefore not unreasonable that the promoters of this bill should desire some expression of parliament in regard to whether this bill for the construction of a Yukon road should be adopted or not. Now during the time which has elapsed since the defeat of the Teslin Lake bill, every opportunity has been afforded the government to make further inquiry into the carrying out of such an enterprise as was then contemplated and to obtain such information as would be of value to the government and of interest to this House and the country in regard to a modified bill for the carrying out of that undertaking. Various questions have been asked from time to time, not only in this House but in the other branch of parliament, regarding this subject, and so far as we can ascertain no steps of a definite character have been taken by the government to secure such information as would be desirable for this House to form a judgment upon. So far as we can ascertain, the only additional step which was taken since that

time in any way to secure information—and we know how scarce information was in regard to this enterprise—was the sending of the chief engineer of the Department of Public Works to that section of the country for the purpose of making a new inquiry into this subject and reporting to his government. Now, although inquiry was made some weeks ago for the report, if any, which that gentleman had prepared, yet we were surprised to learn—I may have misapprehended the answer given by the minister—that that gentleman had not even been requested to prepare a report to submit to his government, or even to submit to this House; therefore, in view of that fact, we cannot come to any other conclusion than that we are not to receive any further information in reference to the building of this road.

Hon. Mr. BOULTON—Mr. Jennings's report had reference to this road; he made a report on it.

Hon. Mr. LOUGHEED—I might say to the hon. gentleman from Marquette (Mr. Boulton) I am aware of that fact, but during the course of the debate the very great scarcity of information on the subject was accentuated, and that with considerable force, from the fact that the only report on the route was made by Mr. Jennings, and it of necessity had to be of a very casual nature. But as I have said, ample time has elapsed between that period and the present so that definite information might be secured that this House could be seized of more valuable knowledge than at present it is seized of. Now it seems to me that two conclusions must necessarily be drawn from the delay which has taken place on the part of the government on this question since the withdrawal of this bill from public discussion, one of which conclusions is, that the government does not intend to take any further action on this subject, does not intend to bring down to parliament another bill, does not intend to enunciate any new policy on the building of a road into the Yukon district. So much time has elapsed, as I have said, as to justify us in coming to that conclusion, and to justify the promoters of this bill, even though the government may not desire its second reading to be pressed, in concluding that, as the government intend to take no further steps, they are therefore entitled to have this bill proceeded with and, if this House sees fit, to pass on its second reading. There is another conclusion that may be drawn from the very great delay which has taken place. The fact that no publicity has been given to the proposed action of the government on this subject, has not prevented vague reports being circulated around the chambers of parliament within the last few days, that a new bill is in the process of incubation and that it may possibly see the light at a very early date. Now if that be the case, one cannot fail to express his condemnation of the government remaining absolutely quiescent in regard to so important an undertaking for so long a period and not seeking to secure public proposals and tenders for carrying out so great and so important a work as the one under consideration. I say that if a new bill is to be brought down and taken into consideration, so splendid an opportunity has been given to the government to ask from the public, not only in Canada but elsewhere, for proposals for the building of this road, or to ask for tenders from contractors for the construction of the undertaking as to fill the public mind with grave apprehension as to the honesty of purpose of the government in pursuing such a policy. Now we know very well that the government at this juncture cannot urge the reasons which were so strongly urged when the Mackenzie-Mann bill was first introduced, namely, the extraordinary conditions which faced them in the opening up of that new country, conditions which threatened starvation, conditions which threatened such a plethora of trade as to paralyze commercial channels in all directions if some new channel were not opened up for the purpose of carrying the immense volume of trade that was expected to go into that country.

Hon. Mr. MACDONALD (B C.)—And also the annexation of the territory by United States miners.

Hon. Mr. LOUGHEED—And the further consideration, as the hon. gentleman from Victoria has pointed out, of that vast country becoming absorbed in the American union to the south of us. We know that all those reasons were strongly urged upon this chamber in the forcible and eloquent language of the hon. Minister of Justice and had some effect towards producing a conviction,

in some quarters, that that bill on that occasion should have been carried. Now I say that all these reasons which I have enumerated, and I have mentioned only a few of them, have disappeared; therefore none of these reasons can be urged at this juncture for the bringing down to parliament at so late a period of the session a new bill for the construction of this road which in no way has seen the light of day up to the present, and which apparently is not to be submitted to public competition in any way for proposals and tenders. Therefore I say we are driven to one of two conclusions by reason of this bill, namely, that no other bill is to be brought down or that another bill is to be brought down surrounded and invested with all the objectionable features which marked the bill which this chamber in its wisdom saw fit to pronounce against. Now, hon. gentlemen have no doubt closely looked into the bill of which I have the honour to move the second reading. It is well known that the intention of the promoters is to construct a line of railway along the Dalton trail from the Lynn Canal to a point known as the Five Finger Rapids, and within sixty miles of Fort Selkirk, which I understand has been decided upon by the government to be the centre of the Yukon district, the capital of government. It would be unwise for me to direct the attention of this House to the various reasons which have been urged by the government against the adoption of this route. This phase of the subject has been so thoroughly thrashed out in this House, has been so thoroughly investigated and so strongly pronounced against by the hon. leader of the government in this House, that I need not refresh your minds by recalling the various reasons which have been urged against the bill. Permit me, however, to say—and the government, I hope, will be quite prepared to concede the fact—that the trend of public opinion has not only pronounced against the route adopted by the government, but public opinion has pronounced most emphatically upon the desirability and the practicability of the route embodied in the bill which we have now under consideration. No two opinions have been expressed in railway circles, in shipping circles, in commercial circles, or in political circles, so far as I can ascertain, except it be from the present government, as to the desirability of this route; and we find this fact admitted by the present government. The hon. gentleman the Minister of Justice, in the reply he has made to the question of my hon. friend from Victoria, concedes that the whole trend of travel is by way of the Lynn Canal. And to such an extent do we find this to be the case that the government have concluded it to be a desirable thing to issue miners' licenses on the boundary line at the Lynn Canal, so that the immense volume of travel which is going in that way might, without going down to Victoria and Vancouver, receive the licenses which are necessary to permit them to commence operations in the Yukon country. If the hon. gentleman will peruse the various bills which have been introduced in parliament this session for legislation for the carrying out of railway undertakings in that country, he will find all those bills have in view the adoption of a route from the Lynn Canal and from no other starting point. I doubt if hon. gentlemen will find in the legislation which has been introduced in both Houses of Parliament this session any legislation adopting any other route than one starting from the Lynn Canal. I am now referring to those roads which have their objective point in the Yukon and the starting point west of the Rocky Mountains. This being the case, why, I ask, should the government pursue a policy of insisting that the only natural route for access into that country should be entirely discredited, should be ignored by this government, and that a route invested with every difficulty which one could conceive of should be adopted and that that road should be constructed at enormous expense by the Canadian government. I am certainly at a loss to understand the way in which the government intend to defend their persistence in adhering to this route, which has not only been condemned by their own officials, but condemned by the public; because I challenge any one to read the reports prepared by the officials of the government and come to any other conclusion than that the reports so made are condemnatory of the route which has been adopted by the government. I might further point out, in answer to the patriotic view which has been taken by the government, that their actions have been entirely inconsistent with the so-called patriotic motives to which they have given expression and crystallized into the Mackenzie-Mann

bill. No later than this morning we read in the *Citizen* of this city a telegram from Vancouver, B.C., as follows:

VANCOUVER, B.C., May 8.—Much indignation is expressed in local transportation circles at the action of the Dominion government in entering into an arrangement with the Boston and Alaska Transportation Company to deliver 400 tons freight, comprising stores for the Mounted Police in Yukon. This means that $8,000 of business that might have gone through Vancouver and Victoria firms has been given to Seattle.

Does this harmonize with the protestations of patriotism and of Canadian sentiment which have from time to time been so strongly enunciated by the government upon this particular question? Where do we find the Mounted Police which have been sent into that country to-day; we find them at Dyea and Skagway, not on the Stikine River route, not at Glenora, not at Telegraph Creek, not at this ocean port in the interior of British Columbia from which my hon. friend intends to start his road, but on the Lynn Canal. I care not what phase of the subject of Yukon administration you may look at and consider, you will find that the whole key to the situation has been the Lynn Canal. It has been the base of supplies for that country; it has been the portal through which all the government officials and their supplies have gone into that country. It is the base from which all the legislation originating in this House and the House of Commons starts, and it is the only portal into that country which the public have in view to-day and which the public are using. Are the public seeking admission to the country by the Stikine and Fort Wrangel, or by a port in the interior of British Columbia? I say no, most emphatically. As I have said attention is centralized on the Lynn Canal as the entrance into that country. Then, in the face of those natural conditions, why should the government persist in obstructing any enterprise, particularly an enterprise with such financial backing, because it adopts the view that is the only view, barring that of the government, of opening up transportation facilities into that vast country. I hope that this chamber may see the desirability of permitting this bill to go before the Railway Committee. As I pointed out on another occasion, when it was discussed before, it is very seldom—in fact I can scarcely recall an instance in which the principle of a private bill has been discussed in this House and the six months' hoist moved to it. On the contrary, it has been invariably the practice to permit such a bill to go before the Railway Committee, where the promoters of the bill may discuss its merits, may point out their ability to carry out the enterprise, may point out the desirability of carrying such an enterprise to a consummation. I therefore hope, in regard to this particular bill, that this chamber, in its wisdom, will see that it receives a second reading and is sent to the Railway Committee.

Hon. Mr. MILLS—I regard this bill as one of very great and serious consequence. When my hon. friend introduced it and moved its second reading before, I moved the six months' hoist. I persist, hon. gentlemen, in that motion. This bill is an extraordinary bill for many reasons. The government came down at an early period of the session with a measure upon the subject of obtaining access to the north-western portion of Canada. They undertook to secure that on Canadian soil and to control the means by which we were to obtain entrance into our own territory. My hon. friend comes down with a proposition, not emanating from this country—not in the interests of the people of this country but emanating from people of another country, and he is spokesman of those people. My hon. friend knows well that when the government scheme was before the House of Commons and this House, active measures were taken by influential people on the western coast of the United States to defeat the government.

Hon. Mr. BOULTON—Who were they?

Hon. Mr. MILLS—They went to Washington and induced the Senate of the United States to favour a proposition which was inconsistent altogether with the treaty rights of this country in the navigation of the Stikine River. That was done for the purpose of hindering and defeating and delaying the enterprise of constructing a Canadian railway through Canadian territory. I am not going into a discussion of the propriety of that measure. As a member of the administration of this country, I assumed the responsibility of approving of that measure, but a majority of this House voted against it. I did not understand by that vote that the majority of this House had committed themselves to favouring a United

States enterprise, an enterprise that would practically annex a portion of Canada to the United States. I say here, as one of Her Majesty's ministers, as a member of the House, as a loyal British subject, that I cannot reconcile the supporting of that proposition, with my duty to Her Majesty, or my duty to my fellow citizens in this country. I am a Liberal, and I trust also a loyal British subject, and I am not prepared to betray the future prospects of this country by supporting a pro-American scheme of this sort. My hon. friend says that you can gain more easy access to our territory from the Lynn Canal than you can by a route wholly in Canadian territory. I do not care to argue that question. I do not think it is of the slightest importance to the consideration of this question. If the people of the United States were a free trade nation, disposed to put the people of Canada on a footing of equality with their own people in obtaining access to that country; if we stood on a footing of equality with them and had the same privileges and opportunities in their territory that they have had conceded to them in ours for many years past, then the commercial side of the question might not be so important a matter as it is at this moment. But over and above the question of commerce there is the question of control of that territory. You will have, perhaps, by the end of this year, 50,000 people, four fifths, or possibly nine-tenths of whom will be citizens of the United States, people who have not shown any great regard for law in their own country, and who are disposed to show even less regard for law in our country. Now, I say that if you build a railway through United States territory, you will place very serious—in my opinion, insuperable obstacles to the construction of a railway in our own country. There is not likely to be commercial support for more than one railway into that country, and when a road is built, if it is constructed in the first instance through United States territory, then you have no chance or prospect, without the expenditure of a very large sum of money, to obtain the construction of a road in our own territory. You will build up a town it may be of 20,000 or 30,000 people at Dyea or Skagway upon territory that is at present in the possession of the United States, and upon which, if a town such as I described were built up, would be for all time to come a portion of the territory of the United States. Now, are we so much interested in the prosperity and greatness of that country that we are going to assist them in building up on the Pacific coast a town which, if you are to start from a point upon the coast into Canadian territory, would be built upon Canadian soil? Is a population of ten, fifteen or thirty thousand a matter of no consequence to us? Is a city of such dimensions of so little importance that it does not matter in the slightest degree whether it is a Canadian or whether it is a United States city? I do not take that view. I say we are to consider the interests of our own country first. We are to determine what we shall do for Canada first, and if by building a road upon Canadian territory we can build up a Canadian town and secure the colonization and settlement of hundreds of miles of territory leading up to the Yukon, is it a matter of no consequence to us? I believe that if you start from Fort Simpson, or further north than that if a convenient port can be secured, a railway running from our own coast, you will run through a country that is rich in minerals, a country that will be occupied by miners thousands in number, scattered the entire length of the road, a people to whom you will give railway accommodation. Establish a continuous line, a matter of some very considerable consequence, and I am of opinion that by doing so you will substantially help the province of British Columbia, without doing any injury to Canada at large. On the contrary, we will help British Columbia and we will help the rest of the Dominion at the same time. Now as between a town in the United States territory and a town in British Columbia, I have no difficulty in making a choice, and I trust that hon. gentlemen in this House will have no difficulty in making a choice, and it is my firm conviction that every vote that is recorded in favour of the project of the hon. gentleman who has moved the second reading of this bill is a vote against Canada and against Canadian interests and in favour of the promotion of United States interests on the Pacific coast. I have no wish to injure the people of the United States. I am desirous of living on terms of amity with them. I am ready to extend trade relations with them. I am ready to make just and fair concessions to them as they make just

and fair concessions to us, but I am not prepared to sacrifice the future prospects of this country, and I am not prepared to hold a portion of our own territory by the grace and sufferance of our neighbours, when I feel that we can hold that territory by the courage and self-sacrifice of our own people. That is my position and that is one reason, at least, why I am opposed to the scheme of the hon. gentleman. What reason does the hon. gentleman give for bringing this bill forward? What reason does he give for proposing to sacrifice the future prospects of those on the Pacific coast to the neighbouring republic? Why, he says, the government introduced the bill which this hon. House rejected. That is true. And the hon. gentleman says we have made no other proposition. Well, I might say in reply to the hon. gentleman, in the first place, we have had no indication from that large majority who voted on the government proposition what they would be pleased to support. Now in the United Kingdom, where something if found to be necessary and the House of Lords have rejected the proposal of the government, the Lords have indicated in what direction they think the government should proceed in order to obtain their support, but we have not, up to this moment, received from this House the slightest indication, in anything that has been proposed or said or done, that would hold out to us any glimpse of light as to the route which, in the opinion of this House, we should take. I say that has not been done. The hon. gentleman has made no proposition in that direction, but, on the contrary, he has planted his gun and pointed it at the government benches; he has threatened to fire it at us for the past six weeks, and now the hon. gentleman loads it and points it towards us and says: "you have done nothing and this is our proposition and our scheme." While I know perfectly well that this House rejected the proposition of the government and did not agree with the views which the government expressed, I have a better opinion of the loyalty of this House than to believe that it will support the scheme of the hon. gentleman in place of the one which the government proposed in the earlier portion of the session. I cannot believe that.

Hon. Mr. BOULTON—Do you believe in minority?

Hon. Mr. MILLS—I believe in being a patriotic citizen. I do not believe in being a traitor, and I feel that I should be one if I were to support a measure of this sort. To speak of monopoly, on a question of this sort, is nonsense in my humble judgment, because every railway that is built is a monopoly, except in so far as you subject it to government control, and if you build two railways with the hope and expectation that you are going to have competition, the probability is that within six months they will come to an understanding, agree upon rates, and you have just as large a monopoly as if you had but a single railway line. That has been the experience of this country during the whole period of its railway history, and it is likely to be its experience for a good while to come.

Hon. Mr. LOUGHEED—The government did not do it that way in the Kettle River bill.

Hon. Mr. MILLS—I am ready to discuss the Kettle River bill when it comes fairly before the House, and I think I can both state and defend my views upon the subject.

Hon. Mr. O'DONOHOE—I should like to ask the hon. gentleman if any progress has been reported by the committee appointed by this House to consider the subject of route to the Yukon?

Hon. Mr. MILLS—I do not know what report has been made.

Hon. Sir MACKENZIE BOWELL—There has been no report.

Hon. Mr. MILLS—I am not a member the committee, and, further than that, I may say to my hon. friend that I could not attach very much importance to a committee's report about which, so far as routes are concerned, we have absolutely no information at all. The hon. gentleman says we have not acted. We have been, he says, as silent as oysters. Why, the hon. gentleman himself is the only one, so far, of that large majority that rejected our measure who has given us any indication of what is desired, and the hon. gentleman has practically said: "I prefer Washington to Ottawa." Now, let me say that the matter of railway construction has been before the government of British Columbia, and they did not take the

view adopted by my hon. friend who moved the six months' hoist to the government measure. They think British Columbia has a substantial interest in the construction of a railway and in the construction of a railway upon Canadian territory.

Hon. Mr. MACDONALD (B.C.)—Did any one in British Columbia, either boards of trade or public meetings, endorse the granting of 4,000,000 acres of land?

Hon. Mr. MILLS—What I was about to say was that, while the subject was under discussion in British Columbia, while the legislature of that province are considering what is the extent of their interest in, and what contribution they could reasonably make towards the construction of a road that was locally advantageous to them, could it be expected that the government would come down to this House and make a new declaration upon a question under consideration in British Columbia, and upon which that government had not yet arrived at a conclusion.

Hon. Mr. MACDONALD (B.C.)—I fully agree with that.

Hon. Mr. MILLS—That is a fact which the hon. gentleman would have done well to have taken into consideration and to have borne in mind. The hon. gentleman from British Columbia asks me about 4,000,000 acres of land. Well, I did not think that that was an extravagant proposition, although the amount was really less.

Hon. Mr. MACDONALD (B.C.)—We are not discussing that now at all.

Hon. Mr. MILLS—I am discussing the hon. gentleman's interruption, and it is a perfectly legitimate subject of discussion.

Hon. Mr. MACDONALD (B.C.)—I asked a question.

Hon. Mr. MILLS—And I am going to answer and discuss the hon. gentleman's question. I will say that, so far as the land grant was concerned, it was a land grant that would, in all probability, cost those who obtained it, if they worked the mines, in labour the value of all the precious metal which they obtained. If it did not, the history of it would be wholly different from the history of the mines of California, of South Africa and of Australia. But, hon. gentlemen, however that may be, it was important, if the road was to be constructed, if the government were to obtain the customs duties upon the large amount of goods that would have been consumed there, if the people who went in there by the thousands were to have life and property made secure, that we should have ingress into the country and, so far as the government were concerned, the trade, and the revenues derived from that trade, were of far more consequence and far more importance than the land which the government proposed to place at the disposal of the company.

Hon. Mr. McCALLUM—Mr. Speaker, I think we have not got the Yukon bill here now; we had it once, do we want it a second time?

Hon. Mr. MILLS—My hon. friend has forgotten a fact—

Hon. Mr. McCALLUM—I do not forget anything.

Hon. Mr. POWER—Order!

Hon. Mr. McCALLUM—Order you, sir!

Hon. Mr. MILLS—If my hon. friend raises a question of order, I am ready to sit down until Mr. Speaker decides it.

Hon. Mr. MACDONALD (B.C.)—There is no question of order raised.

Hon. Mr. McCALLUM—Go on.

Several hon. MEMBERS—Go on.

Hon. Mr. MILLS—If my hon. friend did not intend to raise the question of order he ought not to have interrupted me. Let me say this, that so far as the question is concerned I wish to say a word—

Hon. Mr. MACDONALD (B.C.)—The hon. gentleman has not answered my question. Did any public body in British Columbia endorse the land grant?

Hon. Mr. TEMPLEMAN—They all endorsed it.

Hon. Mr. MILLS—They endorsed the government scheme; they sent different telegrams approving it.

Hon. Mr. TEMPLEMAN—Hear, hear.

Hon. Mr. MILLS—And the land grant was part of the government scheme which

they endorsed. There was not a single board of trade that made a report to the administration, or to any member of the administration, or to any friend or supporter of British Columbia in this House, or in the other House, that did not approve of the scheme which the government submitted to parliament. Let me say further than that, the hon. gentleman who proposed this scheme has discussed the subject of tenders, will he tell me of a railway constructed since confederation under the system of tender. The hon. Mr. Mackenzie called for tenders for the construction of the Canadian Pacific Railway but he obtained no response, and the government that succeeded his government in office of which the hon. gentleman who leads the opposition in this House was a member, constructed that road by a private arrangement with a syndicate and not by public tender. Why what are we doing every year? Look at the railways that have been constructed in the North-west Territories? Has there been any one of those roads constructed under a system of public tender? Have you not had men forming themselves into corporations, coming down to parliament asking for a charter to construct a road between one point and another? Let me say this, that not one of those roads has been constructed by tender. Look at the proposed Saskatchewan road, of which Mr. Sutherland had control; look at the Manitoba and North-western, the Calgary and Edmonton road, and I could name a number of others constructed all through Manitoba and the North-west Territories; you have given charters to parties, you have given so much land per mile, you have given postal subsidies for twenty years, you have given money grants; in any one of these, has any one advertisement been inserted in any public newspapers asking that tenders should be given in order to see whether somebody else would construct one of those roads for a lesser sum? Has not every one of them been constructed in this way; that men organize themselves into a company, proposing to construct a road between two points and ask for a charter, that you grant them a charter, and a subsidy of public land and public money, and postal subsidies, and you never seek to ascertain whether these roads could be constructed for a lesser sum. Has the Senate of Canada rejected any one of those propositions? Has the Senate of Canada proposed an amendment that any one of these schemes should be subjected to public tender? I say, hon. gentlemen, no they have not; they have scarcely been questioned here; they have come before this House as a matter of course, and as a matter of course those bills have been carried; and the parties who sought those charters and sought the public lands and the pecuniary aid by postal subsidy and by so much a mile, have obtained what they asked for, so far as they were enabled to carry out their schemes. But the proposition of the government met with a different fate. I am not going into a discussion of that, but I am answering the observations made by the hon. gentleman that we are censurable because we have not, at this early period, submitted a second scheme for the consideration of parliament, that we are censurable because we have not matured a measure which, for aught the hon. gentleman may know, might be under negotiation, because we have not matured a measure and asked for public tenders to see at what price, for what land grant, or for what money subsidy such a scheme can be carried into operation. Let me call the attention of the hon. gentlemen of this House to this: it has been said in the newspapers that in all probability at an early date the government of the United Kingdom and the government of the United States will be called upon to enter into negotiations for the settlement of a number of questions which are in dispute between Canada and the United States, and the settlement of which are of importance to both countries. What does the hon. gentleman propose? He proposes that, before we enter upon negotiations at all, we shall announce in advance to the people of the United States, "you need not make any concessions for permission to construct a railway from the head of Lynn Inlet, because the parliament of Canada have already made provision for that. You will get nothing for that concession, because it has already been made." Now, I say that if we were to construct such a road, if it were desirable to make a concession, of this sort to the people of the United States, it would be of infinite consequence that that matter should remain in the hands of this government and under its control in order to aid them in determining what the terms of the concessions on each side should be. Now, I think I have said enough, in reply to the observations of the hon. member, to show that it is in the interests of the

people of this country that this bill should not become law; that is, if we are to be a self governing people, if we are to remain masters of our own destinies and capable of controlling our own affairs, we cannot afford at this time to permit a bill of this sort to become law, and I am not willing that this bill shall be read a second time, and that referred to a committee; I am not willing that this House shall be committed to a proposition of this sort; but when the hon. gentlemen undertake to hold the government of this country responsible for the government of that country they will at all events not undertake to embarrass the government both with regard to its control of the country and its negotiations with the neighbouring republic to carry forward a proposition of this sort.

Hon. Mr. MACDONALD (B C)—Why did not the hon. gentleman's government last year stop two charters to build railways from the Lynn Canal into that country? The boundary question stood then where it stands to-day; there is no difference, and if the eyes of the government are opened to-day, they should have been open then to the danger of allowing those charters to be given. But it is a fact that they were given. Now, I am not in favour of this charter myself, and I would ask my hon. friend, if he sees any chance of the government taking up this matter, not to push this bill. I take exception to what he said about the eyes of everybody being now turned to the Lynn Canal as the route. The whole of British Columbia, I must say, look to an all-Canadian route from some harbour in British Columbia joining at Telegraph Creek. That must be the common point. I condemned the Stikine route; I condemn the water part of it still. It is not an all-Canadian route, and not an available route all the year round; but any road from Kitimat or Observatory Inlet joining at Telegraph Creek is about the only route we can have into that country as far as I know. The hon. Minister of Justice said—and I agree with a great part of what he said—that while the British Columbia government are trying to devise some means to help build that road, no other scheme should be put forward, that the government should have a free hand in joining British Columbia in carrying forward a through route. I would not have said a word about the Yukon country at all if the hon. gentleman had not pointed to me and saying that no public body in British Columbia ever disapproved of the land grant. I wrote to the board of trade in British Columbia and asked for a reply, but they gave no response, no approval, but passed resolutions and sent telegrams, but they carefully avoided the land grant question. The supporters of the Stikine route have been abusing me about my opinions on that route, but they said it was a matter of opinion as to whether the land grant was large or small. Well everything is a matter of opinion. The hon. Minister of Justice was patriotic just now and was talking about the benefit to British Columbia towns; but my hon. friend is going to acquiesce in a proposition which will injure those towns. He ought to see the danger of trade being carried past our towns, which will be the result of allowing all the licenses to be issued beyond the reach of these towns. I would ask my hon. friend who has charge of this bill, if he sees any chance of the government doing anything in the matter, to not push this measure. Of course the government can easily stop it in another place, and I believe there is a very great probability of the government doing so. I think it will be seen before very long who was right and who was wrong, and that the Senate of Canada has saved to this country an enormous tract of land, I have it on good authority—I won't give names—that a land grant of 10,000 acres per mile would be accepted by the contractors to-morrow.

Hon. Mr. FERGUSON—I do not feel as if I could honestly congratulate my hon. friend the leader of the House upon the tone and nature of the speech which he has just delivered. My hon. friend—he will excuse me if I say so—permitted a petulant truculant tone to pervade the whole of the speech from beginning to end. I have been told that my hon. friend has addressed the House on this question once or twice before in the same manner. When he started his speech this afternoon he complained that a majority in this House had defeated the government measure.

Hon. Mr. MILLS—I did not complain. I stated the fact.

Hon. Mr. FERGUSON—He complained that a large majority had defeated the government measure, and from that time to the present that they had not thrown a single glimmer of light in the direction of the government or anywhere else to show what they would do, or what they proposed to do in the place of the measure which they had defeated. In that statement my hon. friend was singularly unfortunate because he cannot have forgotten that very soon after the defeat of the Telegraph Creek and Teslin Lake Railway bill, a committee was moved for in this House for the purpose of eliciting information on that subject, and that that committee has had various sittings, and that men who were supposed to have infomation with regard to this subject, have been invited to appear before the committee. I learn a great deal of valuable information has been and is being obtained for the benefit of the government of which my hon. friend is a member, as well as for the benefit of this House. My hon. friend, too, in charging that there has not been anything done from this side of the House to give another measure in place of the one that was defeated, forgets that this very bill that we have before us is a proposition in that direction.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. FERGUSON—Here is a proposition from influential persons, British subjects—notwithstanding all my hon. friend has said to the contrary—nearly all of them, I think, British subjects, and all of them persons of means, asking this House to allow their bill to go to the Railway Committee, in order to show who these gentlemen are and what is their ability, and the merits of the route upon which they propose to go—all that is offered to my hon. friend free of cost. All this light and information is available, and yet he appeared, from the remarks he made, to be entirely oblivious of the fact that a committee of this House was sitting from time to time for the purpose of procuring information and light with regard to this very subject for the government. It is he and his colleagues who are doing what he says we have been doing, that is, retiring into their shell and doing nothing. My hon. friend's policy and the tone of his speech which he has made to-day, reminds me of Achilles, who retired into his tent and refused absolutely to take any part in the glorious struggle which his countrymen were carrying on at the city of Troy because he could not have his own way. My hon. friend by his own confession is somewhat in the same mood. He has retired into his tent, he is sulky, and hectors and denounces a majority of this House because they did not do something which he thought was very wise, and which the majority of this House thought was very foolish. My hon. friend in the course of his remarks indulged in a phrase—and this peculiarity is not at all confined to the speech which my hon. friend has made to-day for his friends in the country and in the press seem to be adepts in the use of misleading phrases, and they appear to have as much confidence in phrases inaccurately applied, as they used to have when they advocated commercial union and unrestricted reciprocity and asked the people to believe that they were working for free trade. They have adopted the phrase "all-Canadian route." Now they are talking of the all-Canadian route—of the unpatriotic members of this Senate who defeated the all-Canadian route to the Yukon. I confess that I require something more than the assertion of my hon. friend and his friends to convince me that the route which was proposed in the Mackenzie-Mann railway bill which this House defeated, is an all-Canadian one. We know very well, indeed the fact has been established beyond all doubt, that ocean ships cannot leave a British port such as Vancouver and Victoria and pass up that river, even if the right of navigation were of the freest possible character, without a transhipment, and that transhipment must be made on United States soil, at a United States port, and if you tranship at a United States port and moor your vessels to United States docks, they must necessarily be on United States soil and you will be contributing towards building up an American emporium at the mouth of that river. The hon. gentleman seems to ignore all this. With regard to the patriotic side of this question, which my hon. friend thinks he can make so very much of in this discussion, I think it will take but a glance to convince this House and the country that it is all on the surface. What did we find when this question first came before us—when the bill was introduced in the other House and in the Senate? We found

the hon. gentleman and his colleague here and the gentleman who introduced the bill in another place, dilating at great length on what they said was a fact, that we had not such privileges on the Stikine River as we required and ought to have—that some one had stealthily and ignorantly given away privileges and rights which we had possessed on the Stikine River. It was a most extraordinary thing to find members of a government, having to contend for those very privileges, rise one after the other and put themselves on record before the diplomats of the United States, declaring that our rights on the Stikine River were minimized and were not of the nature they ought to be and which we require. Imagine my hon. friend, or some colleague of his, going to Washington to treat on those questions! These very speeches will be in the mouths of the Americans; they will quote from the speeches made by members of the government in which they argued that our rights are of a very restricted character in regard to the navigation of the Stikine River. Then we have another extraordinary position taken by the government; they have assumed all along that Dyea, Skagway and these other places at the head of Lynn Canal are in United States territory.

Hon. Mr. MILLS—No.

Hon. Mr. FERGUSON—My hon. friend said a little while ago that there was a question in dispute between the two countries, but the whole line of the hon. gentleman's argument was that they were in United States territory. If not why is he so alarmed at the prospect of this bill building up Dyea and Skagway? It is a very extraordinary course for the government to put themselves on record, making arguments for the United States to use in discussions over this very question when that boundary comes to be determined, and all this coming from hon. gentlemen who claim to take such an eminently patriotic view of this whole question. Then, again, as throwing some light on this subject, the question is the answer to the question asked by my hon. friend from Victoria with regard to granting licenses to miners at the boundary near Dyea and Skagway. We have not been told that the same privileges are granted at Glenora. Perhaps they are, but all the information we have is that the government, of which the hon. gentleman is a member, have recognized the importance of these United States ports, Dyea and Skagway. They are providing facilities for granting licenses at these points, the effect of which will be necessarily to draw trade and population and wealth to these very towns which he talks so much about and which he urges us, as it were, to freeze out. In connection with that point I may say that the papers of to-day have this information, that the government have sent a portion of the supplies for the Yukon contingent over United States roads to United States seaports on the Pacific to be transhipped from there, we do not know where, but anyway the trade is through the United States territory. The trade is diverted to United States ports on that coast and very likely will go through to Dyea and Skagway before it gets to Canadian territory. I mention these points to show that my hon. friend and his colleagues are not consistent; that there is not even a decent garb of consistency in the course of conduct they are pursuing in regard to the question that is now before the House. My hon. friend is very anxious to go back and thresh out the whole question as to the merits of the Stikine and Teslin Lake Railway scheme, and the land grant and all these other things. I had not the pleasure of speaking on the Teslin Railway Bill when it was before the House; but I have no hesitation in saying that my views on the subject are stronger to-day than they were at the time when that bill was under discussion. I have no hesitation in saying that the Teslin Lake route is open to very great and grave objections from an international point of view. It has the difficulty of transhipment at the mouth of the river, and a chain can be no stronger than its weakest link. In the matter of commercial and international advantages, the very fact that you have to tranship at the mouth of the river brings in international complications, and the chain is not, from an international point of view, any stronger than its weakest link at that point. But the commercial and physical features are open to the same objection of having weak links. I have a statement made by my hon. friend the leader of the House only a few days ago when he was asked why Mr. Coste had gone to that country. He said that Mr. Coste had been sent there for the purpose of inquiring

into the navigability of the Stikine River, but when he reached there he found that it was covered with ice and he could not make a report on that point. It appears, therefore, that after all the high sounding talk we have heard, after the strong language which my hon. friend has used in denunciation of the majority of this Senate in rejecting that Teslin Lake Railway Bill, neither he nor his government were altogether safe about the navigability of the Stikine River up to the time Mr. Coste was sent there.

Hon. Mr. MILLS—Yes we were.

Hon. Mr. FERGUSON—Then why send Mr. Coste?

Hon. Mr. MILLS—We had reports that there were obstructions, and we were told that the possibility of their removal would be better with the ice on the river than at any other time. Mr. Coste went for that purpose, but the snow was very deep.

Hon. Mr. FERGUSON—I am very much obliged to the hon. gentleman for his lucid explanation. The hon. gentleman rises to correct what he thinks is a very erroneous impression I had, and then he goes on to tell us that Mr. Coste was sent to inquire about some obstructions or something in the bed of the river, which would affect its navigability if anything did. The fact is, this is only one incident in connection with the navigation of the river. I have in my possession a map of that river for which my hon. friend the leader of the House is responsible himself. I suppose he will not go back on it. I have here a map of the Stikine River made in 1877, in connection with the department presided over at that time by my hon. friend, who was then Minister of the Interior. It was in connection with the dispute over the Peter Martin case, and Mr. Joseph Hunter, now a member of the British Columbia legislature, was sent there by the government for the purpose of settling on a provisional boundary line and ascertaining the exact location where the capture of Peter Martin took place. This map was prepared by him and submitted to the department, which shows a shoal across the channel at the mouth of the river with only one foot deep of water over it at low tide. Then, again, further up the stream, between that and Rothesay Point, it shows only two feet of water at many places during low tide. That is the statement of the depths of water made by Mr. Hunter at that time, and this evidence we will certainly accept as being, at all events, an attempt to get accurate information, because there was no question at that time of politics, as there is now, influencing the mind of anybody. Mr. Hunter was sent there under instructions, and felt it his duty to collect all available information with regard to the navigability of the stream, as well as other matters. There was another Mr. Hunter who went there another year.

Hon. Mr. MILLS—My hon. friend is making a speech on the bill which was rejected six weeks ago.

Hon. Mr. FERGUSON—My hon. friend did not see that point when he was on his feet to-day. We cannot help speaking on that matter, because my hon. friend persists in holding it up as an ideal scheme. And because that scheme was so good in his estimation, he insists that we should consider scarcely any other proposition, while in the same breath he denounces the majority who voted against that bill for not submitting an alternative proposition, yet when he introduced the bill in this House, in the very introduction of his speech he announced that the government could accept no amendment, that the bill had either to be adopted or rejected in its entirety. Here is what Mr. Hunter, a customs-house officer who was sent up that river in 1875, says:

> Boundary post of the Stikine River, 12th May, 1894.
> I beg to inform you that I arrived here yesterday, seven days from Wrangel. The river not being thoroughly open, I had a fearful time of it.

It took seven days, you will notice, to travel 30 miles from Wrangel to the boundary post.

> The river not being thoroughly open, I had a fearful time of it. In many places it was blocked 20 feet high with ice. The snow on the banks was from one to seven feet deep.

This was the clearest possible evidence that the statements which have been made that the river is open uniformly at the 1st May is incorrect, because from 16 to 20 feet of ice was found accumulated in that river at the 12th of May, 1875, and therefore the statements we have submitted to us about the navigability of

that river from the 1st of May is not correct. It may be there are some seasons when it is open that early, and there may be some seasons when it is closed with ice later than the 12th of May. But there is another extreme weakness about the pet route of my hon. friend, so much of a pet in his estimation that he almost gets angry when anybody suggests any other way of getting to that country at all. It is true Mr. Saint-Cyr, in his report, says he left Teslin Lake on the 10th November, and that the lake was not frozen at that time. He says, however, in the same paragraph that the thermometer had ranged 44° below zero for some days. These two statements appear to me to be very inconsistent. How it was possible for a sheet of water, from two to four miles wide, comparatively still water, land locked by great hills, some 3,000 feet above the level of the sea on each side—how it was possible for water of that kind to remain open with the thermometer ranging 44° below zero, I cannot understand. All that has been claimed for the Stikine River is that it has been opened five months in the year. The head waters of the Stikine at Glenora are only 500 feet above the sea level. Teslin Lake is 2,500 feet above the sea level. There is an advance in altitude from the water of the Stikine River until you reach Teslin Lake of 2,000 feet. It is still water, as I said before. It is altogether 200 miles from Telegraph Creek before you are far into the lake—200 miles further north. Here you have 2,000 feet greater altitude, at a point 200 miles further north, and still water, and hon. gentlemen ask us to believe that Teslin Lake will remain open as long as the waters of the Stikine River that are so much lower in altitude and latitude and flow with such velocity. The fact is the bill was conceived under a great lack of information—I would almost say ignorance.

Hon. Mr. MILLS—The bill before the House?

Hon. Mr. FERGUSON—The bill was sufficiently before the House for my hon. friend to discuss it, and discuss it at a great length, and now he asks, is the bill before the House.

Hon. Mr. MILLS—I did not discuss the bill at all.

Hon. Mr. FERGUSON—I do not know what the hon. gentleman would call discussion. He went over it—the land grant as well, he told us that every board of trade, every public body in Canada, that had communicated with the government had committed themselves to the government scheme.

Hon. Mr. MILLS—All I said was in reply to a question by my hon. friend from Victoria.

Hon. Mr. FERGUSON—The sentence I am now quoting was said in reply to that, but the House knows very well that the hon. gentleman went over every phase of the question, and now he becomes exceedingly restless when he finds something advanced which does not altogether agree with his pre-conceived views of the question.

Hon. Mr. MILLS—My hon. friend, instead of making a speech on the Yukon bill, went down to Prince Edward Island to carry an election, and now he comes back victorious.

Hon. Mr. FERGUSON—As the hon. gentleman did from Bothwell. What I say here will be heard in Prince Edward Island, and I speak with that object in view, and I am not at all averse to it being heard in Bothwell as well. When I speak in this House I try as well as I can to advance my general views, irrespective of locality altogether. My hon. friend refers to an election in Prince Edward Island. I suppose the point of the remark—which I suppose is altogether pertinent to the question before the House—is the fact that that election went favourably to the government.

Hon. Mr. MILLS—No. My hon. friend lost his opportunity of speaking on the bill and takes the opportunity now.

Hon. Mr. FERGUSON—My hon. friend has the advantage of me, for he has made his speech three times in this House this session. My hon. friend went into the question of the manner of constructing this road as well. He says he did not discuss it, but I think some hon. gentlemen in this House will remember that he discussed the question of the manner in which the contract was entered into, that he said it was just similar to all railway contracts.

Hon. Mr. MILLS—I said nothing about it.

Hon. Mr. FERGUSON—My hon. friend is very uneasy. It is hard to get him down to terms.

Hon. Mr. MILLS—The hon. gentleman who moved this bill says the government were to blame for not having advertised for tenders if they contemplated any scheme, and I was answering that portion of his speech and it had nothing to do with the bill of the government.

Hon. Mr. FERGUSON—Indeed; and my hon. friend thought it of sufficient importance to go into a general justification of the manner in which the government awarded the contract.

Hon. Mr. MILLS—Not at all.

Hon. Mr. FERGUSON—My hon. friend will insist upon being his own interpreter, but we must be allowed to interpret for ourselves now and then. The general trend of his argument was that the manner in which the government let that contract did not differ materially from the manner in which all other railway contracts had been let since confederation. He went on to say that tenders had not been called for in any instance. He referred to Alexander Mackenzie having invited tenders for the Canadian Pacific Railway, and not having received any. I know that every mile of railway that was built in Prince Edward Island was built by tender. Tenders were called for by the provincial government, and in the building of some eleven miles of railway by the Dominion government in 1884 in Prince Edward Island it was let by tender. My recollection is very distinct that the government of Sir John Macdonald, in dealing with the British Columbia portion of the Canadian Pacific Railway, let by tender sections of that road. We remember Onderdonk's section, and while the government in building the British Columbia section did not let the whole of it in one contract, called for tenders and let it by divisions. My hon. friend tries to lead the House into believing that the manner in which McKenzie and Mann's contract was let was on all fours with the way the government was proceeding in chartering other railways, but I do not think there will be found in the legislation of Canada any parallel for this extraordinary contract which my hon. friend made with regard to the Teslin Lake Railway. We remember very well that it was made in secrecy, no public offers were solicited. Indeed, when the announcement was first made that this contract had been made, a great deal of surprise was expressed even by the supporters and friends of the government all over the country. It was different altogether from the ordinary way of letting contracts in the Dominion of Canada. We are for instance, now proposing to charter a railway. That is the first initiatory step. Was any such initiatory step taken in the case of Mackenzie and Mann's proposed railway? It is possible they may have got a British Columbia charter through another party, but there was no right given by this government, except what was given by the defeated bill, and in connection with giving them a charter we were going further and proposing to settle the consideration to be awarded to these contractors for building the railway. All that was proposed. It was very different from the course which has been pursued by the parliament of Canada with regard to other roads all over the country. With regard to the charter now proposed to be given, I think that hon. gentlemen will see it is our duty to advance this bill another stage. We should certainly send this bill to the Railway Committee. It will then be ascertained what these gentlemen propose to do, and whether they are willing to build a railway without governernment aid or subsidy. That fact has been elicited this year before the Railway Committee of the House of Commons with regard to the Kettle River Railway, and it was very satisfactory to the country when it was found that different parties were willing to build that railway without a subsidy. It may be when we go into committee on this bill that similar information will be elicited. For my own part, I cannot see that there is any question of national importance involved in connection with it. If, however, that should appear, the Railway Committee is just the place to have it inquired into. We can then have gentlemen before us who can give precise information upon all these subjects. It would be well for members of the government to be there, and if they find there is any diplomatic reason against granting the charter the committee would be willing to hear them. I do not think it

would be right for this House to refuse to advance this bill and give it a second reading and send it to the Railway Committee. After that has been done, if it is found that the government have a measure maturing to deal with the question, which will better carry out the object which this bill has in view, to obtain a good Canadian commercial route to the Yukon, which will give us all we require, so much the better. But my hon. friend moves the six months' hoist. He is unwilling that this bill should go to the committee where we could get all this information. With regard to the bonding privilege, I have heard my hon. friend and his friends in this House talk about that question at various times during this session, but I cannot see the force of the argument they are trying to advance upon that question. To my mind the bonding privilege at that place would be assured. I cannot see how or why it should not. The Americans have a Yukon country which was, up to a few months ago, considered to be very much more valuable than ours. It may be yet as valuable as ours. It may be a stampede will take place from one side of the line to the other. At any rate the United States people have important interests there—as important as our interests, probably, in their estimation. They are as anxious as we are to get a route to the Yukon. If the route thence by Pyramid Harbour and Fort Selkirk and ultimately by rail to the Yukon is the best commercial route there, it is the best for them as well as the best for us, and they would be most willing—it would be extraordinary if they were not—to give the bonding privilege over 20 miles of territory which they are in possession of and which may be ours some day, according to the Canadian claim. At any rate they would be willing to give the bonding privilege for that 20 miles in consideration of obtaining the bonding privilege for 400 or 500 miles of our territory. By this route we would have deep water to Pyramid Harbour. We would get clear of all the rapids of the Hootalinqua and other difficulties. We would strike the Yukon River after the waters of the Pelly joined with the Lewes, make it a strong deep stream, and to reach Dawson City would be only a matter of 300 miles more. That is from Fort Selkirk to Dawson City. All these matters would come out. Hon. gentlemen lay a great deal of stress upon a railway starting from a port of British Columbia. I admit that if the other difficulties were not too great, that would be a very important consideration, an object that we should have in view, but we must consider the fact that it is 1,100 or 1,200 miles from a British Columbian port to Dawson City, that there is a grave doubt about the navigabllity, even in the summer time, of some of the streams between the Yukon and Teslin Lake; in view of the fact which is undeniable that these waters will be frozen about two-thirds of the year, some of them I think two-thirds of the year, if that country is going to be reached commercially it will have to be reached by railroad if it is as important as many think now. A railway from a British Columbia port would be almost as long as a railway from Edmonton. My hon. friend has never referred to an eastern route to that country at all, but the more I consider this question, the more strongly I am of opinion that the proper commercial route for the Yukon country for Canadian purposes, should have for its point of departure Edmonton or some place in the North-west Territories.

Hon. Mr. PERLEY—Hear, hear.

Hon. Mr. FERGUSON—That is if we are to have a purely Canadian route. Any route that has its opening from the Pacific Ocean will give the United States people a great advantage. Take the matter of flour. We have a duty of 60 cents. That duty is a great deal more than overbalanced by the difference of freight which Canadians have to pay on flour from the North-west in going to that country by the Pacific Ocean, as compared with the United States people coming from Portland or Seattle where there is a wheat growing country.

Hon. Mr. MILLS—After that you vote for this bill.

Hon. Mr. FERGUSON—If my hon. friend is willing to undertake the construction of a road 1,100 or 1,200 miles long I think he ought to turn his eyes to the eastern route, because it will be admitted that that is the best all-Canadian route which could be suggested. If we are going to have a route from the Pacific coast at all,

we cannot ignore geographical considerations entirely, and from the head of the Lynn Canal these considerations are very important as compared with any other place, and Canadians would benefit as well as United States people would. It would be no use for us to punish Canadians by forcing them to adopt that perilous, uncertain route by Teslin Lake and over the Hootalinqua rapids and all that way to force them under the strength of a monopoly to carry their provisions over that route for five years, simply because of the gratification of feeling that we were punishing United States citizens as well as the Canadians. These are all matters of inquiry before the Railway Committee of the Senate, but my hon. friend does not want to have these subjects inquired into. He appears to be satisfied with that one gigantic effort of his colleague, the Minister of the Interior, the Teslin Lake scheme, which a very able and distinguished member of the cabinet described in the House of Commons as a huge gamble. This huge gamble of my hon. friend appears to be the beginning and the end of his efforts to get access to this country.

Hon. Mr. MILLS—We do not require a committee for that.

Hon. Mr. FERGUSON—My hon. friend told us we had to open our mouths and shut our eyes and swallow the contract. That is not the way to get information upon a question of this kind, but the government were supposed to get information. Have the government given any evidence to us since the question came up that they themselves possessed information? What did we find? We found they sent Major Walsh to that country as a commissioner clothed with very great powers, and they have gravely informed us that they sent him without any written instructions, at any rate we could not get any written instructions which they gave him. He was a long time up there. I am told there is some kind of return being brought down giving some information from Commissioner Walsh, but I believe it was so unimportant and insignificant that scarcely any member of the House took any notice of it and I fear very much when it will be examined it will be found to contain no information at all. Now, while the members of the government are averse to our going into committee on this bill for the purpose of getting the promoters of the bill before us, and getting all this information, they have absolutely refused to give us any information upon the subject if they possess it themselves. Considering all these matters I think it would be our duty to go into committee on the bill to hear all that can be said in favour of it, and for my part, if the government bring down a good sensible measure that will meet the difficulties of the situation and the demands of that country, I will be most happy and delighted to withdraw any support I am now giving to this bill, and to give the government measure every consideration. But the session of parliament is drawing to a close, and the government are not doing anything, they are not moving; they have not said they are going to do anything, but still they appear to stand in the way of anything else being done for the purpose of affording communication to that country. This does not at all accord with the professions which they made in the early part of this session, of the great urgency of this question and the importance of the measure which they submitted being accepted almost without challenge on account of that.

Hon. Mr. O'DONOHOE—It is but a short time since this House appointed a very strong committee to consider the subject now under discussion, to consider particularly the various routes that would lead into the Klondike country. It does seem to me that we are more or less premature in considering any bill upon this subject until a report of that committee is made to the House. From what I can hear, a vast amount of information has been received by that committee, and I understand that only a couple of days will elapse before they shall have made their report. Now it does seem to me that this House should let this matter stand until its own committee has reported, and if that committee make a report which will be acceptable to the House, to the country, and probably to the government, it will be much more satisfactory than to engage ourselves in the discussion of any bill of a private nature. I do not rise for the purpose of discussing the merits or demerits of this measure at the present juncture, but simply to say that, in my opinion, in the face of this House appointing a committee to examine the question of

routes and report, that the present bill should stand over or be withdrawn in the meantime.

Hon. Mr. BOULTON—I rose at the same time as my hon. friend who has just preceded me (Mr. O'Donohoe) to draw the attention of the House to exactly what he has already drawn your attention to. Since this bill was before the House on a previous occasion the Senate have appointed a committee for the purpose of inquiring into the routes into the Yukon, and they have obtained a large amount of valuable information that will be accepted by the government, I have not the slightest doubt, so far as it goes. I hope to put the House in the possession of the report of that committee on Wednesday if it is possible to get it prepared and the committee to sit upon it for that time. For that reason I think it would be desirable that the debate on this question should be postponed until the Senate has been put in full possession of what the committee has to bring before them. The Senate has thrown out the Yukon Railway Bill, and, as the hon. gentleman who preceded me from the other side of the House said, the country justifies the Senate in the action which it took upon that occasion. Now, the Senate, in order to put itself before the country in a proper way, appointed this committee, and it would be desirable that we should adjourn this debate at any rate until next Monday in order to give the Senate an opportunity of ascertaining what the report of the committee may be, and how far its recommendations may affect the bill before the House. For that reason, and with that idea, I move that this debate be adjourned until next Monday.

Hon. Mr. McCALLUM—I disagree with the hon. gentleman altogether about postponing this bill, for this reason : if the committee has got any information to give the House it will come in due time. The hon. gentleman forgets that this is a Senate bill ; if the government of this country do not choose to accept the report of that committee, and pass this bill, it is in their power in the other House not to allow it to become law. We know they have a large majority over there. If it suits them they will put it through, and if they do not they will have the information which the committee will give them, and if they think that we have pointed out a better route they will accept it. If not, they are not obliged to accept this bill. They can do what they like. When my hon. friend feels satisfied that the government will take the route that the committee recommend.

Hon. Mr. BOULTON—I did not say that.

Hon. Mr. McCALLUM—I am not so satisfied about that. Therefore, there is no harm at all in sending this bill to the committee ; it will be some days before it comes back to us, and the report of the committee will have been brought before this House before this bill is through the committee. If the report is favourable and the government want to adopt it, they have the power in their own hands to defeat this bill in the other House. My hon. friend said that we took the whole matter out of their hands. I do not want to take anything out of the hands of the House of Commons ; I want them to have the right and responsibility which pertain to them, and to discharge what they conceive to be their duty to this country. Instead of taking it out of their hands for one, I want to put it in their hands ; I want them to be responsible ; I want to send this bill over there, and if it is favourable, if they have not got a better scheme, they can take this or reject it as they think best. We have heard about starving people in the Yukon country. That cry has disappeared now. That was the ostensible object of forcing that Yukon railway bill through before. I do not want to discuss the Yukon bill, because I think that is dead and buried several feet down never to be raised again, and I hope such a bill will never be brought into this chamber in the future. I suppose we can have confidence in the committee, and if the government have not got a better scheme, we will put amendment in this bill requiring the company to commence operations immediately, so that they can relieve that awful starvation in that country which we have heard so much about. But if the government think proper not to allow this bill to pass after it goes through this House, it is a matter in their own hands ; so there is no use in delaying the disposal of this bill. Either send it to the committee at once or adopt the unusual course proposed by the Minister

of Justice, and vote no confidence in the Railway Committee as well as in this bill. I want to leave the responsibility with the government, to let them make a choice. It is merely to cause delay, as I look at it, to ask us to wait for the report of the committee that is inquiring into routes. I do not want to say what that report will be; I am pretty well satisfied what it will be; but at the same time I want the government to have two strings to their bow, I want them to have a choice between two as far as this Senate is concerned. I question very much whether they will take either of them. They may have some other scheme, but whatever scheme they have, I hope they will advertise for tenders and let the work to the lowest bidders. They may not bring any bill down at all, because they have been defeated on this Yukon deal. You can see they loved it very much, in fact they were married to it; they would not allow it to be altered in any way, and it showed what great disappointment they felt because the Senate thought proper, in the interests of the country, to defeat the Yukon bill. You see what great disappointment my hon. friend, the Minister of Justice showed to-day because he did not get through that iniquitous bill. I hope my hon. friend will withdraw his motion to adjourn the debate and dispose of it now.

Several Hon. MEMBERS—Six o'clock! six o'clock!

Hon. Mr. McCALLUM—It is time to dispose of it now. I want this bill to go to the House of Commons and then the report of the committee would follow it and they would have to make a choice. Let us not embarrass the government in the other House; let us give them all the chance in the world. They are responsible to the people and let them take the responsibility. We threw out what we considered a bad scheme, but it does not follow that we are at war with them. We should do what we can to assist them in every way possible to govern this country. I am ready to do so. I have no party feeling at all in the matter. I am here, independent, to do what I believe is right and just in the interests of this country, and I hope my hon. friend will withdraw his motion and let us dispose of this question now.

Several members—Carried! Lost!

Hon. Mr. McCALLUM—Take the yeas and nays.

Hon. Mr. LOUGHEED—Let us have the yeas and nays and call in the members.

The House divided on the amendment to the amendment, which was rejected on the following vote:—

CONTENTS:

The Honourable Messieurs

Bellerose,	Macdonald (P.E.I.),
Boucherville, de	Macdonald (Victoria),
Boulton,	O'Donohoe,
Casgrain,	Ross,
De Blois,	Temple,
Dever,	Templeman,
Dobson.	Vidal.—14.

NON-CONTENTS:

The Honourable Messieurs

Aikins,	McKindsey,
Almon,	McLaren,
Baker,	McMillan,
Bolduc,	Merner,
Bowell (Sir Mackenzie),	Mills,
Clemow,	Perley,
Ferguson,	Power,
Fiset,	Prowse,
King,	Reesor,
Kirchoffer,	Scott,
Landry,	Snowball,
Lougheed,	Wark,
Lovitt,	Wood.—27.
McCallum,	

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Dever,	Power,
Dobson,	Reesor,
Fiset,	Scott,
King,	Snowball,
Lovitt,	Temple,
Macdonald (Victoria),	Templeman,
Mills,	Wark.—18.

NON-CONTENTS:

The Honourable Messieurs

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Almon,	Macdonald (P.E.I.),
Baker,	McCallum,
Bolduc,	McKindsey,
Boulton,	McLaren,
Bowell (Sir Mackenzie),	McMillan,
Casgrain,	Merner,
Clemow,	Prowse,
De Blois,	Ross,
Ferguson,	Vidal,
Kirchhoffer,	Wood.—23.
Landry,	

The bill was then read the second time.

THIRD READINGS.

Bill (M) "An Act further to amend the Companies Act."—(Hon. Mr. Mills.)

Bill (64) "An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company."—(Hon. Mr. Templeman.)

Bill (93) "An Act respecting the Canada Atlantic Railway Company."—(Hon. Mr. Clemow.)

SECOND READING.

Bill (77) "An Act to incorporate the Toronto and Hudson Bay Railway Company."—(Hon. Sir Mackenzie Bowell, in the absence of Hon. Mr. MacInnes.)

BILLS INTRODUCED.

Bill (105) "An Act respecting the Montreal Island Belt Line Railway Company."—(Hon. Mr. Bellerose.)

Bill (69) "An Act respecting the Kingston and Pembroke Railway Company."—(Hon. Mr. Clemow.)

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 10th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government to the following answers given, one by the Hon. Mr. Scott, Secretary of State, on the 2nd day of May, 1898, the other by the Hon. Mr. Mills, Minister of Justice, on the 25th day of April, 1898, to the following question :—

Hon. Mr. LANDRY inquired :

1. Whether the present government or the Prime Minister, or any member of the present administration, has had, directly or indirectly, or is having, directly or indirectly, any negotiation, either with the government of Manitoba or with any member thereof, or with the Catholic religious authorities of Manitoba, on the subject of the question called the Schools Question ?

"Hon. Mr. MILLS—I may say, in answer to my hon. friend, that the government have not had any negotiations with the government of Manitoba, or with the Catholic religious authorities in that province, on the subject called the School Question, nor has it authorized any members of the government to hold any such negotiations. (25th April, 1898.)"

"Hon. Mr. SCOTT—The present government had a conference with the representatives of the government of Manitoba, and they came to an agreement which was confirmed by the Manitoba Legislature, and that is the end of it, so far as the public are concerned. (2nd May, 1898.)"

And inquire in what answer is the truth to be found ?

Hon. Mr. MILLS—Hon. gentlemen will notice the excessive politeness of this question. The hon. gentleman wishes to know whether the hon. Secretary of State or I told the truth to this House in reply to his question. I can tell my hon. friend that we both spoke the truth. My hon. friend the Secretary of State was speaking of one period of time, and I of another. My hon. friend referred, in his answer, to the communications between certain members of the government and the government of Manitoba, which led to the legislation in Manitoba. That was a well ascertained fact upon which I did not suppose for a moment that the hon. member was putting a question. I supposed the hon. gentleman's question, as I understand it now, to refer to what transpired after that Act had become law, and I stated then—and I have no reason to doubt the accuracy of the statement I made—that the government had not any negotiations with the government of Manitoba or with the Catholic religious authorities in that province, on the subject called the school question, nor has it authorized any members of the government to hold any such negotiations. I was speaking of what transpired after the legislation was passed in the province of Manitoba.

Hon. Mr. LANDRY—I am really glad to accept the explanations given by the hon. member. If there was a controverted fact, it was this question I put, and I see that when the facts are controverted the hon. member gives an answer, but when they are not he cannot give an answer.

THIRD READING.

Bill (102) "An Act to incorporate the Montmorency Cotton Mills Company," as amended.—(Hon. Mr. Ogilvie.)

ST. JOHN BRIDGE AND RAILWAY EXTENSION COMPANY'S BILL.

THIRD READING.

Hon. Mr. DEVER moved the third reading of Bill (78): "An Act respecting the St. John Bridge and Railway Extension Company."

Hon. Mr. POWER—I propose to move the amendment of which I have given notice. Perhaps it is desirable that I should briefly explain to the House the position of this matter. This St. John Bridge and Railway Extension Company was incorporated in the year 1881 by the legislature of the province of New Brunswick. In the year 1883 the company applied to the Government of Canada, and the government agreed to advance a sum of money not exceeding in the whole $500,000; and the government of that day introduced a bill into parliament, in the usual way in which money bills are introduced, by message from His Excellency the Governor General and by resolutions in the House of Commons, upon which the bill was based; and the government were authorized by this bill to advance money to the company to the extent of eighty per cent of the cost of the work as it proceeded, the whole amount not to exceed $500,000. The company were to have the right to repay the advances and interest at any time within fifteen years from the date on which the first advance was made. The fifteen years will expire during the current year. The third clause of the schedule to that chapter 26 of the Acts of 1883 provided that the government might, if it were found advisable, take possession of the bridge, railway and appurtenances at any time within five years from the date on which the first advance is made, on payment of the difference then due for advances and interest on the same and the total amount expended by the company, and ten per centum on the total so expended. In the original Order in Council with respect to this company, the government were allowed to take over the work at any time within fifteen years, and it will be seen that by the new Order in Council, embodied in this Act of 1883, the time was limited to five years. That is very much to be regretted, because this bridge is one of the works which the government should have taken over. Then the company were to pay interest at the rate of 4 per cent on the amount advanced to them by the government, and the government's claim for these advances was to form a first charge, a lien, and to be secured by a mortgage on all the property, real and personal, of the company. Then there was a provisi on that if they did not pay the interest the government might take possession. The interest was to be computed at the rate of 4 per cent per annun. So that in 1883, and probably within the next year after the passing of this Act, the government, as I understand it, advanced to this company sums amounting in the whole to about $480,000, upon which the company have been paying interest at the rate of 4 per cent. The company also, under statute passed by the legislature of New Brunswick, issued debentures to the extent of $125,000, bearing interest at the rate of 6 per cent. As I understand it—I may be mistaken about that—the work has paid the interest on these debentures also; and I understand, further, that most of these debentures are held by the members of the company.

Hon. Mr. BOULTON—Are they a prior claim to the government's?

Hon. Mr. POWER—No. Their claim was to be a second lien after the government's lien. Now, the fifteen years for which these bonds of the company were to run, and during which the government lien was to hold, having expired, the company come to parliament for an extension of time for both purposes. I do not find any fault with those gentlemen. It is only reasonable, I suppose, that they should be allowed, as they are allowed by the first clause of this bill, to issue new bonds for a sum not exceeding in the whole $125,000. I have some doubt (but that is not a question for this House now) as to whether the rate of interest should not be lower than it is. It is a rate not exceeding six per cent per annum. At the present time, the success of this work having become assured, I do not think more than five per cent should be paid. However, that is, perhaps, a matter for the company, and not for parliament. The third clause of the bill provides for securing these debentures by mortgage, and then goes on to say:

That the rents and revenues of the company shall be subject, first, to the payment of any penalty imposed for non-compliance with the requirements of the Railway Act, respecting returns to be made to

the Minister of Railways; and, also, that such mortgage and the bonds and debentures secured thereby, shall be subject to the mortgage given by the company to Her Majesty, to secure advances made to the company by the Governor in Council under the provisions of chapter 26 of the statutes of 1883 of Canada; and provided also that all such advances made by the government of Canada under the last mentioned Act shall be and remain a charge and lien upon the property of the company conveyed by the said mortgage, prior to any mortgage made under the authority of this Act, or any bonds or debentures issued hereunder.

Now if the clause had stopped there no one would have been disposed to quarrel with it or find fault with it, but it does not. The clause ends with the final important words:

Until or unless the government of Canada shall otherwise agree or consent.

Now it will be seen that there is there, if not a direct, at least an implied authority to the government of Canada to postpone the government's claim on this work to the mortgage securing these bonds or debentures, or possibly to remit the claim altogether. I may say in the first place that I think this provision is unconstitutional. How that provision could have got through the House of Commons and the committee of the House of Commons without attracting attention is something I cannot understand; but hon. gentlemen know that it very frequently happens that little things do escape the notice of the members of the House of Commons and have to be dealt with here. The probabilities are that they were not supposed to be any politics in this bill, and consequently the members of the House of Commons were not particularly on the watch, or did not scrutinize the measure with the care which they would otherwise have manifested. The proviso to which I refer is, as I say, unconstitutional. That provision which authorized the government to remit the claim held by the people of this country on this public work for the amount of $480,000, could constitutionally have been adopted by the House of Commons only when recommended to that House by a message from His Excellency the Governor General. I presume the hon. leader of the opposition or any one who has had experience in government, will not deny that. Then there has to be a resolution of the House of Commons based on that recommendation, and then we should have a bill based on these resolutions. That such a provision as this should appear in a private bill, and that it should never have been considered in the way a money bill should have been considered, is remarkable, and it just shows what a useful purpose this House can sometimes serve. I do not think it is necessary to enumerate the sections of the British North America Act which deal with this matter. Section 53 says:

Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

Section 54 provides that it shall not be lawful for the House of Commons to adopt or pass any vote, resolution, &c., that has not first been recommended to that House by message of the Governor General in the session in which such vote, &c., is proposed. So I think the constitutional point is quite clear. Some hon. gentlemen might, perhaps, say that while any bill imposing a tax cannot be introduced in any other way, that a bill which proposes to release a claim can; but the authorities show that that is not the case. I am not going to trouble the House with references, but reference to Todd's "Government in the Colonies" and his "Parliamentary Government in England," will show that that is the case. The remission is in the same position as the imposition. So hon. gentlemen, I do not think it necessary to trouble the House any further on this point. I think the case is perfectly clear, the constitutional point is clear; and then, as a matter of policy, hon. gentlemen must all feel that there could be no more unwise or vicious policy than that of authorizing the government to give away the property of the people of this country without directly consulting parliament on that question. The proper and constitutional way is to have the proposed measure recommended by His Excellency, and dealt with in the usual way in which money bills are dealt with in the House of Commons, and I might say that, while what I say now may appear to reflect somewhat on the government of the day, my own impression is that the government were not any more aware of this peculiar provision in this bill than members of both Houses generally were. Perhaps they should be, but no one would look for such a provision in a private bill; though it is wonderful that the members of the Railway Committee of the House of Commons did not discover it. I therefore move:

That the said bill be not now read a third time, but that it be amended by striking out all the words

in the third clause after "hereunder" on line tw nty of the second page.

Hon. Mr. SCOTT—The facts stated by the senior member for Halifax are correct. The loan made by the government was for the period of fifteen years, which expired, and I presume those words were added to enable the government to extend the time to take a new mortgage, because I understand an application for a renewal—

Hon. Mr. MACDONALD (B.C.)—It might mean more than that.

Hon. Mr. SCOTT—I do not think so. I do not share the alarm of my hon. friend to the same extent. It is to remain a charge and lien on the property unless the government shall otherwise agree or consent. The meaning is that the government could insist now on the payment, or could give them an extension of time. That is no doubt what was in the mind of the person who drew the clause, and it would be rather straining the position to say that the government would, or could, release a mortgage for $480,000 on which parties were paying interest, and on which, under the terms of this bill, they recognized their responsibility and made a first charge for the $125,000 authorized to be issued as a renewal of the former mortgage. The mortgage still remains and the government would have no power to release that mortgage unless it was paid, and could not possibly do it. It would amount to a fraud on the part of the government. I have no doubt the words were put in there to enable the government to extend the time. I understand an application has been made to the Finance Minister, and as they are paying four per cent there would be no objection to doing it. I do not put any stress on the words and so do not care whether they are there or not.

Hon. Mr. VIDAL—I think the bill requires to be amended, either as the hon. senior member for Halifax suggests, or by adding at the end of the clause "unless the government shall otherwise agree to extend the time".

Hon. Mr. SCOTT—That will do.

Hon. Mr. WOOD—I do not profess to be an authority on the constitutional question which the hon. senior member for Halifax has raised, but it does appear to me as if the position he has taken is correctly taken, the arguments which he has used prove conclusively that, at all events, these words in the bill must be entirely harmless. The hon. gentleman, if I understand him correctly, has stated to the House that no measure for the payment of moneys, nor any measure for remitting an amount of money due the government from any private source, can become law unless it is introduced by a resolution from the government, and afterwards by a bill. I am inclined to think, so far as I understand our constitution, that the hon. gentleman is quite correct in that, and if he is, the insertion of these words certainly give the government no power whatever to remit to the company under any circumstances, the amount of the lien or mortgage which they have on this work. The object which the company have in view, as I understand it, is to make provision in this simple way, in case of any change in their financial arrangements, to be able to make that change without being obliged to come back to parliament and have the expense and trouble of passing a private bill through this House, and the interests of the country will be quite safe, in a case of this kind, from the very fact that the principle exists in our constitution which the hon. senior member for Halifax has pointed out, that the government will be obliged to bring in whatever legislation may be necessary to perfect these changes on their part, and pass it through the House before the changes can go into effect; but with this simple clause in the bill, the company, on their part, will be enabled to give their assent to those changes without coming back to the House for any further legislation. I really do not see any ground for apprehension, so far as this clause in the bill is concerned, and I cannot think that the hon. member is right in assuming that the government in the other branch of the legislature did not fully consider this matter and the Railway Committee, did not consider it as well. That bill was carefully looked into by the Minister of Railways—at least so I am informed—and he saw no objection whatever to the words which the hon. gentleman has referred to. I hope this clause in the bill will not be altered. I really do not see any necessity for it, and unless some necessity can be pointed out, it is not desirable at this stage of the session that it should be sent back to the Commons.

Hon. Mr. DRUMMOND—The very fact that it is a doubtful point and arguable on both sides of the question, honestly and fairly, seems to be a sufficient reason for this House deleting these words. I am told the promoters of this bill disclaim—and we have just heard an argument in that direction—any intention that they should bear the interpretation put upon them by the hon. senior member for Halifax ; but we all know perfectly that if the question is at all debatable, if there is any doubt about it at all, no mortal man can foresee in what direction or to what extent the objection may take actual force in practice. I, for one, think ambiguity of every kind should be deleted from every bill, as far as we can possibly do so, and it is the function of this Senate to guard and watch with the greatest care, and put out every phrase and clause which admits of ambiguity, or which would confer upon any government whatsoever such power as this may reasonably be expected to confer. I therefore support the proposal to delete these words.

Hon. Mr. SNOWBALL—This bridge, as has been stated, has received a large amount of aid through loans from the Dominion government. In looking at the returns, so far as we have them, of the cost of the bridge, the loan certainly covers the larger portion of it. This undertaking is under the General Railway Act in force in Canada, but I fail to find anything in the returns showing us what the earnings of this bridge are. Before the company comes to parliament and asks us to extend that loan for a further period, they should be able to show us what security they have to offer. We know they have paid interest at four per cent, but the bridge is always wearing out, and circumstances are changing.

Hon. Mr. WOOD—We are not asking to extend the government loan.

Hon. Mr. SNOWBALL—Should we not have some information about the road? There is no report of this road and has not been for some time.

Hon. Mr. WOOD—This is one of the leased lines of the Canadian Pacific Railway.

Hon. Mr. SNOWBALL—When a line is leased, is there any provision that it shall make no returns ?

Hon. Mr. WOOD—It is included in the returns of the other road.

Hon. Mr. SNOWBALL—It may be so. We know nothing about what the earnings of this road are and what the lease is, and we should have some information as to how long the earnings of this road are likely to continue, which we would be able to do if we knew what it was earning. Unless we have something in the shape of an annual return from this company, I shall direct the attention of the government to the fact in order that such return may be made.

Hon. Mr. DEVER—I have no interest in the bill excepting as a citizen of St. John and knowing the gentlemen comprising the company. Two insinuations have been thrown out in this debate that I feel should not be accepted by this House. The first is that gentlemen comprising this company would be so dishonest as to try to obtain money from this government without giving value. If they knew the gentlemen comprising the company as I do, they would not for a moment entertain such a thought of them. One of them is a leading judge of our Supreme Court, and others merchants of long standing. And secondly, even supposing they were not honest, is the government of Canada going to throw away the public moneys of the country to these men? These men were trusted by a former government and appointed to high offices in the country, and therefore it is not likely that they would be guilty of dishonesty. When this bill was placed in my hands, in the absence of the hon. gentleman from Westmoreland, I thought it was my duty to obtain the best legal advice I could. I made application to members of the government in whom I had entire confidence. The Minister of Railways, one of the soundest lawyers in the country, I have reason to believe, was of the opinion that this amendment did not affect the security at all. The government are amply secured whenever they choose to realize upon the amount of money loaned to this company. Therefore, under those considerations, whilst I do not care whether the amendment be carried or not, I think out of courtesy to the House of Commons and to the committee of that House, and in deference to the knowledge of the several legal gentlemen who pro-

nounced that this bill was satisfactory, we should allow it to pass; but I leave it in the hands of the House.

Hon. Mr. CLEMOW—As I view this matter the government are now in possession of and hold the first mortgage on the property.

Hon. Mr. SCOTT—Not in possession.

Hon. Mr. CLEMOW—Well, they hold the first mortgage.

Hon. Mr. SCOTT—Yes.

Hon. Mr. CLEMOW—I do not see why they should give up that lien and allow other parties to take advantage of it. It is true they can sell the property, but subject to the lien the government have upon it. Under this clause they could dispose of that mortgage for any amount of money they thought proper. Is it advisable to place that power in the hands of any government? That is the question, and it is a simple one. They can foreclose that mortgage to-morrow, if they desire to do it. At present they are in possession of the mortgage to its full value. I do not think it is right to dispossess them of it, or give a possible chance of the government interfering in anyway. At the committee meeting I think the understanding with the government was that they intended to realize on the mortgage all they could, and allow the second mortgagees to come in and buy it.

Hon. Mr. SCOTT—No, the transaction was this: the $125,000 bonds are now overdue, and the holders of them wanted to get a renewal for fifteen years. They come to parliament with this bill for that purpose, and they specially provide that it does not disturb or interfere with the government, and they have applied to the government to allow this mortgage to stand at the rate of four per cent. All the interest has been paid regularly.

Hon. Mr. CLEMOW—But still I think it ought to be beyond all doubt that the government retain their security as first mortgagee under any circumstances, and they should have no power to dispossess them of that property until their full mortgage is paid.

Hon. Mr. SCOTT—Nor have they power.

Hon. Mr. CLEMOW—"Or unless the government of Canada should otherwise agree or consent"—what does that mean?

Hon. Mr. BOULTON—It must strike the hon. members of this House that this is, to say the least of it, weak legislation, it is imperfect legislation when a clause of that kind is put in. We are dealing with what this bill now practically renews, the government lien, the amount of $480,000 which has always been a good asset. These new holders want to raise $125,000. They occupied, prior to this bill, a second place; this bill opens the way to give them the first place.

Hon. Mr. SCOTT—No, nothing of the kind.

Hon. Mr. BOULTON—It looks like it.

Hon. Mr. OGILVIE—There is not a word to that effect.

Hon. Mr. BOULTON—I do not say the bill does so provide; it gives the government power to make such an agreement. If this bill did not provide for the renewal of the first lien, and that legislation had come from the government in order to secure themselves again, parliament would have control over this particular question, but this bill provides for a renewal. There is no necessity for the government asking for further legislation upon the first lien, because they have it and they have it under this bill. But this bill has an ambiguous sound in it in the words referred to in the amendment, that is to say "until or unless the government of Canada shall otherwise agree or consent." Consent to what? Consent to make those bonds of $125,000 more valuable.

Hon. Mr. SCOTT—No.

Hon. Mr. BOULTON—I am not prepared here to say what is right, but as the hon. member of Kennebec (Hon. Mr. Drummond) says, if it is a debatable point, if there is any doubt upon the question, we ought to remove the doubt by expunging all those words. There can be no harm in taking them out, and there can be no value to the company in having them in.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. BELLEROSE—I cannot see that these words in the bill give the govern-

ment any power to change the position which the company holds towards parliament in the lease. The words that are in the bill do not give power to the government to overrule constitutional law. They give it power only to act under the present Act and under the constitutional law; so I do not see any danger about that; but, on the other hand, I must admit that I do not see the use of those words standing as part of the bill. The company have made arrangements which have been carried into effect by the law of parliament. Should the company wish to change their position after having made an arrangement and the government having submitted to parliament those changes, parliament would be at liberty to accept or refuse. Such is my opinion, and for that reason I shall vote to strike out the words referred to.

Hon. Mr. MILLS—This question has been discussed as though it were a government measure and as though the government had some interest in keeping these words in the bill. This is a company's bill and in it are proposals made by the company. There is no proposal here made by the administration and the government have no interest in the world in keeping these words in the bill.

Hon. Mr. PERLEY—I did not imagine they had.

Hon. Mr. MILLS—Let me say further, that I think there is some misapprehension as to what the powers of the Crown are in a matter of this sort. With regard to the exercise of executive authority, the Crown possesses its power just as much as private individuals possess control over their estates. The Crown, so far as the executive government is concerned, where parliament has not intervened, may create a new department or may decide what the functions of that department is, may distribute the executive authority for the purpose of carrying it out as it thinks best in the public interest, just the same as any private individual might make arrangements for the management of some institution of which he was proprietor. Now the Crown, with regard to the property that is vested in the Crown, possesses exactly the same power, except in so far as there is express limitation by parliament, as any private individual has over his estate. The Crown may make a good and valid title to property that belongs to the Crown; it may make such conveyance as it sees proper, so long as the conveyance is made in conformity with the law. A large portion of this whole continent has been conveyed away by the Crown in that way, simply as any other proprietor could make a conveyance of property that is vested in him. As I understand it—I have not looked at the bill but I am stating the general principle—if the Crown takes a mortgage upon property, the Crown's interest in that is precisely the same as that of any private individual who took a mortgage upon such property, and it may dispose of that mortgage in conformity with the law, it may deal with the matter precisely the same as any individual.

Hon. Sir MACKENZIE BOWELL—Not without power from parliament.

Hon. Mr. MILLS—Yes, unless parliament witholds or restricts the power. The power is inherent; it does not need to be conferred; it is power which the Crown possesses, but if parliament chooses to intervene in the legislation and limit that authority, then of course parliament has a perfect right to do so. It does so on the assumption that Parliament, consisting of two Houses that are Counsellors of the Crown, are superior to the Privy Council of the Crown. Now, the principle in regard to a matter of this sort is that if the Crown were to deal with this kind of property in any way inconsistent with the public interest, the administration would be responsible, not the Crown, and the administration would be censurable by either House or both Houses of parliament for any act of misconduct in dealing with the estates or properties of the Crown which are held in trust for the benefit of the public. Now I see no reason in the world for retaining those words. I would say, from reading the concluding portion of this section, that the parties—the company interested in this Bill—propose to deal with the Crown perhaps with regard to a part payment in order to alter the manner in which the securities are held. What they say here is:

And provided also, that all such advances made by the government of Canada under the last mentioned Act shall be and remain a charge and a lien upon the property of the company, conveyed by the said mortgage prior to any mortgage made under the authority of this Act, or any bonds or debentures

issued hereunder, until or unless the government of Canada shall otherwise agree or consent.

The company may have had in view a part payment to the government; they may have had in view a diminution of the amount of their indebtedness to other parties; they may have wanted to secure a diminution of the interest; they might think that if they largely reduced the amount of their indebtedness, it would not matter as to the order in which the securities stood. All this may have been in contemplation by the company; they may, for the purpose of enabling them to deal with greater freedom with the government, may have proposed this provision. I may say to hon. gentlemen that if the Crown have not the power, it is not a power they desire to exercise in this case; they have no intention of exercising it if the words remain in the bill; they are perfectly willing that these words shall be struck out, because they do not expect to deal with this except with the approbation of parliament.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman mean us to infer that the government would have the power to reduce the interest on these mortgages bearing 4 per cent without the consent of parliament?

Hon. Mr. MILLS—The mortgage is overdue; I know no power—

Hon. Sir MACKENZIE BOWELL—That is not the question I asked. I understood the hon. gentleman to say that the members of the company might have had certain things in their mind when they placed these words in this clause, and among others he mentioned the reduction of the interest. What I ask is this: Whether the Hon. Minister of Justice desires to convey the idea to the House that the government, without the sanction of parliament, would have the right to reduce that interest from four per cent to any other percentage?

Hon. Mr. MILLS—My hon. friend puts me a question, but my hon. friend will see that I said nothing about what the government had in their mind; I said what the company have in their mind. The government had nothing to do with the bill. I do not understand that any member of the government was consulted with regard to the provisions of this bill. But if my hon. friend asks me, supposing there should be no restrictive legislation, no express restraint put on the administration, have they power to deal, I say the government have always before their mind the view that parliament will sanction their exercise of the power. Supposing, for instance, that this mortgage had been taken at a period when money was worth ten per cent, and supposing, now that the mortgage is overdue, that the parties propose to pay it off, and that the government did not want to receive the money, and they were to agree to take a new mortgage at five per cent or at four per cent or at any rate that was reasonable, my hon. friend does not suppose that the government would not have power to make such an arrangement.

Hon. Sir MACKENZIE BOWELL—Yes I do.

Hon. Mr. MILLS—Then I differ from him. I say the Crown has a proprietory interest in the mortgage, and in that respect it does not differ from any other individual except that being a corporation it acts through its executive.

Hon. Sir MACKENZIE BOWELL—I take issue with the hon. gentleman in the latter part of his statement. If the government has loaned money at 10 per cent, and that mortgage falls due, the mortgagor has the right to pay off the amount. If they do not the government have no right to make a new loan without the sanction of parliament.

Hon. Mr. McCALLUM—They get the sanction in this.

Hon. Sir MACKENZIE BOWELL—This is a loan to this company of $400,000.

Hon. Mr. MILLS—It was.

Hon. Sir MACKENZIE BOWELL—And is still a loan, because it is not paid, and it will continue to be a loan till it is paid. If that company desire to pay off the mortgage they have a perfect right to do so, but what I say is the government, I mean the executive of the day, has no right to dispose of public funds by making a new loan to that company of $400,000 at three per cent or any other percentage, without first obtaining the sanction of parliament. If

they do so they do it on their own responsibility as an executive, anticipating the sanctioning of their act by parliament. Governments have entered into contracts which have not been approved of by parliament, and consequently they have been of no effect. The only point in this case is simply the question as to whether the government would have any power, under the words in this clause, of the character the hon. gentleman has indicated? Those who are interested, that is the company, might desire to accomplish one of the objects that he indicated, and, as has already been said, it is so full of ambiguity it is much better that the words should be struck out. If the intention of the promoters of the bill were those which were indicated by the hon. Secretary of State, they should have said so, and not left parliament in a position to put a dozen different interpretations on the clause.

Hon. Mr. WOOD—If I understood the argument of the Minister of Justice right, it upholds my own contention as well as the contention of the senior member for Halifax, and the contention of the leader of the opposition, that these words in this bill confer on the government no new power whatever. Whatever powers they have, they possess either as a matter of right or by virtue of some other legislation. My view is that they are simply there in case of a sale of the property or any new lease or arrangement to enable the government to enter into an arrangement with the company without coming back to parliament for legislation. I should like to know if I am correct on that point, because if I am it removes a misapprehension which is in the minds of the hon. gentlemen from Ottawa and Montreal and some other hon. gentlemen, that we are by this clause giving the government some new power to deal with this company.

Hon. Mr. WARK—I did not intend to take any share in this debate, but a little explanation to the House might not be amiss. This is a work that ought never to have been undertaken by a company. If there is any undertaking in Canada that deserves to be made a public work, this is one. The Intercolonial Railway came down to within a quarter of a mile of where the bridge has been built, carrying mails and passengers from the whole of Nova Scotia, Prince Edward Island and eastern New Brunswick, and even travellers from the eastern parts of Canada. It brought them down to the banks of the river, and there they had to stop and get out of the cars to cross the river. The traffic had all to go by ferry, but there was a private bridge where coaches could take passengers over. On the other side there was a railway coming in that collected all the traffic from western New Brunswick and all the mails and travellers from the United States, and when they came to the bank of the river at this point they were stopped in the same way. There was no undertaking, perhaps, in Canada that deserved better to have been constructed as a public work than this bridge, and it was a great mistake that a company was ever organized to construct it. But a company was organized and we have here the conditions on which this money was loaned. At the time this loan was made, although New Brunswick had two representatives in the government and Nova Scotia had two, the representatives of New Brunswick at that time were too modest to ask to have this done as a public work, and they were very glad to get a loan at four per cent, while in Nova Scotia there was six or seven millions of dollars expended at that time on public works at the public expense. If the present government would take this bridge over they would be perfectly justified in doing so, and remitting the debt to the company. As we are situated there now we have the company collecting about eighteen thousand dollars a year from the public, while all these public works of Nova Scotia are free. There is a bridge with a draw, as the hon. gentleman from Halifax may remember, at the Grand Narrows which was constructed and has ever since been maintained at the public expense, while this bridge company at St. John is collecting eighteen thousand dollars a year from the public and handing it over to the government. We have now a representative of New Brunswick in the government that I think will look more sharply after the interest of his province than those who preceded him, and I hope his two colleagues here will support him if he, on some future occasion, brings forward a proposition to have the government take over this bridge and make it a public work.

The motion was agreed to and the bill was read the third time and passed.

TRADE MARK AND DESIGN ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (61) "An Act in further amendment of the Trade Mark and Design Act." He said: This bill was up on a former occasion and was postponed. Some hon. gentleman wanted further explanation, and it was suggested that the opinion of the Department of Justice should be obtained. I think on analysis it will be found that the language of the section conveys pretty clearly and accurately the intention of the bill and the object of the person who drafted it. It practically means that all marks adopted by any union of workmen shall be considered and known as trademarks as far as that association or union is concerned, that any union of workmen can adopt and register a trademark. The hon. Minister of Justice was present I believe and heard the members of the unions and may be able to give their explanations. I move the second reading of the bill. I may say that this is not a government bill. It was taken up by me, as I explained before, by mistake.

Hon. Sir MACKENZIE BOWELL—But the hon. gentlemen fathers it now; it is his adopted child.

Hon. Mr. LOUGHEED—It looks very like it; the Minister of Justice has been consulted and the bill is here.

Hon. Mr. BOULTON—This bill requires a great deal more consideration than we are able to apply to it on a second reading. In fact, I feel inclined to move that it be postponed *sine die* for further consideration. As I understand this bill, it is from the trades union organizations to have a special trade mark for their own purposes. It is not to provide that in case trades union men desire to form a company in order to prosecute their work as if they were one individual, in which case they would be perfectly entitled to any trade mark or design that is open to any joint stock company in the country. They would come under the general law and could employ any mark that they desire; they could be a distinct organization and manufacturing concern, or anything of that kind, just the same that anything of that kind is. The law, I fully agree, provides for trade marks and designs in all cases of that kind, but this, as I read the bill is not the purport of it. The purport of it is to allow trade unions to force their employers to use their trade mark in order to emphasize the fact that the work of that employer has been done by union labour.

Hon. Mr. SCOTT—Oh no, that is not the meaning of it.

Hon. Mr. BOULTON—That is my understanding of it. I have gathered my understanding of it from what has taken place in Toronto as I have observed it in the public press. This has been a great question in the city of Toronto; in fact, I believe that the election of councillors was run somewhat on the line of this legislation, and a by-law was secured in the city by the trades unions for the purpose of carrying out in the city of Toronto the principle of this legislation. That by-law was only carried by a majority of one, but it is, so far as it has been put in force by that majority, the law in the city of Toronto that all public documents or all public printing, or anything of that kind must have the mark of a trade union. It was severely contested, and as I have stated one of the opponents of this very legislation was hotly opposed, but he was returned and the by-law was brought up and carried by a majority of one. My reason for opposing this bill is that I do not think there is sufficient public opinion behind this legislation to warrant us in putting it on the Statute-book without further consideration, and without further discussion in the public press on the merits or demerits of the principle. There is no one who has greater sympathy with the labouring men in their efforts to raise the standard of their calling than I have. But at the same time I only sympathize with them to the extent that they constitute what I might call defensive measures. The very moment they attempt aggressive measures, then I think we should inquire very closely as to the legislation they desire for that purpose. As hon. gentlemen know perfectly well, I am opposed to the principle of monopoly, and this bill is conceived in that principle, and whether that monopoly should come from a congregation of men or from the great Canadian Pacific Railway, so long as I think there is monopoly in it, I consider it against the welfare of the citizens of Canada and of the country generally that

that spirit should be allowed to grow. There is no greater tyranny than that engendered by a congregation of people or a joint stock company. The old saying is that they have no soul to be burned or body to be kicked, and a congregation of trades unionists is very much on the same principal when they seek legislation that gives them the powers which this bill proposes to confer according to my reading of it. Now, supposing any one is carrying on a manufacturing concern, or a printing establishment, or anything else, this bill requires that in that manufactory or printing establishment the trades unionists shall have the right to put their work upon the goods to show whether that establishment employs union men—so that they can distinguish those employers who are employing strictly union men or non-union men. That is a principle that is not safe. It is a spirit of boycott. If the bill has any such meaning, it is a dangerous provision to put on our Statute-book, and for that reason I think it is desirable to have a further consideration of this measure and allow the public to discuss it more generally in its details. If the public, through the ordinary means of communication, the press, and other ways, think it is a harmless measure, I think this House may then give it favourable consideration ; but when a bill is brought here without any public discussion of any kind or description, and contains the provision which I have explained to the House, I think it is wise, in the interests of the trades unionists themselves, who certainly do not want to weaken the sympathies of the public by any aggressive legislation of this kind, as well as in the interests of the legislation of this country, that the consideration of the bill should be postponed. I therefore move that the consideration of this bill be postponed *sine die*.

Hon. Mr. ALMON—May I ask the hon. Secretary of State what benefit they expect to derive from the bill if it passes? Because I have not heard of any benefit.

Hon. Mr. MILLS—I think this is a somewhat heroic course to adopt towards an amendment asked for by a large section of the community, the labouring classes. I do not see that the proposed amendment to the Act interfers with the right of anybody. All these men ask by this bill is the privilege of marking articles with their trade mark. That is all that is provided for in the bill. The legislation is exactly the same as the legislation of the United Kinddom upon this subject. It is neither more restricted nor more comprehensive. If hon. gentlemen will take the trouble to read the bill they will see that that is all that these people asked for. Where members of the Trades Union or Labour Council are engaged in any factory, or any manufactory, they ask for the privilege, of course with the consent of the proprietor.

Hon. Mr. BOULTON—No, no.

Hon. Mr. MILLS—They certainly could not do it without his consent nor could we authorize them, and if that is the objection of the hon. gentleman he can remove that doubt.

Hon. Mr. MACDONALD (B.C.)—We cannot reply to any arguments now; the motion was carried

Hon. Mr. MILLS—No; it has not been put.

The SPEAKER—I put the motion but did not declare it carried, because the hon. gentleman was rising to speak.

Hon. Mr. MILLS—The hon. gentleman is in the wrong in this as in other matters.

Hon. Mr. MACDONALD (B.C.)—I thought it was carried.

Hon. Mr. MILLS—And what do these men ask for? The members of their union are exclusively employed in the production of particular articles, and they ask that the goods may be marked with their trade mark. This is not a proposition that they can mark the goods without the consent of the proprietor.

Hon. Mr. DRUMMOND—What do you make of the expression in line 12? Not only does it apply to goods manufactured by the association, but "compounded, produced or packed by or through the labour of any of the members of such association." The description of it given by the hon. gentleman from Shell River is strictly accurate.

Hon. Mr. BOULTON—Not a co-operative society, but working for an employer.

Hon. Mr. MILLS—But they may mark the goods with the consent of the proprietor.

Hon. Mr. DRUMMOND—There is nothing about that in the bill.

Hon. Mr. MILLS—We cannot so far interfere with property and civil rights as to give one man the privilege of marking another man's goods without his consent. All that these parties are asking for is that nobody else shall use their trade mark—that the proprietors shall not use their trade mark without their consent; when any goods are marked with that trade mark it will show that they are the production of members of this society. The bill does not go beyond that.

Hon. Mr. DRUMMOND—I think it goes a long way beyond it. I share the views of the hon. gentleman from Shell River (Mr. Boulton) that if an association or union of working men are engaged themselves in the manufacture of any goods, they are as much entitled to a trade mark and to retain that trade mark as their own property as any other combination of proprietorship, such as companies or private individuals. But if you put into this bill words which extend that power and enable them to claim that, having bestowed their labour in the production of such goods, they are entitled to mark it with some special mark of their own which will carry its consequences much further, you are transgressing the very principles you yourself laid down.

Hon. Mr. FERGUSON—Is this a government measure?

Hon. Mr. MILLS—No, it is not.

Hon. Mr. FERGUSON—I may say this measure has been slightly discussed on two or three occasions, and I do not think it has come before the House in a proper manner. It deals with a very important matter of trade and commerce, and it should really come to us as a government measure.

Hon. Mr. ALLAN—Hear, hear.

Hon. Mr. FERGUSON—When it came up in the first instance the name of the Hon. Secretary of State was attached to it, and he told us frankly that it was rather a mistake that his name was connected with the bill. I notice that from that time my hon. friend has been acting as a very cold foster father, and it does not seem that the government are very strong in support of it. In fact, the conduct of the member of the government who has been connected with it, and the way in which he has treated it time and again, indicate that he is not very enthusiastic in regard to it. I think, therefore, we should allow it to lie over until the government can consider it, and if they are prepared to deal with it we can have a measure from them.

Hon. Mr. MILLS—My hon. friend is ready to send to a committee for their consideration matters of much greater importance than this, and to dispense with responsible government in connection with them. Now it is proposed to read this bill a second time, and the committee of the whole House will have an opportunity to consider it, and if my hon. friend thinks that the bill interferes with the right of any party, it would be the easiest matter in the world to add the words: "Provided always that no mark shall be put upon the goods without the consent of the proprietor." The objection then would be entirely met.

Hon. Sir MACKENZIE BOWELL—Then you would create a row between employee and employer. I think the House has a right to take a stand on this bill one way or the other.

Hon. Mr. SCOTT—We are supporting the measure.

Hon. Mr. MILLS—My hon. friend opposite takes no position.

Hon Mr. POWER—I have no objection to the substance of the bill, but to form, and I had hoped that the Department of Justice would have taken some action in the way of improving the form of the measure. As I stated on a previous occasion, the passing of this measure is likely to lead to some confusion. The object of this bill does not come within the purview of the chapter respecting trade marks and industrial designs. If the Minister of Justice will give me his attention I will try to make that clear to him. Section 4 of the Trade Mark and Design Act says:

A trade mark may be general or specific, according to the use to which it is applied or intended to be applied by the proprietor thereof:

(*a*) A general trade mark is one used in connection with the sale of various articles in which the proprietor deals in his trade, business, occupation or calling generally.

This mark, which is intended to indicate that a certain article has been made by a man who was a member of a given trades union, does not come under that general head.

(b.) A specific trade mark is one used in connection with the sale of a class of merchandise of a particular description.

That is to say, Bass's ale, Burk's porter, and so on. The trade mark for goods of that kind is a specific trade mark. The mark which this bill wishes to have recognized as a trade mark is neither one nor the other. It is a different thing. I do not myself see that there is any very special objection to parliament given recognition to marks selected by trades unions, if that is thought desirable, but I do not think that these marks should be confounded with trade marks, which are intended for a different purpose altogether. Section 12 of the Trade Mark Act says:

The Minister of Agriculture may object to register any trade mark in the following cases.

It gives several cases and paragraph B is:

If the so-called trade mark does not contain the essentials necessary to constitute a trade mark properly speaking.

Should the bill go into operation, it would be the duty of the Minister of Agriculture to refuse to register a mark of this kind, on the ground that it was not a trade mark.

Hon. Mr. MILLS—If there was no law authorizing it.

Hon. Mr. POWER—The object of the Trade Mark and Design Act is not the object of this bill. I think it would be a perfectly reasonable thing to say "With the consent of the proprietor of the factory, members of the trades union shall be allowed to place such marks on the goods which they manufacture as will identify those goods," but I do not think I should call that a trade mark, and I do not think it is good legislation to describe it as being a trade mark, because it does not come within the scope and our purview of the Act respecting trade marks. I think we might amend it in committee.

The House divided on the amendment which was agreed to on the following division:—

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Hon. Mr. POWER—I call attention to the fact that the hon. gentlemen from Kennebec (Mr. Drummond) and Alma (Mr. Ogilvie) were not in the House when the question was put.

The SPEAKER—Their names will be struck from the vote. The amendment is carried.

DEPARTMENT OF GEOLOGICAL SURVEY ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (114) "An Act to amend the Act respecting the Department of Geological Survey."

(In the Committee.)

Hon. Mr. SCOTT—The object of this bill, as was explained on the second reading, is to enable the minister at the head of the Geological Survey branch of the government to appoint, from time to time, temporary men without their having qualified under the Civil Service Act. They must have the qualifications required under the Act organizing the department, and those qualifications provide that any one so appointed must be a scienced graduate of a Canadian or foreign university or science school in London or some other recognized school, or a graduate of the military college.

Hon. Mr. BELLEROSE, from the Committee, reported the bill without amendment.

FISHERIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (127): "An Act further to amend the Fisheries Act."

He said: The amendments referred to in this bill are in a sense important, but they are amendments that are bound to be actually necessary from the practice of the department. In clause 14 the only change is with reference to the running of fish between the times indicated in it. As the law stood, it only affected those persons who held licenses, and it ought to apply to persons whether they hold licenses or not. So the words in this clause are: "Whether under license or not." And the word "apparatus" is introduced in order to give a wider meaning to the various appliances that are used. Subsection 19 of section 14 is new.

Hon. Sir MACKENZIE BOWELL—That takes the power out of the hands of the minister.

Hon. Mr. SCOTT—It widens the application of the Act. Then the changes in clause 18 are simply with reference to the penalties. There was a range of penalties first, second and third offences, in the law as it stood; it commenced at $20 and was an increasing penalty. The other clause is rather larger and embraces all kinds of fish. I will give a fuller explanation when the bill is before the Committee.

Hon. Mr. CLEMOW—I have no doubt this is a very necessary and important bill, and I hope the government will find some means of carrying out its provisions. Lately, as you know, we passed an Act in reference to a matter that has been in agitation in this parliament for the last eight or nine years—I allude to the pollution of our rivers. That Act came into force on the 1st of May last, and is a dead letter today. Some of the mill owners, at any rate, are throwing sawdust and refuse from the mills at Ottawa into the river the same as they did before the law was passed. Now there ought to be some action taken to enforce any Act of parliament. This Act is, no doubt, most desirable, and one that will be productive of great good; but if there is no provision for carrying out its provisions, should it be allowed to be a dead letter as it is in the present instance with respect to the Ottawa River? I think that it is the duty of the government to see that the Act is enforced, as well as all Acts on the Statute-book. The pollution of this river is under the very eyes of the government of this country, and that they have not taken any means to prevent it. It is certainly deplorable to think that an Act passed, as this has been, under a variety of circumstances should be allowed to remain a dead letter. It shows that the parties who are polluting the river are determined to frustrate any Act of this Parliament, and to defy the people of this country. It is a disgraceful thing that it should be allowed to continue one day longer. I take this opportunity of bringing the matter prominently before the notice of the government in order that they may take the necessary means to enforce this law. Ample time was allowed the mill owners to make provision for the extinction of this nuisance, because the nuisance has existed for the last twenty-six or thirty years within the knowledge of the government, and so after eight or nine years' agitation, the evil ought to be remedied, I hope and trust that not an hour will be lost by the government in enforcing this law. What is the use of passing laws here unless we make provision for their enforcement? I suppose I may be told that when we pass laws our duty ends, that is the duty of other parties to carry them out; but in this instance the duty rests with the government. I am told that these parties contend that the government had no right to pass the measure referred to. Well, the sooner we know whether we have the right the better. Let us understand the thing thoroughly.

Some years ago an Act was passed by parliament to prevent the polution of rivers, but the government from time to time introduced amendments to exempt certain rivers, among them the Ottawa, from the operation of the act, and thus prevented the law being carried generally into operation. I hope this will not occur in this or any other matter, because it is the duty of every government to enforce the laws on the Statute-book without preference to rich or poor. The hon. Secretary of State knows perfectly well the ruin that this has been to our magnificent river.

Hon. Mr. SCOTT—The law prohibiting the polluting of streams has been in force since the 1st of May, and it is in the power

of any private prosecutor to take proceedings against any person who infringes the provisions of that Act. This bill now before us is not, perhaps, germane to the subject to which the hon. gentleman has referred, as it relates to an entirely different subject. However, if I am correctly informed, all the mill men on the Ottawa River, except one, have erected cinerators for the purpose of consuming the sawdust, or have made provision for disposing of it in some other way. I have no doubt there will be guardians among the private citizens of Ottawa who will see that the river is not polluted in the future, whether the government take any action or not.

Hon. Mr. CLEMOW—I do not believe this action should be left to any private individual. It is the duty of the government, I contend, and they ought to fulfil their trust; and it is not right to ask any individual to become an informer, because we all know there is a strong feeling in this and every other country against informers, and I again call upon the government to see that the provisions of the act are enforced, and if they do not take action, the people of this country will hold them responsible for such neglect.

Hon. Mr. MACDONALD (P.E.I.)—There is scarcely a session in which we have not had some legislation introduced for protecting the fisheries of the country, but if that legislation is not in force it is very little use for us to be passing acts respecting it. We know that there have been various acts passed for the purpose of protecting the fisheries, more especially the lobster fishery, which is a very important industry in this country, and notwithstanding those acts limiting the time within which fishing is to be carried on within the Gulf of St. Lawrence and the waters of the Dominion, the time is frequently extended by the authority of the minister at the head of the department, and therefore the acts are made null and void, and the lobster fishery, which, as I have said, is a very important industry, is ruined. Now, it is very well for us to introduce legislation of this kind here, but if the government is to continue suspending regulations which are made under acts of parliament, it is time that we should look into it very closely and see that those acts are enforced. The act to prevent the pollution of rivers with mill refuse is not the only one which has not been enforced according to the terms of the law, for the various acts which have been passed respecting those fisheries are in the very same position; and, although we are making very stringent regulations here, I doubt very much whether they will be enforced more effectively than the laws already placed on the Statute-book.

The bill was read the second time.

THE GREAT NORTH-WEST RAILWAY COMPANY'S BILL.

CONSIDERATION OF COMMITTEE'S AMENDMENTS.

Hon. Mr. CLEMOW moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours, to Bill (L) "An Act respecting the Great North-west Central Railway Company.

Hon. Mr. KIRCHHOFFER—I was present at the meeting of the committee on Friday last when this subject was under discussion. I then raised the point that while the rights of the bond holders and Charlebois, under the bill which was then being discussed, were fully protected, the various other claims against the railway are being cut out entirely. I called the attention of the committee to that fact, and also to the fact that I then held in my hands the claims of certain gentlemen who are residents of this city, one of whom is J. R. Devlin, whose claim is $33,000 and another, W. A. Allan, with a claim of between forty and fifty thousand dollars, and that those large claims by the passing of this bill were being legislated practically out of existence, and I asked the committee that they should insure that the claims of Mr. Allan and Mr. Devlin should be sufficiently protected as well as these others. I gathered from the expression of the committee that they were entirely in accord with my views, but I have been informed that an amendment was introduced after I left the committee room, whereby the very fact which I wished to guard against was actually carried into execution, and a number of claims, in fact all except those of Charlebois and the bondholders of this road, are legislated out of existence.

Hon. Mr. MACDONALD (B.C.)—Who incurred those debts?

Hon. Mr. KIRCHHOFFER—That is not a matter we have anything to do with.

Hon. Mr. MACDONALD (B.C.)—That is just the thing we have to do with.

Hon. Mr. KIRCHHOFFER—We have nothing to do with the validity or non-validity of the claims. What we ought to provide against is that no claimant, no matter what position he may occupy, shall have his claim legislated out of existence. That is all I ask. Now, for the benefit of some hon. gentlemen who may not be acquainted with the working of this road, I may state that it has been in litigation now for the last fifteen or sixteen years, and during that time it has assumed changes of a protean character. There has been a constant series of litigation. You can hardly pick up a newspaper in which you will not find a reference made to a judge or an application to a master of some court or some other official in reference to this matter. No doubt all of us have had experience in the course of our lives of the cost of legal proceedings. If we knew the cost of this litigation it would make our hair stand on end.

Hon, Mr. DEBOUCHERVILLE—About $40,000.

Hon. Mr. KIRCHHOFFER—I do not think that approaches what the cost has been in connection with this litigation. There were suits brought in one court and another, and judgments were appealed against and reversed, and finally the matter got to the Supreme Court where a judgment was given which placed a certain number of the contestants in charge of the road; and then it was taken to the Privy Council and the result was the reversing of the judgment given here, and putting a lot of other people in charge. I may say that I have been informed that it took the Hon. Mr. Blake, who represented some of the contestants in this case before the Privy Council, the space of six weeks before he could get thoroughly to understand what was the line of argument he was to adopt before the Privy Council. In the face of all this, a committee of this House composed very largely of laymen, all men of excellent judgment and ability, no doubt, but lacking in professional and technical knowledge to understand these matters, are asked to adjudicate upon this complex and abstruse matter and the result has been that by an ingenious amendment framed by the solicitor for the promotors of this bill, the very fact which the committee themselves, I learned from the chairman, were really anxious to guard against, has been carried into effect, and now with the exception of the claims which I have named and which are specially recorded in the bill all the other claimants of whatever nature have been legislated, or will be if this bill is passed out of existence. I may say in reply to the remark of my hon. friend from Victoria that we have nothing whatever to say as to the validity or non-validity of any claims against that road, but in the spirit of fairness, and in the anxiety which I know permeates the mind of every hon. gentleman of this House that only justice shall be done to people who come before us seeking legislation, I would say that this should be rectified, and the committee should see that justice is done to all parties. I had intended framing an amendment to this bill myself, but taking it up rather too late, before the House was in session, I found it difficult to frame it to my own satisfaction, besides which, I did not wish to incur the responsibility of framing such an amendment as might perhaps not cover the point. The more I looked at it, the more difficult it was to cover exactly the point, although I know perfectly well what I wish to cover; therefore, I think this should be referred back to the committee.

Hon. Mr. MACDONALD (B.C.)—Has the hon. gentleman got the bill before him? If so, would he give us an opinion on the matter?

Hon. Mr. KIRCHHOFFER—In answer to my hon. friend I would quote the words of the hon. member for Montreal, we do not want it to be a matter of opinion of one lawyer or another; we want the thing definite; if this House is of the opinion that certain parties rights, of which they know nothing, should be legislated against, let them pass this bill.

Hon. Mr. MACDONALD (B.C.)—I am not a lawyer; I want an opinion as a member of this House.

Hon. Mr. KIRCHHOFFER—I am not going to give an opinion upon it, because I

have heard adverse opinions ; and legal gentlemen will give opinions very much according to which side retains them. I ask that this matter should be referred to the committee so that this shall be definitely guarded against, and I do not think anybody, in fairness, should object to such a proposal. I therefore move :

That this bill be not now read a third time but that it be referred back to the Committee on Railways, Telegraphs and Harbours with instructions to see that the rights of all parties that may have claims against this railway should be protected.

Hon. Mr. CLEMOW—The hon. gentleman is slightly in error respecting some exceptions he makes against this bill. It does provide for all possible claims against this company in accordance with the decision of the lords of the Privy Council in England. It is necessary, in the first instance, for this company to obtain authority to issue new debentures to take the place of the old debentures, because without that it would be perfectly impossible to float this reorganized company on the financial market. It provides that Mr. Charlebois shall be paid a *quantum meruit* out of the proceeds of these bonds. The old bonds shall be given up and the parties holding these bonds shall be satisfied from the proceeds of new bonds to be issued in their stead. I may say that I am one of those who are in the position of Messrs. Allan and Devlin and it would be very much to my advantage if my hon. friend's contention prevailed that these parties should participate with the other parties interested, with Charlebois and the old bondholders, but unfortunately the Lords of the Privy Council have declared otherwise. They have declared that in this suit it is not proper to pronounce any decree as between Charlebois and any individual holder of shares, but that they and Charlebois are at liberty to pursue any remedy to which they may be entitled to by reason of the sum of $50,000 being contributed to construction. I may say that the claims of those parties against the company was on stock, and not for the construction of the road, and therefore was taken out of the arena of first payments to be made to Charlebois to be made out of the proceeds of the new bonds. It does not affect, as I understand the decree, to interfere with any existing rights of any parties except the privileged claims for money actually put in for the construction of the road which should be first paid, and if there is any surplus over and above that, which there cannot be, because we all know when there is fifty thousand pounds advanced in the first instance, and one hundred and fifty thousand dollars for rails, and the payments to the different contractors, the entire amount of the *quantum meruit* is absorbed. It thus leaves the matter in the hands of the parties who contributed to the stock to enforce their rights, whatever they may be, against A, B and C. You will all see that I am taking a very disinterested position in this case, because I should be one of the participants in the advantage to be derived from my hon. friend's proposal with Messrs. Allan and Devlin, but I am obliged and we are all obliged, to bow to the decision of the Privy Council, and there is no way of getting out of this difficulty except by accepting the bill as it is now, by raising the money for the purpose of paying off past indebtednesses and going on with the construction of the road, and giving the country the benefit of a road which they ought to have had eight or nine years ago. It is true that this question has been in litigation for the last eight or nine years and I can tell hon. gentlemen that it has cost the parties interested in those law suits a sum of not less that $60,000 ; I think it is high time now that this matter should be settled, and that this company, which is being reorganized, should have all possible advantages for the purpose of carrying out their plans. Their intentions are good, and this is the only way to carry them out to a successful issue. If you prevent these old bonds being cancelled in the way proposed, no financial concern will advance a dollar to the reorganized company, and it will retard the construction of the road and place the matter in the position in which it has been for the last eight or nine years. I hope that after the explanation I have given my hon. friend will come to the conclusion that he accept this bill and allow it to go to the other House, and if there is any objection to be urged it can be argued there ; but it has been up two or three times with us, and a sub-committee was appointed. Therefore it is far better that it should go to the lower House ; let them thrash it out and let us get the advantage of their further advice and counsel in the matter ; and if there is anything in the objection, it can be raised there and this course will not postpone the settlement of this bill. Parliament, as you

all know, will not sit very much longer, and it is of the utmost importance to the country at large that this bill should be passed during the continuance of this present session. I therefore ask hon. gentlemen to give us every opportunity of facilitating this bill and sending it to the lower House; and if they find any substantial difference in the new printed bill, then they can set it forth in the lower House and it can be properly adjudicated on; but I think they will arrive at the same decision that I have come to, that under the circumstances no better solution of this difficulty can be obtained than the one proposed.

Hon. Mr. POWER—I trust that the House will not adopt the amendment of the hon. gentleman from Brandon. I do not think that he has placed himself in a position to expect that his amendment would be adopted. This bill, originating in this House, was placed in the hands of the hon. gentleman from Rideau Division, and introduced in the Senate a very considerable time ago. The hon. gentleman had the bill read a second time and referred to the Committee on Railways, Telegraphs and Harbours. It was discussed for a considerable time by that committee. Some of the leading counsel in the country, representing different interests involved in the bill, appeared before the committee, and it was thought better to refer the matter to a sub-committee, which could give a more careful hearing to the counsel and deal with proposed amendments perhaps more satisfactorily than the full committee. The sub-committee was appointed and held two prolonged meetings. They heard some of the first counsel in the country, representing different and opposing interests, and reported the bill to the full committee, with several amendments. Then the matter was discussed and some trifling changes were made by the full Committee on Railways, Telegraphs and Harbours, in the bill as reported from the sub-committee, and the bill which is now before us is the result of the labours of the committee and sub-committee and the learned counsel who were heard in the matter. An unusual amount of time and trouble was expended upon this bill, and it represents the best efforts of the Railway Committee. That committee do not claim that it is perfect, but it is as good as they can be expected to make it. Now, the hon. gentleman from Brandon never lifted his voice before the Railway Committee or sub-committee.

Hon. Mr. KIRCHHOFFER—The hon. gentleman must have been absent from the meeting, because I did. I stated distinctly that I did not know anything about the merits of the case, but that I had been asked to represent those interests before the committee.

Hon. Mr. POWER—The hon. gentleman was not here, perhaps, and that was a reason for his not appearing at the committee meetings, but the interests the hon. gentleman speaks of were represented and they have been protected as far as possible by the bill. The claimants to whom the hon. gentleman refers are persons who claim under Mr. Charlebois, and Mr. Charlebois, under the decision of the Privy Council, has to bring a suit on what is called a quantum meruit, and this bill provides that a sufficient quantity of the new bonds shall be set aside to secure him whatever he is awarded by the court, and then those gentlemen, to whom the hon. gentleman from Brandon has referred, have a claim on Mr. Charlebois and that claim is protected by this bill. The hon. gentleman from Rideau put the whole position in a nut shell. This unfortunate Great North-west Central Railway, a very important undertaking, has been tied up by litigation for a number of years and vast expense has been incurred in the way of costs; and this bill affords the only way of having that railway built, and the amendment of the hon. gentleman, though it appears a harmless one, might have the effect of preventing the bill becoming law this session. The bill would have to go to the House of Commons, and being one in which conflicting interests are concerned, it is safe to be discussed at considerable length in the Railway Committee of that House, and if the hon. gentleman's motion prevails, the great probability is that the bill will not pass at all, and this important undertaking will be brought to a standstill and there will be a new crop of litigation during the coming year. I do not think the Senate should do anything to bring about a result like that. If this were a final and ultimate court, and all we had to do was to send it back to our Railway Committee and then let this House finally decide upon the matter, the position would be very different.

But it has to go to the other House, and if there are any interests not sufficiently protected by this bill in the shape we have it in here, the gentlemen who feel their interests are not protected will, no doubt, be able to secure the necessary protection from the other House. The committee think that all the interests concerned are protected as well as they can be under the circumstances of the case. Where there has been such a tremendous waste of money in the way of costs and otherwise, somebody is safe to be hurt, and I think if we pass this bill there will be as little harm done as can be done under the circumstances. The parties all consented to the bill.

Hon. Mr. KIRCHHOFFER—No.

Hon. Mr. BOULTON—The bill under discussion refers to a railway in the district which I have the honor to represent in this House. It is the Great North-west Central Railway. It was projected a great many years ago, and unfortunately got into position between the contractor, Mr. Charlebois, and the other interests that were concerned, and got tied up in litigation that it is not necessary to dwell upon at the present moment. The hon. gentleman who has moved the amendment is arguing for one of the creditors, and I desire to express myself on behalf of people who depend upon this railway communication for their very life, one might say, for the progress and development of their own interests which they were led to believe would follow on their settling in that district a great many years ago. In consequsnce of this litigation the road has been tied up a great many years. Now, the litigation is ended and the Privy Council has got information which I think everybody acknowledges is justified under the circumstances, and is evidently in accordance with our legal position. The amendment is simply for the purpose of referring back to the committee a question of law. This has been before the Railway Committee already, and we spent two and a half hours one day trying to disentangle the arguments. The Railway Committee appointed a sub-committee of five members and spent two days hearing the legal arguments on both sides, giving the most patient hearing they could to all parties Then it was sent back to the sub-committee where the creditor, represented by the hon. gentleman from Brandon was present, and the most careful consideration possible was given to this bill. I think the hon. member has brought this forward merely in accordance with what he believes to be his duty to one litigant, but it is not our business here to interfere on a question that is in litigation. What we are here for is to consider how we can promote the interests of the people of this country. That is the stand I have always taken, and it is certainly in the interests of the people of that western country who live on the line of this railroad, that no obstacle should be put in the way of enabling the company to clear itself of the liabilities put upon it by the Privy Council, to discharge those liabilities and proceed with the work. I see a telegram in the paper from that district expressing the joy of the people there that this litigation is ended, and that the party who is constructing the road has his surveyors at work and is to proceed at once. Therefore, I think that any delay in getting legislation through this session would be most injurious to the interest of the people. For that reason, I shall support the bill.

Hon. Mr. KIRCHHOFFER—I do not really see that if the labours of the committee have resulted in doing an injustice that that should be an objection to referring it back to see justice done. An injustice has been done. There need be no loss of time if this bill is referred back to the committee which is to sit to-morrow morning. If I were to object to this report going through it could not pass to-day. I am willing that this bill shall go to the committee and be dealt with to-morrow. There would be no time lost, and letting it go through now would be sanctioning a bill which does an injustice.

Hon. Mr. POWER—The hon. gentleman has no right to make a statement of that sort. It does not do an injustice.

Hon. Mr. LOUGHEED—The difficulty which confronted the sub-committee as well as the Railway Committee in considering this bill lay in the fact that only one set of creditors seemed to be represented, or, I might say, two sets of creditors. The one representing practically those who at present control the road and the other class the creditors who had been in control; but, un-

fortunately, after the amendments had been agreed upon, and after the sub-committee had made its report, and, in fact after the Railway Committee had made its report, we were confronted by another class of creditors whose claims, it is alleged, we had not taken into due consideration. Although a member of that sub-committee, yet I have not sufficient confidence in myself to say that the committee have fully covered the ground which it was their duty to cover in preparing legislation to meet the various classes of claims which were presented. Now if there is any feeling that an injustice has been done to any creditor holding a valid claim against the company, it is the duty of this House to create such confidence in the minds of those creditors that their claims are receiving due consideration as we can possibly impress upon them. I must say I have lost a certain degree of confidence in the ability of the sub-committee to deal with the matter thoroughly. On the representations made to us, we thought we fully provided against all the contingencies that have arisen since we commenced to consider this bill. No injustice would be done to the promoters of this bill, whom I have endeavoured, in my humble way, to assist in every way I could to secure the legislation in view, if the suggestion made by the hon. gentleman from Brandon (Mr. Kirchhoffer) were carried out, namely, that this bill should be re-committed to the committee, considered to-morrow morning, brought in to-morrow afternoon and then given its third reading. Hon. gentlemen will easily perceive that if my hon. friend takes exception to-night to the report it will be impossible for the bill to receive a third reading until two or three days hence; consequently, if there is an agreement on this legislation, as undoubtedly there will be, because I accept the statement of my hon. friend that he will consent to it, this bill will receive its third reading to-morrow, and any representations of the creditors can be made before the committee to-morrow morning and any necessary amendment made. I may point out that at the very last moment, at the time when the committee thought they had disposed of the bill—that is, at the last meeting of the committee—a very important change was made. Three or four words were inserted at the instance of Mr. Arnoldi, who represented the present company, which would absolutely limit the claims to those claimants who base their claims upon the bonds. I refer to section 7, line 33 :

In respect of the bonds based upon the judgment of the Judicial Committee of the Privy Council.

The committee did consider they were dealing with a class of claims entirely irrespective of bonds, but if claims are to be limited to claims based upon bonds, then I certainly as a member of that committee, should like to have some further information, and I regret very much that the chairman of that committee is not present this afternoon. After the change was made he observed the inconsistency of the change, and I think it was likewise observed by the law clerk a few minutes after it was made, and in my humble judgment those claims, by the insertion of that phrase, have received a very much greater restriction than it was contemplated they should have.

Hon. Mr. MILLS—What claims do you refer to when you say they are more restricted.

Hon. Mr. LOUGHEED—The claims are now limited to all claims based upon bonds, whereas the report of the committee was intended to deal with all claims, irrespective of the fact as to whether they were based upon bonds or not. About the time the committee was rising Mr. Arnoldi suggested that those words be inserted " In respect of the bonds." The hon. Minister of Justice will see that there is quite a distinction between that class of cases and claims based upon the judgment of the Privy Council. The report of the sub-committee was that the legislation should extend to all claims based upon the judgment of the Privy Council. Now, a great limitation has been placed upon those.

Hon. Mr. POWER—I should suggest to the hon. gentleman from Brandon, if the amendment he wishes to make is to strike out those words " In respect of the bonds," that he should move that that part of the amendments be not concurred in. He has a perfect right to do that.

Hon. Mr. KIRCHHOFFER—No, I do not think that that would have the effect of bringing in all the other claims and having them considered. I want to have such legislation passed as will allow all claims to be considered. We have nothing to say as to

their validity, only to provide that if parties had claims they can enforce them legally.

Hon. Mr. POWER—They are not cut out by that.

Hon. Mr. KIRCHHOFFER—It seems monstrous that this House should pass such legislation as to cut them out. The chairman of the committee told me he was in accord with what I said, that he understood the effect of this bill was to allow those claims, but he thought the amendment proposed by Mr. Arnoldi was quite different from what it turned out to be.

Hon. Mr. POWER—And the result will be perhaps to kill the bill just because some hon. gentleman was not present.

Hon. Mr. CLEMOW—I will agree that the bill go back to the committee. There is no such intention as the hon. gentleman from Brandon suggests. The intention is to place everybody in the position he occupies in this matter according to the decree of the Lords of the Privy Council. That decree is that these creditors shall not have any right to come in and claim any portion of proceeds of bonds but their rights against Charlebois or whoever may be the owners of the stock are fully protected. I think that I have such a right. The bill is framed with a view of doing substantial justice to everybody, and I am perfectly willing that it should go back to committee for consideration.

Hon. Mr. POWER—There is no objection to its going back to the committee, but without instructions.

Hon. Mr. CLEMOW—Simply for further consideration.

The amendment was agreed to.

CANADA EASTERN RAILWAY COMPANY'S BILL.

SECOND READING POSTPONED.

The Order of the Day being called,

Second reading Bill (94) "An Act to authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Railway and Manufacturing Company."—(Mr. Power.)

Hon. Mr. POWER said: I understand that there is some opposition to this bill or some desire to discuss it at the second reading. Two hon. gentlemen have spoken about it, and I therefore move that the order of the day be discharged and that the bill be read the second time to-morrow.

Hon. Mr. DRUMMOND—I venture to suggest that the bill receive the second reading to-day and be sent to the Railway Committee to-morrow. Would not the hon. gentleman consent to that?

Hon. Mr. POWER—I have been requested by hon. gentlemen to postpone the second reading.

The motion was agreed to.

BILL INTRODUCED.

Bill (101) "An Act respecting the Harbour of the City of St. John in the Province of New Brunswick."—(Mr. Dever.)

INCOMPLETE AND DELAYED RETURNS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—Before the adjournment, I desire to call the attention of the Secretary of State to a return which he brought down in answer to a motion I made last year. There are no returns from the Privy Council, or the Departments of the Secretary of State, Finance, Agriculture, Inland Revenue, Militia, Public Works, and Railways and Canals. Of course there may have been no dismissals and no commissions in some of the departments, and if that is the case it is all right. I also call attention to the fact that the special return for which I moved in reference to the reduction of the Belleville post office from a city to a town office has not been brought down.

Hon. Mr. SCOTT—I will call the attention of the Postmaster General to that.

Hon. Sir MACKENZIE BOWELL—And as to the others?

Hon. Mr. SCOTT—I sent a messenger over with a strong letter to the Minister of Railways and Canals, asking for the returns. I presume there were none.

Hon. Mr. FERGUSON—May I ask the hon. Secretary of State whether he is prepared to bring down the return I asked for with regard to the steamer "Petrel" and steam communication with Prince Edward Island which I moved for, and also a return with regard to the cold storage facilities for Charlottetown?

Hon. Mr. SCOTT—I will make inquiry.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 11th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

PEARSON DIVORCE BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. KIRCHHOFFER, from the Standing Committee on Divorce, reported Bill (D) "An Act for the relief of James Pearson." He said: It is usual to allow a certain time to elapse before the report is considered, but this is a case in which the evidence is very clear, and I think there is no objection to the report. Therefore, I move that the report be now adopted.

The motion was agreed to.

TORONTO AND HUDSON BAY RAILWAY COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. BAKER, from the Committee on Railways, Telegraphs and Harbours, reported bill (77) "An Act to incorporate the Toronto and Hudson Bay Railway Company," with amendments.

Hon. Sir MACKENZIE BOWELL—I move that the amendments be concurred in. I might mention that the amendments are not material, but make the bill much plainer than as it was when passed by the committee, by protecting the interests of those who have the former charters, and it is agreed to by all parties interested.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—In moving that the bill be read the third time to-morrow, I desire to give notice that at the third reading of this bill I will move that the words "James Bay Railway Company" be inserted after the word "company" in the 19th line of the 10th section of the said bill. It was omitted in the printing of the bill, accidentally, I am informed. The 10th clause gives power to this company to enter into an agreement with the Canadian Pacific Railway Company, the Ottawa, Arnprior & Parry Sound Railway Company, and the Nipissing & James Bay Railway Company. The James Bay Railway Company have also a charter, and their rights are reserved by this bill, and the desire is that this company shall have the right to amalgamate with, or enter into any arrangement for the construction, with any one or the whole of these companies.

The motion was agreed to.

THE MANITOBA SCHOOL QUESTION.

INQUIRIES.

Hon. Mr. LANDRY rose to:

Direct the attention of the government to the following words uttered on the 7th May, 1896, by the Right Honourable Sir Wilfrid Laurier, at La Salle Jacques Cartier, in the city of Quebec, and reproduced the next day in *L'Electeur*, of 8th May, 1896:—

Do not misunderstand me as to my intentions, I repeat here, that I wish the minority in Manitoba to obtain entire justice. It is a principle written in letters of gold in the programme of my party that the rights of the minority must be respected.... .

If the people of Canada bring me into power, as I have a conviction they will, I will settle this question to the satisfaction of all parties interested. I shall have with me in my government Sir Oliver Mowat, who has always been in Ontario, at the peril of his own popularity, the champion of the Catholic minority and of separate schools. I will put him at the head of a commission where all the interests at stake shall be represented, and I affirm to you that I will succeed in satisfying those who are suffering at this moment. Is not Sir Oliver Mowat's name alone a guarantee of the success of this plan?

..nd then, finally, if conciliation does not succeed, I shall have to exercise that constitutional recourse which the law furnishes, a recourse which I shall exercise completely and entirely.

And inquired:

1. If it is still a principle, written in letters of gold, in the programme of the Liberal party that the rights of the minority must be respected?

2. Whether the government, of which the Right Honourable Sir Wilfrid Laurier is the head, has settled the school question to the satisfaction of all parties interested, and more particularly to the satisfaction of those who were suffering on the 7th May, 1896?

3. Whether, conformably to the solemn engagement which he had undertaken, the Right Honourable Sir Wilfrid Laurier has placed Sir Oliver Mowat

at the head of a special commission, and whether this commission has succeeded in making a settlement which gives entire justice to the Catholic minority of Manitoba ?

4. In case nothing of this sort has been done, what are the intentions of the government for the future ?

5. Does the government intend to exercise that constitutional recourse which the law furnishes and which the Right Honourable Sir Wilfrid Laurier promised to exercise completely and entirely ?

6. If it is admitted that it is now two years since the Right Honourable Sir Wilfrid Laurier made such promises, is it the intention of the government to put them into execution soon, and when will they be fulfilled ?

Hon. Mr. MILLS—I beg to call your attention, Mr. Speaker, to the fact that this series of questions is wholly out of order, and I ask your ruling upon that. My hon. friend begins them with a statement of facts which is controverted and which is controvertible, and the whole series of propositions which follow are based on this controvertible introduction.

Hon. Mr. LANDRY—Who controverts them ?

Hon. Mr. MILLS—And so my hon. friend is wholly out of order. I take it to be a well settled rule of this House that matter which is controvertible cannot be introduced into a question or made the basis of a question to be put to any hon. gentleman in this House.

Hon. Mr. LANDRY—I beg to speak on the point of order. The hon. minister says that the beginning of this series of questions is a controverted fact. Where is the controverted fact ? Is it the speech of the Hon. Sir Wilfrid Laurier which is controverted ?

Hon. Mr. MILLS—I beg to say to my hon. friend I do not know that such a speech was ever made ; I do not know if a speech made by the premier upon this subject was accurately reported, and my hon. friend has assumed these things. My hon. friend is introducing a matter that is capable of being controverted, and therefore it is improper to be embraced in a question put in this House.

Hon. Mr. LANDRY—I will observe to the hon. gentleman that the fact to which he alludes has never been controverted. The words were taken out of the organ of Sir Wilfrid Laurier in Quebec, the organ of the Liberal party. This was a promise made on the public hustings ; it went all over the country. The prime minister won his election with that promise. It has never before been questioned, and it is a singular thing that it should be controverted to-day and I do not know what authority the hon. gentleman has to deny it. If he is authorized to deny it I am willing to withdraw the question

Hon. Mr. ALMON—If it is wrong to bring up a matter that is referred to in the newspapers and which may be controvertible, how do we read in this morning's paper that last evening Sir Wilfrid Laurier and Sir Charles Tupper discussed a report which appeared in the *Globe* and Halifax *Chronicle* of a speech made by Sir Charles Tupper ? If it is right in the House of Commons to discuss such matters, I do not see why the hon. gentleman should come here and say that it is out of order to do so in this House. I think we have more liberty here than they have in the Commons, and instead of devoting the talents, which I acknowledge he has, to curtailing the power of this Senate, I think he should employ them rather in endeavouring to increase the powers and privileges of the Senate.

Hon. Mr. LOUGHEED—Before a ruling is made by his honour, the Speaker, on this question, I should like very much if we were allowed to fully understand the objection taken by the hon. Minister of Justice. If every question is to be ruled as out of order which may be submitted to the government by reason of the fact of alleged facts in the question being controvertible, then it would simply mean that almost every question so submitted would give rise to the objection made by the Minister of Justice that the statement is controverted, and therefore the question should not appear on the order paper. The practice laid down does not go, so far as I can ascertain, to the extent indicated by the hon. Mi ister of Justice. You cannot put a hypothetical question and ask the government to answer it.

Hon. Mr. MILLS—You cannot put a narrative of fact.

Hon. Mr. LOUGHEED—You cannot put a matter of opinion in a question ; that would be objectionable, but you can state a matter of fact, and the hon. gentleman from Stadacona has placed on the order paper a

matter which he alleges to be a fact. If the government take the position that it is not a fact, they can simply deny it, and that dispenses with the necessity of answering it. If it is not a fact, it can have no existence.

Hon. Mr. MILLS—The hon. gentleman is not discussing the point of order; he is discussing the policy which should be pursued in putting questions. I do not admit the rule that the hon gentleman has stated, and it is not necessary to argue it.

Hon. Mr. LOUGHEED—I am adhering as closely as I can to the question of order submitted. The question of order submitted, as I understand, to the House is that a question susceptible to the objection made by the Minister of Justice, that it is controverted, is entirely out of order and cannot be submitted. Now, what I do say is that my hon. friend will find no authority going so far as to sustain his contention that because a statement of fact in a question is controverted, that it is therefore out of order. Before a ruling is made upon so important a point, a ruling which if it should be adverse to the contention of the hon. gentleman from Stadacona, the House should fully appreciate the extent to which such a ruling would prevent questions hereafter being submitted to the government I therefore submit, with due deference to the opinions of the House, that only questions embodying an opinion or hypothesis are out of order. Beyond that the government should answer the questions if they are questions of fact, if they are not questions of fact a simple denial will fully comply with all the requirements.

Hon. Sir MACKENZIE BOWELL—If I understand the objection taken to this inquiry of the hon. gentleman from Stadacona, it is of a technical character. I think he is quite right in saying that in placing an inquiry on the notice paper, you must not state a fact and ask a question in connection with it. This question might have been so worded as to obviate the point which has been raised by the hon. gentleman.

Hon. Mr. MILLS—But it does not.

Hon. Sir MACKENZIE BOWELL—I did not say it did. The hon. gentleman from Stadacona puts the question and states the fact. As I understand the rules of parliament, in asking a question you cannot state a fact as a fact, but all questions are controvertible, and the words controvertible, as applied to any question, is not applicable in this case. The hon. gentleman puts his question in this way:

That he will direct the attention of the government to the following words uttered on the 7th of May, &c.

That is a statement of fact that the words were uttered. He might have put it this way: "That he will direct the attention of the House to the following words said to have been uttered." That would have been strictly within the rules of parliament, and the question predicated upon the preamble, as I have indicated to the hon. gentleman, could have been changed in such a manner as to bring them strictly within the rules of parliament, and at the same time place the minister in a position to either deny that such utterances were ever made, or that he had no knowledge of their being uttered, and consequently could give no answer. Then the question as to whether certain principles laid down in the speech supposed to have been made by the Hon. Sir Wilfrid Laurier would have been quite pertinent. It would be for the government to say whether they had any policy on that question, or whether they held any such principles. That, I understand, is the order of putting questions on the notice paper, and that interpretation will be borne out by Bourinot, Todd and other parliamentary writers on this subject. I would suggest to the hon. gentleman from Stadacona that he drop this notice at the present moment, re-word it, and place it on the order paper for to morrow or next day.

Hon. Mr. LANDRY—I have no objection at all, if the House will allow me, to withdraw the question, I will endeavour to frame it so as to meet all the requirements of the hon. Minister of Justice.

The motion was withdrawn.

Hon. Mr. LANDRY inquired:

Whether, since the commencement of the present session, the government, or any one of the members of the present administration, has received from the government of Manitoba, or from the Catholic minority of that province, or from the Episcopate or any member thereof, any communication whatsoever, in the form of a demand, of a claim, of a protest, or otherwise, on the subject of the Manitoba schoo question?

Hon. Mr. MILLS—I may say, in reply to the question put by my hon. friend, that

I am not aware that any member of the government has received from the government of Manitoba, or from the Catholic minority of that province, or from the Episcopate, or any member thereof, any communication whatsoever in the form of a demand, of a claim, of a protest, or otherwise, on the subject of the Manitoba school question.

Hon. Mr. LANDRY—Might I ask the hon. minister if he could answer in any other way than that he is not aware? Could he say if the government has or has not received, or that any member of the government has or has not received the communication alluded to in my question? I am not asking if the hon. minister is aware of such a communication. I am asking if the government has received such a communication?

Hon. Mr. MILLS—I have no knowledge of the government or any member of the government having received anything of the sort.

Hon. Mr. BERNIER—That is not an answer.

Hon. Mr. LANDRY—The hon. minister should have inquired. I know they have received something.

Hon. Mr. MILLS—Then the hon. gentleman does not want the information if he knows.

Hon. Sir MACKENZIE BOWELL—I think the Minister of Justice is taking an extraordinary position. I do not know the practice of his government. I know the practice of former governments when questions of that kind were put. The facts are ascertained from the different departments, or from the departmental heads who have been holding negotiations upon questions of this kind.

Hon. Mr. MILLS—I am not aware that any department has.

Hon. Sir MACKENZIE BOWELL—It is the hon. gentleman's duty to know. He might have asked me that question and I could have said, "I have no knowledge," because I am not in a position to inquire, but we have here a gentleman holding the most important portfolio in the Dominion government. He is here as the leader, not only of the party to which he belongs, but also of the government in this House. A question of great importance is placed on the notice paper, and the hon. gentleman rises and says: "I have no knowledge that such communication has been received." I say plainly and distinctly that that question having been put on the paper, his duty was to have obtained from his colleagues a knowledge of whether such a transaction had taken place.

Hon. Mr. BERNIER—Hear, hear.

Hon. Sir MACKENZIE BOWELL—And if it were not unparliamentary, I would say it is an exceedingly evasive answer, and it is begging the question in a matter of such grave importance that he, at least, should not resort to it. The government—and he is one of the government—should know when this question is to be put, and when he comes to the House he should be able to answer it, yea or nay, or in such other manner as to inform the public whether any negotiations have taken place or not, and not merely to state, "I have no knowledge." A minister might, in all matters he did not wish to answer, take particular pains not to find out in order that he could come to parliament and say: "I have no knowledge that such an act has been committed, or that such communications have taken place," and thereby evade directly the giving of the knowledge which every member of parliament has a right to demand of any government, and at all times.

Hon. Mr. MILLS—I notice the cheers of my hon. friends and I suppose they approve of the doctrine laid down by the leader of the opposition.

Hon. Mr. LANDRY—Certainly.

Hon. Mr. MILLS—My hon. friend says certainly, but I say I do not agree. I say that I have answered the question of my hon. friend that I do not know.

Hon. Mr. PROWSE—And do not care.

Hon. Mr. MILLS—And I do not believe that the government have any information upon the subject. My hon. friend knows right well—for he has been years in a government—that a minister may have a private discussion with a party, an unofficial discussion, a discussion that he never com-

municates to his colleagues, that his colleagues have no right to inquire about unless there is some action which involves them in some responsibility. I say that if my hon. friend had come here and said that the government had done something, that certain mischiefs had flown from it, that he deprecated it—anything that would make myself or my hon. friend beside me responsible for such an act, why then it would be brought to our notice in that way and the responsibility would be fastened on us if we did not withdraw from the government or disapprove of the act or have the act repudiated. But my hon. friend the leader of the opposition knows right well that a minister may have a discussion on a hundred topics with the local prime minister. I do not know that any one has, nor is it my business to know.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. MILLS—Unless he was acting on behalf of the government or taking some step that was to bind the government, but if he chooses unofficially to have a discussion, if he chooses unofficially to undertake to arrange matters in a way that he thinks will prove satisfactory, and action is taken on that by other parties, that is a matter of which we have no cognizance and no right to have any cognizance. Let me suppose for an instant—and I am supposing what I do not know at all has taken place—that some minister had met Mr. Greenway and made a suggestion to him, and Mr. Greenway had assumed the responsibility in his own province of acting on it. That is the act of Mr. Greenway and he is not responsible for it, and it is not the act of this government or any member of it which is called on to explain or defend it in this House or in the House of Commons. Lord Palmerston, on one occasion, said that he had settled more questions of controversy between England and foreign countries at his dinner table than by dispatches, but the dispatches are brought down to parliament and form the subject of controversy, while the discussion which Lord Palmerston had at his dinner table were never made the subject of discussion in parliament nor was there a question put to any one of his colleagues that he should explain in the House what Lord Palmerston had said at his dinner table. With all respect to this House, I deny the right of the hon. gentleman or any other member of this House to know what a member had said privately or unofficially.

Hon. Mr. PROWSE—That is not asked for.

Hon. Mr. MILLS—That is not a matter for consideration here or in the other House. When the act of a minister becomes a public act, an act for which that minister and his colleagues are responsible to parliament, then it is time enough for the hon. gentlemen to call on me or my colleagues to explain what a minister did, or with whom he had held a conversation. Does my hon. friend say that if the prime minister, or some other member of the government, happened to meet Mr. Greenway or any colleague of his government, or the Archbishop, and said good-day to him, that I must come down to the House and report that to the hon. gentleman? I deny such proposition, altogether. My hon. friend has put his question from day to day. We have had patience with him. We have borne with what is intended to be a species of badgering carried on in this House.

Hon. Mr. DEVER—Hear, hear.

Hon. Mr. MILLS—But I say I shall take my own course in regard to questions of this kind in the future, and decline to answer every question which I, as a minister of the Crown, responsible for the conduct of the administration, feel has no relevancy to the duties of the administration.

Hon. Mr. KIRCHHOFFER—I do not think there has been any necessity whatever for the hon. leader of the House to work himself up into a white heat.

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman has no right to talk about white heat. There has been no white heat.

Hon. Mr. KIRCHHOFFER—If the expression is unparliamentary, I will withdraw the word "white" and say that he has worked himself up into a heat over this question. The hon. leader of the government is under a misapprehension as to the way the question was put. He has not been asked what his opinion was about these

matters, or what he knows about these matters, but he was asked what the government has done with regard to certain things. The question is a very simple one:

Whether, since the commencement of the present session, the government, or any one of the members of the present administration, has received from the government of Manitoba, or from the Catholic minority of that province, or from the Episcopate or any member thereof, any communication whatsoever, in the form of a demand, of a claim, of a protest, or otherwise, on the subject of the Manitoba school question?

He is not asked his opinion. He is here as the leader of the House and representative of the government, and it was certainly his duty to lay this question before his colleagues and be in a position to give us an answer, yes or no. It seems to me that the term applied to the answer given by the minister, as being an evasion, is not too strong a term to apply to it, and when my hon. friend taxed my colleague for putting this question and speaking of matters which had taken place at private dinner tables, of course nobody is asking what is taking place at any dinner table or private conversation, but this is a public matter which has been spread broadcast over the country, and if any communication or demand has been made of the government, it is the duty of the leader of the House to inform us on it.

Hon. Mr. LANDRY—I rise to answer the statement made by the hon. minister that I have put this question from day to day. I ask the hon. gentleman what warrant he has to make such a statement as that? This is the first time I have put this question on the paper, and it is the first time I have brought this matter before the House, and the hon. minister is losing his time entirely if he thinks he will prevent me from doing my duty. I will go on with my question until it is answered, and if I cannot get an answer from the hon. minister, I will try to find out another way to get it, but I will have it, and the hon. minister may be sure that he will not silence me by threatening or otherwise. What I asked was a pertinent question; the hon. minister is unable to answer it. He speaks of Lord Palmerston's methods respecting dinners and dinner tables. What does he mean? Must I conclude that if he invited me to his table I might have an answer? Is that the conclusion I must accept? He cannot answer the House here, but if he invited me to his table he might give an answer. That is the precedent he brings forward. I tell the hon. gentleman that I must get a reply to this question, yes or no, but he must give an answer. If he is ignorant, let him go to the ministerial school, let him learn from his colleagues what happened. Something has happened. I know that a document has been sent to the government.

Hon. Mr. SCOTT—Why then ask it?

Hon. Mr. LANDRY—Because I want to know what the government are doing in the matter.

Hon. Mr. MILLS—The hon. gentleman might give his information to the House.

Hon. Mr. LANDRY—If something has happened why does not the minister say yes or no? If such a communication as the one asked for has not been given why did not the minister say no? It is only to matters that happened since the beginning of the session that the question relates. I am entitled to have a reply. Does the minister say no?

Hon. Mr. MILLS—I decline to give my hon. friend any further answer than I have already given him.

Hon. Mr. LANDRY—The hon. gentleman did not give any; he said he was ignorant, that he knew nothing at all about it.

Hon. Mr. BERNIER—Here is a plain question. Has the government received any communication? Does the government answer, yes or no? We are entitled to that answer.

Hon. Mr. DEVER—It strikes me that this thing has gone far enough. The Senate of Canada, in my humble opinion, ought to be more dignified than to allow such a thing to go on. Here is an hon. gentleman who, apparently, does not know when he gets a direct answer, and he repeats his question and asks the hon. leader of the House to say yes or no. The hon. leader of the House distinctly told him that, as a member of the government, he knew nothing about it.

Several Hon. GENTLEMEN—No, no.

Hon. Mr. DEVER—As a member of the government he knew nothing about it, but he said as an individual—he said the word individual—in his private capacity he might have had a conversation.

Hon. Mr. LANDRY—We did not ask that.

Hon. Mr. DEVER—Well, notwithstanding all this, he persists and wants the hon. leader of the House to commit himself and say yes or no. How can the hon. gentleman say yes or no when he has said distinctly that, as a member of the government, he knows nothing about it? Surely, under these circumstances, this House should not allow this matter to go any further. It is a disgrace to the Senate to permit scenes of this kind, because they know a large majority of this House is against the present government, and it cannot be considered anything but enmity to a few members. It is nothing less than a disgrace that this House should allow things to proceed in this brutal manner from day to day, and permit these scenes to be prolonged by men who have no shame, who have no sense of religion, men who are willing to prostitute religion; because if their religion is so low as it is represented by some hon. gentlemen, then God help the religion and the country that is governed by such religion. The government have declared positively in this House that they knew nothing of this matter. If the hon. gentlemen want to find it out let them consult the several members of the government and possibly in their conversation they may arrive at a proper knowledge of it. But here we have two members of the government hour after hour and day after day declaring that they knew nothing about this still this hon. gentleman persists in his questions and declares that he will continue to persist until he gets a reply yes or no. I say this thing has gone so far that I do not see how any hon. gentleman who claims to be a gentleman, can sit here any longer and allow it to continue.

Hon. Mr. BERNIER—We do not want any misunderstanding. A question has been asked and the hon. Minister of Justice has declined to answer that question. He professes to speak only for himself and not for the government. But, on the other hand, here is an hon. gentleman who says that the government has not received any communication. Do the government take the position stated by the hon. gentleman from St. John? Do the government say plainly no, to the question, or do they decline simply to answer the question?

Hon. Mr. MILLS—If my honourable friend thinks there is any correspondence or information in possession of the government on this subject, he can put a notice upon the paper.

Hon. Mr. BERNIER—I beg to remind the hon. gentleman that over a month ago I made a motion for returns which was adopted, and am still waiting for the returns. I asked several times of the hon. gentleman when I should expect those returns to be brought down, and I have yet to wait for them. I am sorry that there has been such delay, and I will again take this opportunity to ask the hon. gentleman to bring them down as soon as possible.

Hon. Sir MACKENZIE BOWELL—I just desire one word to add to what I have already said, and that is to express my personal regret at the position taken by the hon. leader of the government in this House. There is no one in the Senate who would sustain him sooner than I, if questions were asked as to individual communications. But that is not the question that is put here. If we are to accept the dogmatic manner which has been assumed by the hon. minister to-day, that he will not answer questions which are put upon the paper unless he thinks proper to do so, the sooner we know it the better. There is nothing in this question which justifies the position that has been taken by the hon. gentleman. It is a plain, straight-forward question upon a very important public matter, and I hold it is not only as a matter of courtesy but his absolute duty, unless he is prepared to say that it is not in the interests of the public that the information should be given, to say whether correspondence has taken place or not. There is no question asked as to the action of any individual member of the government.

Hon. Mr. MILLS—Oh, yes.

Hon. Sir MACKENZIE BOWELL—Not quite so fast. Please wait till I get through. The question implies, and can receive no other interpretation, that it relates to the action of the government, not of an

individual as an individual. It says this: "since the commencement of the present session has the government or any one of the members of the present administration," —that implies the action of a member of the present administration, acting under the authority of the government and by the instructions received from the cabinet, and can receive no other construction.

Hon. Mr. MILLS—I would say as to that, no.

Hon. Sir MACKENZIE BOWELL—Why did you not say so in the first place.

Hon. Mr. MILLS—The question is very much broader than that.

Hon. Sir MACKENZIE BOWELL—No; but let me say parenthetically that I put a question once or twice almost analogous to this, as to what had taken place between the government and the authorities in Manitoba upon this question, the late leader of the government gave me a respectful answer; the hon. Secretary of State, upon one or two occasions, said that no such communications had taken place, or that certain communications had taken place, but that he was not in a position to give an answer, as it would not be in the public interest while negotiations were going on. I could not expect any more. Had the same answer been given to-day, no objection would have been taken; but the hon. gentleman assumed to say to this House whether they shall have any information that they require upon great and grave public questions Now, it simply ask this: whether there has been any communication between the Catholic minority of the province of Manitoba or with the Episcopate, any communication whatsoever, in the form of a demand of a claim, of a protest on the subject of the Manitoba school question. In my long parliamentary experience, of over thirty years, I must say I never read a plainer, more distinct, or more direct question put to any government, and we find the hon. leader of the government in this House, in a style of absolutism saying, "I will not answer that question. I do not know anything about it myself, and, consequently, it is not for me to inquire of my colleagues or the government whether this communication has taken place. I will not answer; that is the position in which I am placed." It is for hon. gentlemen to say whether they are prepared to submit to that kind of treatment from any hon. minister of the government in the future. I cannot say that I would blame my hon. friend if he asks that question every day until he gets an answer, which I think should be given by the hon. gentleman. It is the first time in my parliamentary experience that ever I saw a minister in this House or in any House assume such a dictatorial stand.

Hon. Mr. LANDRY rose to make the following inquiry:

The Honourable the Secretary of State having asserted that the present government had had a conference with representatives of the government of Manitoba, and that they had come to an agreement, was that agreement accepted by the Catholic minority of Manitoba, and was that same minority a party to the said agreement?

Hon. Mr. SCOTT—I explained very fully that the conference was before the legislation that took place in Manitoba, under which the agreement that was made was approved of by an Act of that legislature. I am unable to answer the hon. gentlemans, question whether it has been accepted by the Catholic minority of Manitoba. As far as I can gather from the public press and unofficial sources, a large number of Catholic schools are being carried on as public schools —somewhere about eighty of them.

Hon. Mr. BERNIER—I beg the hon. gentleman's pardon.

Hon. Mr. SCOTT—I am advised that there are a very considerable number of Catholic schools now being carried on as public schools.

Hon. Mr. LANDRY—Can I have an answer to the latter part of my inquiry?

Hon. Mr. SCOTT—I have no official knowledge, but so far as I can gather from unofficial sources, a considerable number, certainly over fifty or sixty of the Catholic schools, are being carried on under the Public School Act.

Hon. Mr. LANDRY—I am asking a reply to the latter part of my question: Was the said minority a party to said agreement. The conference was between the Federal Government and the government of Manitoba. Surely the Federal government ought

to know if the minority were a party to the convention ?

Hon. Mr. SCOTT—I think it is exceedingly unfair that a minister should be catechised in this way day after day. The question has been answered over and over again. I am anxious to give the hon. gentleman as full information as possible. I am not reticent on these questions ; perhaps I have at times said more that I should. The hon. gentleman knows there was a conference over a year ago with the members of the Manitoba government, and that the understanding then arrived at was ratified by an Act. All the world is familiar with that Act. I do not know whether the Catholic minority have accepted it. I cannot tell. As I said before, a considerable number of schools have come under the law. That is the only answer I can give.

Hon. Mr. LANDRY—There is no use wandering about.

Hon. Mr. SCOTT—I cannot give any better reply.

Hon. Mr. LANDRY—The hon. gentleman could answer if he would. What I asked is this : the hon. Secretary of State asserted that a conference took place.

Hon. Mr. SCOTT—With the members of the Manitoba government.

Hon. Mr. LANDRY—The present government conferred with representatives of the Manitoba government. They came to an agreement. I think I have a right to ask the hon. member if the Catholic minority was present at that conference—if they were a party to the agreement. The hon. minister does not know, I suppose. He had a conference with the Manitoba people, and he cannot tell if the Catholic minority were represented.

Hon. Mr. SCOTT—The Federal government were acting on behalf of the Catholic minority and endeavouring to get as large concessions as possible from the Manitoba government. Everybody knows that.

Hon. Mr. LANDRY—I do not know it.

Hon. Mr. SCOTT—The hon. gentleman must be exceedingly ignorant if he does not. The object of the conference was to obtain concessions. We obtained as full concessions as we could secure in the interests of the minority. We acted for the minority. Whether they are satisfied or not I am unable to say. All I can say is that a very considerable number of the minority have accepted the settlement. I know that by public announcement from unofficial sources.

Hon. Mr. LANDRY—Does the hon. gentleman contend that the government was acting in the name of the minority and with its authorization ?

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman put his question and got his answer. He has made half a dozen speeches since he put his question and got his answer. We have something else to do.

Hon. Mr. BERNIER—The minister infers from the fact that he has seen in the papers that a number of schools are now conducted under the public school system that the minority have accepted the settlement. I may say that none of those schools have accepted the settlement to which he refers, but certain conditions outside of that settlement have been made to such a number of schools by the local government, and those schools of the minority, while not accepting the agreement, while not accepting even as a finality the advantages given to those schools, yet in the state of poverty in which they are, they are trying to take advantage of those concessions made outside of that agreement; but the agreement is not accepted by the minority at all.

SOULANGES CANAL CONTRACT.

MOTION POSTPONED.

The notice of motion being read :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellancy will be pleased to cause to be laid before the Senate, a copy of each of the following documents relating to the reletting of contracts for the construction of sections 1, 2, 4, 5, 6 and 7 of the Soulanges Canal :—

1. Copy of notice calling for tenders for the reletting of sections 4, 5, 6 and 7 of the Soulanges Canal.
2. Copy of the specifications for the reletting of sections 4, 5, 6 and 7, Soulanges Canal.
3. Copy of the tender of J. M. Hogan.
4. Copy of the tender of Andrew Onderdonk.
5. Copy of the Order in Council or report of the Minister of Railways and Canals, or Chief Engineer of Railways and Canals, shortening the time for the completion of sections 4, 5, 6 and 7 from the end of October, 1899, to the end of October, 1898.

6. Minute or memorandum of the agreement or conversation had with Andrew Onderdonk, contractor for sections 4, 5, 6 and 7 of the Soulanges Canal by the Minister of Railways and Canals or Chief Engineer, between the dates 17th March, 1897, and 20th March, 1897, both days inclusive, or at a subsequent date to the effect that if J. M. Hogan, the lowest tenderer for sections 4, 5, 6 and 7, refused to sign the contract that A. Onderdonk would take it at the prices named in his (Onderdonk's) tender and agree to complete the work by the end of October, 1898.

7. Copy of letter or telegram to J. M. Hogan between dates 17th March, 1897, and 22nd March, 1897, both days inclusive, notifying him that he was the lowest tenderer for sections 4, 5, 6 and 7.

8. Letter from J. M. Hogan to the Department of Railways and Canals between the dates 17th March, 1897, and 22nd March, 1897, both days inclusive, refusing to sign the contract for sections 4, 5, 6 and 7 for which he was the lowest tenderer.

9. Copy of contract of A. Onderdonk for sections 4, 5, 6 and 7, Soulanges Canal.

10. Copy of the Order in Council cancelling the contract of Archibald Stewart for sections 1 and 2, Soulanges Canal.

11. Copy of Order in Council about reletting of sections 1 and 2, Soulanges Canal.

12. Copy of public advertisement or other printed notice calling for tenders for the reletting of sections 1 and 2, Soulanges Canal.

13. Copy of notice sent to Hugh Ryan asking him to tender for reletting of sections 1 and 2, Soulanges Canal.

14. Copy of notice sent to John Ryan asking him to tender for reletting of sections 1 and 2, Soulanges Canal.

15. Copy of notice sent to Allan R. McDonnell asking him to tender for reletting of sections 1 and 2, Soulanges Canal.

16. Copy of notice sent to W. J. Poupore asking him to tender for reletting of sections 1 and 2, Soulanges Canal.

17. Copy of notice sent to one Cleveland asking him to tender for reletting of sections 1 and 2, Soulanges Canal.

18. Copy of notice sent to M. P. Davis or Wm. Davis & Sons, asking him or them to tender for reletting of sections 1 and 2, Soulanges Canal.

19. Copy of notices sent to other contractors asking them to tender for reletting of sections 1 and 2, Soulanges Canal.

20. Copy of specification and form of tender for reletting of sections 1 and 2, Soulanges Canal.

21. Copies of all tenders *verbatim et literatim* for reletting sections 1 and 2, Soulanges Canal.

22. Copy *verbatim et literatim* of the contract of Ryan & Macdonell for sections 1 and 2, Soulanges Canal.

23. Copy of notice or information furnished to tenderers of sections 1 and 2, Soulanges Canal, as to the plant which tenderers would have the use of and the terms on which they would have such use.

24. Statement of the amount and nature of the security given by Ryan & Macdonell for the completion of their contract for sections 1 and 2, Soulanges Canal.

25. Copy of notice to tenderers for reletting of sections 1 and 2, Soulanges Canal, that the government would furnish a quarry for the use of contractors.

26. Copy of the agreement with Ryan & Macdonell as to the quarry at Rockland.

27. Statement of the royalty to be paid by Ryan & Macdonell to the department on stone to be quarried at Rockland quarry.

28. Copy of the Order in Council dated between the dates 15th May, 1897, and 29th May, 1897 (both dates inclusive), for the payment of $10,000 to Archibald Stewart.

29. Copy of letter or telegram from the Departwent of Railways and Canals to one C. W. Ross, a clerk in the Department of Railways and Canals, in the month of December, 1897, or January, 1898, instructing him to break into the office of Archibald Stewart, at his quarry in Rockland.

30. Copies of letters or telegrams to one Middleton, government inspector at Rockland from the Department of Railways and Canals, during the month of December, 1897, and up to 13th of January, 1898.

Hon. Mr. LOUGHEED—I have no observations to make on this, except that I hope the government will bring down the papers.

Hon. Mr. SCOTT—That return was moved for in the other House.

Hon. Mr. LOUGHEED—I am not aware that these papers have been called for.

Hon. Mr. SCOTT—This may be fuller. I was going to suggest that if any of the papers brought down have been printed, it would not be necessary to bring down that part of it.

Hon. Mr. LOUGHEED—Will the hon. gentleman make inquiries to-morrow?

Hon. Mr. SCOTT—Yes.

The motion was allowed to stand.

THIRD READING.

Bill (L) "An Act respecting the Great North-west Central Railway Company."—(Hon. Mr. Clemow.)

RECORDS OF RULINGS.

Hon. Mr. LANDRY—Before the Orders of the Day are called, I should like to direct the attention of the House to the fact that the minutes of last Monday do not report the decision given by his honour the Speaker on a question debated in this House on that day. A point of order was raised and debated, and the ruling of the chair was given, and there is no record of it in our Minutes. In looking up the practice in the past, I see that on the 13th June, 1887, the order of the day being read, a question of order was raised, and his honour the Speaker ruled. The same day, a motion was made that a certain bill be not now read the third time, but that it be further amended. A question of order being raised, his honour the Speaker ruled that the said motion in amendment was out of order under the seventeenth rule of this House. The next day, the 14th June, Hon. Mr. Vidal moved, seconded by

Hon. Mr. Scott, that the bill respecting Chinese immigration be now read the second time. A question of order was raised, and the Speaker decided that the bill was out of order as interfering with the public revenue. A few days later, on the 22nd June, a petition was presented, and a question of order being raised, namely: that the petition did not bear the signature of the man who presented it, the Speaker ruled that the point was not well taken, as such practice had not prevailed before in this House. I take later volumes, and I see that in every instance when a ruling of the chair was given, that ruling was inserted in the Minutes of our House. I should like that the decision arrived at by the Speaker on Monday last should be inserted in our Minutes. I think it is according to the practice and precedent, and I hope his honour the Speaker will give the proper instructions, so that the course followed in the past will be followed in this instance.

The SPEAKER—I am of opinion that the cases cited by the hon. member have no analogy whatever to the case on which I ruled the other day. All the cases which he has just cited were necessarily entered in the Minutes. It was necessary for the clerk to mention in the Minutes for what reason the petition or the bill had not been proceeded with; but in the case where a point of order is raised in the course of a discussion on a public question, or on any inquiry or question put to a minister of the Crown, I have no knowledge of any instance in which the ruling of the Speaker is entered in the minutes. The ruling of the Speaker appears in the debates because it is necessary always that the discussions be reported at length. But I do not consider now that any decision given by the Speaker on such rulings should be entered in the Minutes and the reasons given for it. I believe the reporting of the ruling in the debates is all that is required. At all events I am entirely at the hands of the House. If the House decides that ruling on all questions in the House should be entered in the Minutes of course it will be done.

Hon. Mr. LANDRY—Then I am to understand that nothing will be done?

The SPEAKER—I believe it should not be done.

Hon. Mr. LANDRY—I shall take means to have it done.

The SPEAKER—If the Senate does not endorse my ruling on that question, it is open to any hon. gentleman to take the ordinary course to have my decision overruled, and then the decision of the Senate will be carried out.

NAKUSP AND SLOCAN RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. MacINNES moved the third reading of Bill (92) "An Act respecting the Nakusp and Slocan Railway Company."

Hon. Mr. BOULTON—I beg to move that this bill be not now read the third time but that it be read a third time this day three months. As hon. gentlemen know perfectly well the position I have always taken in public debates and upon public questions is decidedly opposed to anything that pertains to monopoly, and with that in view, I made a motion against what I conceived to be a monopoly yesterday in regard to the Trade Mark and Design Act, and I convinced this honourable House at the same time that it was a class of legislation that it was not wise to enact. It is rather an invidious position for me to assume in rising to discuss the question of the Canadian Pacific Railway, more especially as Judge Clark, who is responsible for the Canadian Pacific Railway legislation comes from the same town as myself and has been a friend from my youth up to the present, and to a certain extent, as far as he is concerned, I feel that in rising to oppose questions that are brought before this parliament through his instrumentality on behalf of the Canadian Pacific Railway, I am placed in an invidious position to a certain extent. There is also the idea in some people's minds that I have something against the Canadian Pacific Railway—that I am always picking at and criticising the company. It is not from any sense of feeling against the Canadian Pacific Railway that I am animated—a railroad which I, in conjunction with the rest of the country, feel proud of, but at the same time having created a railroad 6,500 miles in length, which has an earning power from the people of Canada of $24,300,000 last year, and in-

creasing this year, I think it is a fair subject for criticism when it comes before parliament asking for additional legislation, which happens nearly every year. It is only from a sense of public duty that I take the position as critic in regard to this powerful corporation, which is so powerful that it is a common utterance in the western country that they control whatever government is in power in Canada, and that it is useless to try to offer opposition. I think that is a mistaken idea. I think there is a power over the Canadian Pacific Railway or any other corporation, and that is the parliament of Canada, which represents the people of Canada, and it is a great pity that by any Act, this parliament should allow it to be supposed by the people of Canada that this condition does exist where this parliament is concerned. We are living in a free country, and the freest constitution in the world is the British constitution upon which our parliament is modelled, and it is superior to every power that exists in Canada where the legislation of the country is concerned. This question has been before the committee. It is a question as between this railway, 6,500 miles in length, and a railroad thirty-two miles in length in the province of British Columbia —the only independent line, I think, in that region of British Columbia which the Canadian Pacific Railway passes through. The people of the towns along this railway have come down and petitioned parliament that this legislation should not be put upon the statute-book. Kaslo is on the Kootenay Lake and has navigable waters which lead into the United States. The other end of the 32 miles has connection with Sandon, and the road was built in the interest of the mining developments which have taken place by the friends and associates of the people in these towns, and I presume this railroad was in there *pari passu* with the interests the Canadian Pacific Railway had acquired. It is in the neighbourhood of the Crow's Nest Pass—a line which has been projected by the Canadian Pacific Railway assisted by the Dominion government bonus of $4,000,000 and by the British Columbia legislature with a land grant of 20,000 acres per mile within the province of British Columbia between Nelson and the boundary of the province. The bill is designed now to give power to the Canadian Pacific Railway to build a branch from Nakusp, on the Arrow Lake, for 10 miles parallel to this railway of 32 miles. As you all know, in the province of British Columbia the railroads have to run in narrow valleys and the paralleling of this line is within a few feet of the small branch of 32 miles. It would only be one or two hundred feet away from the other line, and the motive given by the Canadian Pacific Railway for the construction of this line is to give competition to the mines that are served now by the short line of 32 miles. If I thought that that was the object, or that it was going to give competition to the people of those mines in that neighbourhood, to the people who live in the towns along this short line, it would be contrary to the principles I advocated in opposing monopoly of any kind, for me to oppose their bill. I want competition, but from my knowledge of that country, so far as it has been presented to me, it is not for the purpose of competition that this short branch of 10 miles is projected paralleling this road into the neighbourhood of the mines, for the development of which the 32 miles were built, but it is to kill the competition that they already have, and will have when the Crow's Nest Pass is completed to that point, by the railroads and the water navigation which they designed first of all to utilize, water which the Crow's Nest line crosses a few miles south of it. That is to say that the people who live along that line of railway, the people who live in those towns and the mines that are developed by that short line of railway, have already access to railway accommodation by the water route. They have navigation to take their ores down there and bring their stuff by the railroads in the south. They already have that and it was built in order to develop the mines. Now, we are projecting the Crow's Nest Pass line into that same neighbourhood, and the moment the Crow's Nest line is constructed the Canadian Pacific Railway says: "This little branch of thirty-two miles is going to have competition between us and the railways to the south. Now, that is not in our interest. That is not the lines we work upon. We work upon business principles; and whenever anything stands in the way of effecting our objects or our business it must go, so far as we are able to come to this parliament and get the necessary legislation to abolish that." If the Canadian Pacific Railway is built by the Crow's NestPass, this railroad and the peo-

ple who live along its line will have the choice of shipping by the Canadian Pacific Railway or they will have the competition of this road to send their ores further south, and also to bring in their supplies from the south. We who live in the interior of that great country are quite aware what it is to have competition.

Hon. Mr. McCALLUM—Hear, hear.

Hon. Mr. BOULTON—We may like to have a choice of two routes by which we can ship our produce. At present we have only one route. Competition is the life of any trade, and the making of any country, and it is also the making of any man. It will develop his abilities and his qualities, and competition will develop the qualities of Canada, but the very moment that you allow monopoly to rule the country you produce stagnation. The directing minds are not going to be those who are producing the wealth of Canada, those who are labouring in the country and producing the exports which go out every year; it is not those who will control the country, but the heads of these monopolies.

Hon. Mr. McCALLUM—How will two lines give you a monopoly.

Hon. Mr. BOULTON—The object of this legislation is to build ten miles paralleling this short line of thirty-two miles to the mines for which the thirty-two miles were built. That divides the traffic with that railway company, and it will bring that company down on its knees and compel it to sell to the Canadian Pacific Railway. Then the people who live on that thirty-two miles will have no competition—it will be monopoly.

Hon. Mr. McCALLUM—They have no competition now.

Hon. Mr. BOULTON—They have competition between the Crow's Nest Pass and the water communication which leads to the south. They can say to the Canadian Pacific Railway: "What will you carry our ores for? What will you bring in the produce for?" I do not want those people to be placed in any worse position. I do not want the Canadian Pacific Railway to say to them: "You cannot run this railroad. We are going to compete with you and are going to control this district in which this railroad is, so that there will be no competition coming from the south with the Canadian Pacific Railway." That is the position that these people who have come down with their petition have presented us in the Railway Committee. We heard what they had to say about this matter. We listened to them for two hours. They have come down here all the way from that neighbourhood simply for the purpose of protecting their interests. There has been no application from the people in that district who are working the mines, who are living along the line of that railway asking for this competition, or for the railway that is now asked for by the Canadian Pacific Railway that I know of, or that I think was put before the committee. This railroad is applied for by the Canadian Pacific Railway—a railroad which has already 6,500 miles of its own. The people who came down brought affidavits to say they were quite satisfied with the position they were in, because they will be in a favourable position when the Crow's Nest Pass Railway is built. They will be able to develop their industry by the competition between the two roads which they will have. I feel quite confident that I shall not appeal to this Senate in vain under the circumstances. I am quite aware that the Canadian Pacific Railway has a great deal of sympathy from the members of this House. I am well aware that the Canadian Pacific Railway can explain their point of view to members of this Senate privately. It would not do for me to allow the other side to fail to present it from a public standpoint, and for that reason I have moved this resolution. I do not think it is in the interests of the country that this bill should be put upon the statute-book. I do not think it is the interest of this parliament that we should ignore the rights of the public or the interests of the people who come down to parliament and ask for protection. I do not think it is right for us to assume that we are going to place this parliament under the control of a very large power—a power that controls the expenditure of 24 millions which they earned last year, with all the strength that its millions will give it. It is not a wise course for us to take to say that we will ignore the position of private people who come down and ask us for sympathy and protection, and

have it said to them, "we are going to bind you down, and force you into such a position that you will be tributary only to the Canadian Pacific Railway, and that the Canadian Pacific Railway when they have control of this road will shut you off from any competition to the south of the line." That is the position it is in at the present moment. I stand here to advocate the cause of these people who are not strong; who are not powerful. The argument is used that the bonds that built this Slocan Railway were negotiated in the city of New York. That argument was used to prejudice the minds of people, but what difference does it make whether those bonds are floated in New York or London or Montreal? We all know that the Canadian Pacific Railway bonds are floated wherever capital is to be raised. We all know there are people in New York who hold bonds of the Canadian Pacific Railway and of many of our railroads In the same way they are held in London and other capitals in Europe. Therefore, that is not an argument that should be used to prejudice the minds of the people. I am quite aware that there is a prejudice in the minds of some that no competition from the south should be allowed, that the Canadian Pacific Railway is to have a monopoly and be protected from any competition by the Northern Pacific Railway to the south of our line. That is a principle which I think is not just to the people in the interior, who are working where competition is the life and soul of their industry. We have to pay an enormous mileage for the carriage of our produce, and if we have to pay mileage for 1,600 or 2,000 miles——

Hon. Mr. McCALLUM—This is only ten miles.

Hon. Mr. BOULTON—Yes, but the object of this ten miles is what I have stated Hon. gentlemen will remember that the Heintz Railway was purchased by the Canadian Pacific Railway Company. It was a question for a while whether it was going to remain an independent road or not, but it was purchased by the Canadian Pacific Railway Company afterwards. It got some land and the smelter that belonged to Heintz. This railway is in the neighbourhood and forms a connection with this road that I am speaking of. If these people do not want to sell it, if they do not want to lose the competition they are getting at the present moment, is it right for us to say to them "you have got to sell the Canadian Pacific Railway in the same way as the Heintz Railway did?" Is it a fair position to place them in? Supposing there was a question of selling out on the part of the railway, does not this legislation, giving the Canadian Pacific Railway Company power to build, depreciate the value of their property? Is it fair that we should institute legislation in this parliament in order to depreciate the value of any property of private individuals, especially pioneer settlers who have gone in there to develop the interior of that country for the benefit of themselves and to the trade of the country at large? Is it fair that we, by our legislation, should put them in such a position that they would have to bow down and take whatever the Canadian Pacific Railway Company would give them? I say give them a free hand. If the Canadian Pacific Railway cannot make terms without this legislation, and there should be a petition from those people sent down here saying "we would like to have this legislation put through," that would be another question altogether, but there is no application from the people for this legislation. There are petitions and affidavits from the people against this legislation. You have to take your choice whether you are going to grant the prayer of the people in the interior there, or support the Canadian Pacific Railway, who have more facilities for reaching the ear of this honourable House than the people who are out in the west. I feel I would not be doing my duty if I did not carry to the fullest extent, the principle I maintain, and that is the principle to keep down monopoly as much as you can in the interior of that country. It is very well, sir, for you who live on the Welland Canal to smile and criticise and depreciate the position I am taking. You have all the competition you want; you have your lake competition and railway competition, east and west, and in every way. Those people in the west are locked up. Go up there and become a pioneer settler and you will soon find what side you will take in the matter. The position out in that western country, which we are seeking to develop for the benefit of the trade of Canada, is quite different. I would therefore urge upon this

House to do justice in this matter and not ignore the rights of the pioneers who built this line and opened those mines; and now this powerful railway comes in and says, by aid of this legislation, your railroad or your ruin.

Hon. Mr. BAKER—I am sure my hon. friend is quite sincere when he says he feels himself impelled by a sense of duty to oppose the third reading of the bill, but it seems to me extremely difficult to find consistency in an hon. gentleman who declares himself to be the champion of competition and opposed to all monopoly, when he opposes the third reading of the bill which is now before the Senate. I am not going to be drawn into a controversy with my hon. friend as to the merits or demerits of the Canadian Pacific Railway. I am not going to enter into a discussion as to whether the Canadian Pacific Railway is more indebted to the Dominion government than the Dominion government is indebted to the Canadian Pacific Railway. Every one who is acquainted with the history of this Dominion knows that the Canadian Pacific Railway has done more for the development of the resources of Canada, that it has done more to bring Canada into prominence and to make its capabilities known to the world outside of Canada, than any other enterprise that was ever inaugurated in the Dominion. I am not going to be drawn into any controversy as to the merits of the Canadian Pacific Railway, or as to whether a debt of gratitude is due from it to Canada or from Canada to it. I shall confine myself to a discussion of the merits of the bill now before the Senate. It is a simple bill. The company merely ask by this bill permission to construct ten miles of its railway, further inland. It is not asking for a subsidy nor for assistance. It is merely asking permission to complete the enterprise which it has in hand. This railroad has already been built a portion of the distance, and it is proposed by the bill to give authority to the company to built a line from Three Forks to Whitewater Creek. The facts are that that country is studded with mines. The object of the company is to be permitted to develop the mineral resources of the country. They ask for permission to build a branch of ten miles for the purpose of being able to bring out from the interior the produce of the mines. My hon. friend is opposed to monopoly, and yet he wants to exclude this company from extending its works in order that it may come into competition for the trade of that section of the country. The statement is made that it parallels for a certain portion a completed road, a road already in existence. Is the doctrine to be laid down in this House that no railway can be built which is parallel to a railway in existence? The Railway Act provides not only for paralleling railways, but for expropriating property when it is necessary to carry out an enterprise. It does more than that. It provides for taking power from the Railway Committee to run over another railway on such terms as may be ordered. There are many instances of parallel railways. No man can travel from Toronto to Montreal by the Grand Trunk Railway or Canadian Pacific Railway without observing that for miles they run parallel to each other, running neck and neck. It is necessary, in the construction of this proposed line, to approach the existing railway. I am not disposed to enter into any harsh criticisms as to the object with which this bill is being opposed by those who are interested in the other railway, but it is a railway that does not commend itself with any great force to the consideration of this Senate. It is a railway which was chartered in 1892. The road was opened in 1895, and since that time they have built a mile of railway. I hold in my hand an extract from Poor's Manual of 1897, which is an authority upon the subject, and in that I find the total mileage of the road is $31\frac{80}{100}$ and the gauge is three feet.

Hon. Mr. POWER—Three feet six.

Hon. Mr. BAKER—They give here three feet, but give them the benefit of the extra width, and we will say for the sake of argument that this railway has a three feet six inch gauge. We will give them the benefit of that additional length, but I am giving to the House an extract from Poor's Manual, which is received everywhere as an authority on all railway matters. They have a grant from the British Columbia government of 254,000 acres, of which they have received 198,240 acres; they have three locomotives, two passenger cars, fifteen freight, cattle and box cars, and twenty flat cars, or a total of twenty-two

cars, also one snowplough. The statistics are given by which it is shown that the income of the road from all sources is $37,725; the expenses $77,590, leaving a deficit of $39,865.

Hon. Mr. BOULTON—For which the Canadian Pacific Railway wants to compete.

Hon. Mr. BAKER—The Canadian Pacific Railway wants simply the privilege of completing the road into this mining district. The hon. gentleman heretofore has spoken in favour of pioneers, and his sympathies are all in favour of the pioneers. It will be a decided advantage to the pioneers of this mining district to have competition. They are now limited to the service of this—I do not like to speak disparagingly of it—of this tramway, which is exceedingly limited in its resources, which is limited in its capabilities; and I think it would be a decided advantage to the pioneers in the country and the miners if they were afforded further facilities, and the authority to build this railway will secure to those pioneers the competition for which my hon. friend seems so anxious upon other occasions, but which he seems to be opposed to on this occasion.

Hon. Mr. POWER—I have not the same direct interest in this matter that the hon. gentleman from Victoria has, who, I understand, is seconding the resolution moved by the hon. gentleman from Shell River, and I do not know that I should have said anything now if it had not been for the rather remarkable speech made by the hon. chairman of the Committee on Railways, Telegraphs and Harbours. Now, my hon. friend the chairman of the committee is too old a politician, and too old a lawyer, and too old a business man, to suppose for one moment that if this bill passes and goes into operation there will be any prolonged competition between the Slocan and Kaslo Railway and the Canadian Pacific Railway. The object, which is not denied at all, of this bill is to enable the Canadian Pacific Railway to extend their line to the mines on this White-water Creek, and the object of constructing the Kaslo and Slocan Railway was just to accommodate those same mines. The result will be, if this bill passes and receives the assent of His Excellency the Governor General, that the big corporation will be in a position to crush out the little corporation almost immediately. It may be that the service which will be rendered to the people of the district by the big corporation will be as good, or possibly better, than the service which is rendered by the little corporation, but the people who are on the spot, the miners and the people who are living there, ought to know their own business; they do not seem to think so, as far as they have been heard from. They prefer that their own little corporation should be allowed to conduct their business; they do not complain that the rates charged by the small corporation are excessive. They do not complain that the small equipment which the hon. gentleman has referred to, is not sufficient to do their business, and as they are not suffering from monopoly, and are not asking to be relieved from a monopoly, I do not think we need concern ourselves very much about it. We are 3,000 miles away, and we should not profess to know their business better than they do themselves. In this connection I think it deserves the attention of every hon. gentleman in this House, that the gentlemen who represent British Columbia in this House, representing both sides of politics, are opposed to this bill and in favour of allowing the Kaslo and Slocan Company to go on and do their business as they have been doing. I understand the same is the case in the other House, that the representatives of British Columbia in that House are not in favour of this bill. I think hon. gentlemen—it is true in both Houses—that weight should be given to the opinions of the majority of the representatives of any province with respect to a matter which related to that province, and in this House, which is supposed in an especial manner to represent the provinces, the fact that the representatives of the province are unanimous in their opposition to this bill, ought to carry a great deal of weight with the gentlemen who come from other provinces. That is a sound and reasonable principle, and any hon. gentleman who has read—as no doubt the hon. gentleman who has just sat down has read—the debates which took place at the time of confederation will find that one of the great objects of constituting the Senate as it was constituted was to represent provincial interests and the provincial principle. There is this to be borne in mind, that not only will the Canadian Pacific Railway be in a position to kill the other company and prevent its operation

in a very little while, but that the only people who will suffer directly are not the owners of the bonds—I understand that the bonds were most of them purchased in the United States, but prominent citizens of British Columbia who put large sums of their own money into the stock of this company; and there are two or three of the most prominent and enterprising men in the province of British Columbia, who, I understand, will be financially ruined if this bill goes into operation. These were the men who had the enterprise and the courage to undertake to build this road at a time when the resources of the district had not been developed and when the Canadian Pacific Railway had not proposed to go in there; and I think for that reason that this House should hesitate about passing this bill. One of the serious effects of our legislating in the direction in which we are asked to legislate now is this: if the parliament of this country lays down the principle that whenever a local railway is built by a comparatively small corporation one of the big corporations—the Grand Trunk or the Canadian Pacific Railway, or some other big corporation—will receive from parliament authority to take such steps as will render the money which has been invested in that small undertaking worthless, will wipe it out, we shall have an end of all independent railway construction in this country. I do not think that in the interest of the public that is a desirable condition of things, because the big corporations will not go into these undertakings unless they promise to pay. When this Kaslo and Slocan road was built, it had not promised to pay largely; but the people on the spot and interested in that section of the country were prepared to risk their money for the benefit of the district. Now it appears to be a paying investment and we find a big corporation ready to go in and grasp the whole enterprise and take it out of the hands of the people who put their money in it when it was a very doubtful speculation. There is another fact. It is not necessary, in order to give the Canadian Pacific Railway a connection with Kaslo and with the mines. I may say that the present road, the Kaslo and Slocan Railway, goes within a mile and a half of the point to which the branch contemplated by this bill proposes to go, and it serves the mines in that way just in the same way that the branch contemplated by the bill would; so that you are giving no further advantage to the people there; and when this little corporation has been squeezed out of existence as it will be undoubtedly, then the big corporation will have the power to raise the rates to whatever figure they think the traffic will bear. That has been the practice in the North-west Territories, Manitoba and elsewhere, and it is what railway corporations always do. So that there is nothing whatever in the plea of competition. On the contrary, the district will suffer, I am satisfied, if this bill passes. Then it is not necessary for the purposes of the Canadian Pacific Railway Company. The Canadian Pacific Railway have taken over the Nakusp and Slocan Railway, which runs to the western terminus of the Kaslo and Slocan Railway. They can connect with the Kaslo and Slocan Railway. I do not know whether they have already connected or not, but they are in the same settlement and they can connect with the Slocan and Kaslo Railway, and do business in the district; so that the construction is not necessary for the purposes of the Canadian Pacific Railway. I do not think that it is necessary, or desirable, that I at any rate should say anything more of this measure just now. I may summarize; the bill is quite unnecessary; it is not called for by anybody; it is not looked for by the people of the district at all; it is not going to do any good; and it is not approved of by the representatives of the province in which the railway line is to be constructed. It will have the effect of discouraging the construction of independent railways throughout Canada, which is a most objectionable thing; and it is going to do serious injury to the enterprising and independent men who put their money into this Kaslo and Slocan Railway; and for that reason I feel that it is my duty—while I recognize all the country owes to the Canadian Pacific Railway—to speak as I have done. The Canadian Pacific Railway Company have some six thousand odd miles of road already, and they have several hundreds of miles now under construction; and I think they have quite enough to attend to without taking up this unfortunate little Kaslo and Slocan road. It is a case like that of Naboth's vineyard, and the company should be warned by the fate of the covetous king.

Hon. Mr. BOULTON—I just wish to correct the chairman of the Railway Com-

mittee with regard to the figures he gave, I am quoting now from the printed report of the Department of Railways and Canals. The Kaslo and Slocan passenger traffic was $40,000; the freight traffic was $75,000; mails and express were $1,000—I am just giving the round figures—and other sources, $1,200. The total earnings were $117,000 gross, and the total net earnings were $66,000. The hon. gentleman spoke of it as a deficit, whereas there was a net profit of $66,000.

Hon. Mr. LOUGHEED—With the permission of the House I should like to make some remarks on this bill. When I say that the position taken by my hon. friend from Marquette, and also by the senior member for Halifax, is very unique and novel, I inferentially pay them a tribute. It may be inferred from that that no two hon. gentlemen in this House have been stronger opponents of monopoly than those two hon. gentlemen; and yet on this occasion we find them declaiming in very strong language against competition and in support of a road having an absolute monopoly of one of the richest districts of mining country in the whole of British Columbia. My hon. friends cannot possibly escape from that position. Furthermore, the inconsistency of the position taken by them would be equivalent to the ground which I am about to advance that this House hereafter would have to take in respect of all similar legislation. In the first place my hon. friend from Halifax would practically delegate to the members of each province absolute sovereignty, so to speak, in legislating for all the matters relating to that particular province.

Hon. Mr. POWER—I said their opinions should have weight with the House.

Hon. Mr. LOUGHEED—The hon. gentleman certainly advanced that as a reason why this House should be governed along the line and by the view expressed by him in rejecting this bill. Now, I entertain the very highest regard for the sagacity and for the wisdom of my hon. friends from British Columbia, who have expressed themselves in opposition to this bill; yet, at the same time, I certainly cannot forego exercising my judgment in regard to the principle involved in the position which they have taken. The principle involved would be simply this; that wherever there is a vested interest, assuming it to be a vested interest and I grant as strong a position as the opponents of this bill can possibly take, that upon a representation being made to this House that that vested interest is in any way interfered with, it is not desirable in the public interest to grant legislation which could possibly create competition or rivalry to that particular interest, irrespective entirely of whether the public interest would be subserved by carrying out that view. Let us investigate the facts relating to this bill for a moment or so. Two or three gentlemen appeared before the Railway Committee and expressed themselves in very emphatic language and represented in a very forcible way and with very great credit to themselves, the fact that this bill would be adverse to the interests of the Kaslo and Slocan Railway Company, and adverse to certain persons living in that particular district. Why? Because it would interfere with the interests of the company at present operating the various interests in that district. Now, one would have fancied that if the people of this road projected by the Canadian Pacific Railway Company would result in the absorption of the Kaslo and Slocan road in the paralyzing of it from doing business hereafter, that the parties interested in the bonds of that road, the mortgagees of that road, in fact the owners of it would be the very first persons to appear before the Railway Committee, not only of this House but of the Commons, and protest against the legislation which we have under consideration; but when I say to hon. gentlemen present who were not at the Railway Committee, that there was no representation made on behalf of those who have bonded interests in the road—men most vitally interested — then hon. gentlemen can easily fancy that the Railway Committee had no alternative but to grant the charter. Now, certain gentlemen did appear before the Railway Committee, but they were residents of that particular district and the extraordinary position was taken by those gentlemen, and I certainly cannot reconcile it with the facts of the case, that competition in that particular district would be inimical to the best interests of the district and would demoralize the Kaslo and Slocan road. Now, it must be obvious that this fact would be patent to any hon. gentleman

in this chamber, that the building of a competitive road into that district must necessarily enure to the benefit of every man who has an interest in that district outside of any interest he may have in the Kaslo and Slocan road. It is too late in the day to say that two roads running into a district of that character, one of the richest mining districts in British Columbia, in fact the richest mining district in the whole of British Columbia, a district made up of many groups of mines, a district on which a couple of smelters should be depending for their material—I say it would be idle to maintain that competition in that district would not be a very decided advantage to every interest in the district. If anything is patent, that fact is. Now, I might point out to hon. gentlemen that the object of the Canadian Pacific Railway extending their line into that district of the country known as the Slocan district is to secure a sufficient quantity of ores so that they may be able to operate their smelter at Trail, which has cost, I think, $600,000, and which they have recently acquired. If there is anything in that district which is badly needed, and which must be carried out to a successful result for the purpose of developing that country, for the purpose of establishing the richness of its mines and the wealth of its resources, it is the development of the smelting industry, and because the Canadian Pacific Railway seek to obtain an entrance into many groups of mines, the richest in British Columbia, so that they may be able to secure trade to operate their smelter at Trail, it is considered by some gentlemen who have an interest in that district that it is very wrong to permit them to do so. I am sympathetic at times where vested interests are to be unfairly interfered with; but public interest must be taken into consideration in this matter, and though some private gentlemen may find themselves interfered with in their calculations and in their expectations as to the development of certain properties, they must not stand in the way of public interests. The whole difficulty which I see in dealing with this matter along the views expressed by the hon. gentlemen from Marquette and Halifax would be that we would establish a system of monopoly exercisable by parties coming to parliament pointing out that they had certain interests in a district which would be seriously interfered with by a competing industry, and in this way they would paralyze all public enterprise and the development of great resources. Now, it is unnecessary for me to say anything in regard to the Canadian Pacific Railway Company except this: that I have been a resident in that western country since the inception of that road. I witnessed the development of the whole of that western country through the building of the Canadian Pacific Railway and my observation has led me to familiarize myself more or less with the building of competing lines and other lines in that country, and I cannot recall any instance, and I challenge the hon. gentlemen from Marquette and Halifax to point out any instance, in which the Canadian Pacific Railway Company, in the development of its railway system throughout the whole of that western country, has ever absorbed a weaker road against its will, has ever done an injustice to a rival corporation, or has acted in any way not in harmony with the dignity of a great corporation, or failed to treat other corporations with the greatest amount of generosity. I say, in view, of that fact, we cannot for a moment assume that the predictions or forebodings of evil which have been uttered by the hon. gentlemen from Marquette and Halifax must necessarily be realized—that the Canadian Pacific Railway Company is going into that country for the purpose of absorbing a railway 30 or 40 miles in length. I wish to point out to hon. gentlemen that this projected road is about ten miles in length. I would point out that the Kaslo and Slocan road has an outlet on Kootenay Lake, which has direct connection with the United States. It is not sought by this legislation to grant power to the Canadian Pacific Railway Company to project this road to a greater distance than ten miles from Three Forks. That will leave them navigation on the Kootenay Lake, which I say is an outlet for the Kaslo and Slocan road, affording them water communication direct to the United States for the export of their ores to the United States smelters. That competition is not destroyed. They have the monopoly, if you chose to term it, of that water communication. The Canadian Pacific Railway Company in no way comes into competition with them in regard to that branch of transportation. I would state this fact—I had not intended to allude to it, but I may as well while speaking on

the bill—that this road has been shipping the ores from the mines in that district to a United States smelter. They have been shipping those ores to Kaslo and from Kaslo by the Kootenay Lake to the United States smelters.

Hon. Mr. POWER—I should like to ask the hon. gentleman if there are any other smelters to take the ore?

Hon. Mr. LOUGHEED—There are two in that country.

Hon. Mr. BOULTON—Are they running?

Hon. Mr. LOUGHEED.—The Trail smelter has until lately been working, but owing to the duties placed on the class of ores found in that district, they have to be sent into the United States for smelting purposes. But this should not continue and if you permit the present system to obtain for all time to come, we have a right to assume that the present condition of things will continue. But I am pointing out the desirability of giving competition so that such a quantity of ore may be secured by opening up this road from a very rich district of country as to permit the smelters being opened up on the Canada side, not necessarily opened up, because they are opened up, but to be run at an advantage. I will further point out to this House that the bonds of this company are held by United States corporations.

Hon. Mr. MACDONALD (B.C.)—It makes no difference about that.

Hon. Mr. LOUGHEED—It may make a difference. The bonds of this company are held in Minneapolis and, according to reports already read by the hon. gentleman from Marquette, it is quite evident that this road is not in such a condition as to be considered a wealthy railway corporation, because the expenditure considerably exceeds the revenue.

Hon. Mr. BOULTON—I read it exactly the reverse. There is a net profit of $66,000.

Hon. Mr. LOUGHEED—It is the net revenue from the road, but my hon. friend overlooked the statement made by the hon. gentleman from Bedford (Mr. Baker) that the interest on bonds, and I presume other claims, exceed $70,000 a year, so my hon. friend from Marquette will observe there is necessarily a deficit.

Hon. Mr. BOULTON—Our statistics are more full.

Hon. Mr. LOUGHEED—Our own statistics do not point out what the indebtedness of the road is, and what the uncontrollable expenditure in the way of interest on bonded charges would amount to.

Hon. Mr. BOULTON—Oh, yes, it is all here.

Hon. Mr. LOUGHEED—Then the hon. gentleman did not read it. I will further point out the fact that the bonded indebtedness of that road is of so large a character that it will absorb the profits of the road. There is not a margin on the working of the road for those interested in it. It cannot be said that by resisting this legislation now we would place those parties in any better position because practically the property is absorbed by the bondholders. Under the circumstances, I submit with great confidence to the House that this Senate will not endorse the views of the opponents of this bill, namely, that they will not grant competition for the development of an important section of the country where competition must necessarily be had, and where it is desirable that such competition may be had for the purpose of assisting one of the most greatly required and most important industries that can be established in that country, namely, the smelting interest.

Hon. Mr. TEMPLEMAN—After listening to the speeches of the hon. gentleman from Calgary (Mr. Lougheed) and the chairman of the Railway Committee (Mr. Baker) I am constrained to think that there is much necessity for a little information as to the relative positions of these two railways. The hon. gentleman from Calgary has certainly in many very important particulars misstated, or rather did not properly state the facts of the case. Before this vote is taken it is well that we should thoroughly understand that it is not an attempt to establish competition but to gobble up a small railway.

Hon. Mr. LOUGHEED—That is a very serious charge to bring against a company.

Will the hon. gentleman state the grounds on which he makes such a charge?

Hon. Mr. TEMPLEMAN—The Kaslo and Slocan Railway is essentially a provincial railway and the Nakusp and Slocan is also a local railway. The proper place for this legislation is in the British Columbia legislature. The Canadian Pacific Railway Company know very well that they could not go to that legislature and get this extension of ten miles from Grand Forks to Whitewater Creek. The Nakusp and Slocan Railway, thirty-seven miles long, was chartered, subsidized and built by the British Columbia government. It cost the province between six and seven hundred thousand dollars. It has been turned over to the Canadian Pacific Railway who pay to the government 40 per cent of the gross receipts for operating that road. We do not know how it pays the company. We imagine it pays them very well, for they have a very favourable contract indeed. Now, the Canadian Pacific Railway Company have built from Three Forks, the original terminus of this road, a short extension to Slocan City. On the other hand the Kaslo and Slocan Railway Company was built by the British Columbia Company of which Mr. Alexander Ewen was president. That gentleman, previously to the construction of the Kaslo and Slocan, built a wagon road at his own expense for the purpose of developing the Slocan mines. Mr. Alexander Ewen organized a company. They issued bonds to the extent of $600,000 and built this railway. They received from the provincial government, it is true, a small land subsidy. Now, the position is this to-day: this House is asked to extend the Nakusp and Slocan Railway ten miles alongside of the Kaslo and Slocan Railway, because, notwithstanding what the hon. gentleman from Calgary has said, this road is parallel and parallel within a very few feet for its entire distance of the Kaslo and Slocan Railway. It runs through a narrow gulch and cannot do anything else. At no distance is it the width of this House from the Kaslo and Slocan Railway. Now we are asked to extend the Nakusp and Slocan Railway ten miles down in order that a railway built by the province of British Columbia—built entirely by that province and handed over to the Canadian Pacific Railway shall ruin practically a small railway built entirely by private money and private enterprise. I think that is unfair. There is really no argument whatever in it. It is a mere excuse to say that the people there want competition. There have been no demands for this railway. There have been, on the other hand, documents, I believe, submitted to the Railway Committee—at all events, I heard them quoted there—from mine owners at Whitewater Creek that the present service by the Kaslo and Slocan was all they wanted—that they wanted no other railway. It appears strange that, without any demand whatever, without any person asking for this railway, with simply the demand of the Canadian Pacific Railway, this House should vote to extend this road and thereby, as I have said, ruin a private enterprise. There is not the slightest doubt in the world that the Kaslo and Slocan Railway will be practically ruined if this railway is permitted to extend along this road into the only country from which the Kaslo and Slocan Railway derives any freight whatever. That is the position, in so far as these two roads are concerned. I do not know that we have anything to say against the Canadian Pacific Railway Company. I was very sorry to hear the chairman of the Railway Committee sneer at this small railway, the Kaslo and Slocan. I do not think he was wise in doing so. What would be the effect, assuming that my argument is correct, of the extension of this road for ten miles upon private enterprise, in building railways in the future in British Columbia? This Kaslo and Slocan Railway is the only independent railway that we have in that province. What its destiny may be in the future I do not know. It is just possible that the great Canadian Pacific Railway Company may, if not through this legislation through some future legislation or through purchase, obtain the Kaslo and Slocan. It may be its future destiny, but I do not think we should assist, by any unfair legislation of this kind, the Canadian Pacific Railway in obtaining or forcing possession of that road. What would be the effect upon private enterprise in British Columbia? Will it not be ruinous to it? Who in the future will invest $200,000 in the construction of a local railway if the Canadian Pacific Railway Company can come to this House and get legislation to parallel their road and to practically defeat their enterprise and ruin their business? It would be fatal to any enterprise of that kind. The Nakusp

and Slocan Railway, as I said before, was built by the provincial government. I think it is a strong point. The operation of that railway is being paid for to-day by the province of B itish Columbia. British Columbia guaranteed the principal and the interest of the bonds of that railway. They receive forty per cent of the gross receipts from the Canadian Pacific Railway and that amounts to about $15,000 or $16,000 less than what they pay out as interest on the bonds. As has been pointed out, every representative from British Columbia now in Ottawa —with probably one exception—in both Houses, is opposed to the granting of this charter.

Hon. Mr. LOUGHEED—It was not opposed at the third reading in the Commons by the British Columbia members apparently. I have the *Hansard* before me, and it was not opposed.

Hon. Mr. TEMPLEMAN—Messrs. Bostock and Morrison appeared before the Railway Committee and opposed the bill.

Hon. Mr. LOUGHEED—Page 3975 of *Hansard* shows that the bill went through without opposition.

Hon. Mr. TEMPLEMAN—The gentlemen who represent that district, Messrs. Bostock and Morrison, both appeared before the Senate committee and strongly opposed the passage of the bill. The hon. gentleman from Victoria City and myself are opposed to the bill. Whether our views are to be accepted or not, I think they should carry some weight in this House. Public opinion in British Columbia is not in favour of this bill. No person wants it excepting the Canadian Pacific Railway. It has been stated by several members, and I am a little astonished to hear the arguments used, that the bonds of the Kaslo and Slocan Railway are held in the United States. Well, what if they are? Where are the bonds of the Canadian Pacific Railway held? They are not all held in Canada or in London, but I am informed, as a matter of fact, that the bonds of the Kaslo and Slocan are not held in the United States. At all events, a newspaper published in that district, denies the statement made by Mr. Clarke in the Railway Committee of the House of Commons to that effect. The extract reads:

It is a matter of public fact that the Great Northern has nothing whatever to do with the Kaslo and Slocan. The road is principally owned and is under the control of men in British Columbia. The bonds are held in England.

If the bonds are held in the United States it makes no difference. My hon. friend made a rather peculiar statement. He said this railway did not parallel the Kaslo and Slocan. The map shows that it does. It is not the base of a triangle. It is parallel for the entire ten miles.

Hon. Mr. LOUGHEED—The map I have shows differently.

Hon. Mr. TEMPLEMAN—All the ores of the country, whether taken out by the Kaslo and Slocan or the other road, have gone to the United States. But when hon. gentlemen dwell on this fact, that this road runs in a south-easterly direction and touches Kootenay Lake and carries ore into the United States, they forget that all ores, coming out of the Kaslo and Slocan go to the United States and have been going there for years and will go until some arrangements are made so that smelting can be carried on profitably in Canada. It has been remarked frequently that no one appeared in the committee to oppose the granting of the charter, and that is regarded as something favourable to the bill. I do not know that bondholders usually send representatives to legislatures to fight legislation, but I do know that those who have spoken and those who are speaking on this matter are acting in the interests of the stock holders and other interests which will suffer if this bill is allowed to pass. I second this motion with pleasure. I have no antipathy to the Canadian Pacific Railway but this bill is not in the public interest.

Hon. Mr. MACDONALD (B.C.)—I move the adjournment of the debate.

The motion was agreed to.

THIRD READINGS.

Bill (55) "An Act to incorporate the Atlas Loan Company."—(Hon. Mr. Power.)

Bill (114) "An Act further to amend the Act respecting the Department of the Geological Survey."—(Hon. Mr. Scott.)

Bill (79) "An Act to incorporate the Windsor and Detroit Union Bridge Company," as amended.—(Hon. Sir Mackenzie Bowell.)

SECOND READINGS.

Bill (105) "An Act respecting the Montreal Island Belt Line Railway Company."—(Hon. Mr. Bellerose.)

Bill (69) "An Act respecting the Kingston and Pembroke Railway Company."—(Hon. Mr. Clemow.)

Bill (94) "An Act to authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Railway and Manufacturing Company."—(Hon. Mr. Power.)

BILLS INTRODUCED.

Bill (117) "An Act to incorporate the Klondike and Dawson City Bank."—(Hon. Mr. Clemow.)

Bill (4) "An Act to better secure the safety of railway employees and passengers."—(Hon. Mr. Power.)

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 12th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

SOULANGES CANAL CONTRACTS.

MOTION.

Hon. Mr. LOUGHEED, moved, —

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will be pleased to cause to be laid before the Senate, a copy of each of the following documents relating to the reletting of contracts for the construction of sections 1, 2, 4, 5, 6 and 7 of the Soulanges Conal:—

1. Copy of notice calling for tenders for the reletting of section 4, 5, 6 and 7 of the Soulanges Canal.
2. Copy of the specifications for the reletting of sections 4, 5, 6 and 7, Soulanges Canal.
3. Copy of the tender of J. M. Hogan.
4. Copy of the tender of Andrew Onderdonk.
5. Copy of the Order in Council or report of the Minister of Railways and Canals, or Chief Engineer of Railways and Canals, shortening the time for the completion of sections 4, 5, 6 and 7 from the end of October, 1899, to the end of October, 1898.
6. Minute or memoradum of the agreement or conversation had with Andrew Onderdonk, contractor for sections 4, 5, 6 and 7 of the Soulanges Canal by the Minister of Railways and Canals or Chief Engineer, between the dates 17th March, 1897, and 20th March, 1897, both days inclusive, or at a subsequent date to the effect that if J. M. H gan, the lowest tenderer for sections 4, 5, 6 and 7, refused to sign the contract that A. Onderdonk would take it at the prices named in hi (Onderdonk's) tender and agree to complete the work by the end of October, 1898.
7. Copy of letter or telegram to J. M. Hogan between dates 17th March, 1897, and 22nd March, 1897, both days inclusive, notifying him that he was the lowest tenderer for sections 4, 5, 6 and 7.
8. Letter from J. M. Hogan to the Department of Railways and Canals between the dates 17th March, 1897, and 22nd March, 1897, both days inclusive, refusing to sign the contract for sections 4, 5, 6, and 7 for which he was the lowest tenderer.
9. Copy of contract of A. Onderdonk for sections 4, 5, 6 and 7, Soulanges Canal.
10. Copy of the Order in Council cancelling the contract of Archibald Stewart for sections 1 and 2, Soulanges Canal.
11. Copy of Order in Council about reletting of sections 1 and 2, Soulanges Canal.
12. Copy of public advertisement or other printed notice calling for tenders for the reletting of sections 1 and 2, Soulanges Canal.
13. Copy of notice sent to Hugh Ryan asking him to tender for reletting of sections 1 and 2, Soulanges Canal.
14. Copy of notice sent to John Ryan asking him to tender for reletting of sections 1 and 2, Soulanges Canal.
15. Copy of notice sent to Allan R. McDonnell asking him to tender for reletting of sections 1 and 2, Soulanges Canal
16. Copy of notice sent to W. J. Poupore asking him to tender for reletting of sections 1 and 2, Soulanges Canal.
17. Copy of notice sent to one Cleveland asking him to tender for reletting of sections 1 and 2, Soulanges Canal.
18. Copy of notice sent to M. P. Davis, or Wm. Davis & Sons, asking him or them to tender for reletting of sections 1 and 2, Soulanges Canal.
19. Copy of notices sent to other contractors asking them to tender for reletting of sections 1 and 2, Soulanges Canal.
20. Copy of specification and form of tender for reletting of sections 1 and 2, Soulanges Canal.
21. Copies of all tenders *verbatim et literatim* for reletting sections 1 and 2, Soulanges Canal.
22. Copy *verbatim et literatim* of the contract of Ryan & Macdonnell for sections 1 and 2, Soulanges Canal.
23. Copy of notice or information furnished to tenderers of sections 1 and 2, Soulanges Canal, as to the plant which tenderers would have the use of and the terms on which they would have such use.
24. Statement of the amount and nature of the security given by Ryan & Macdonnell for the completion of their contract for sections 1 and 2, Soulanges Canal.
25. Copy of notice to tenders for reletting of sections 1 and 2, Soulanges Canal, that the government would furnish a quarry for the use of contractors.
26. Copy of the agreement with Ryan & Macdonnell as to the quarry at Rockland.
27. Statement of the royalty to be paid by Ryan & Macdonnell to the department on stone to be quarried at Rockland Quarry.

28. Copy of the Order in Council dated between the dates 15th May, 1897, and 29th May, 1897 (both dates inclusive), for the payment of $10,000 to Archibald Stewart.

29. Copy of letter or telegram from the Department of Railways and Canals to one C. W. Ross, a clerk in the Department of Railways and Canals, in the month of December, 1897, or January, 1898, instructing him to break into the office of Archibald Stewart, at his quarry in Rockland.

30. Copies of letters or telegrams to one Middleton, government inspector at Rockland from the Department of Railways and Canals, during the months of December, 1897, and up to 13th of January, 1898.

The motion was agreed to.

MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. LANDRY rose to :

Call the attention of the government to the following conflicting statements made, the one to the religious authorities in Rome, by Mr. Charles Russell in the name and on behalf of the Catholic members of the present administration, on the 26th of November, 1897 ; the other to the Canadian public at large by one of the members of the present administration, and in its name, on the 2nd day of May, 1898 :—

Extract from a Letter addressed by Mr. Charles Russell to His Eminence Cardinal Rampolla, and dated,—

Rome, 26th Nov., 1897.

The object of my visit is to call the attention of Your Eminence to the subject upon which I have so often negotiated, to wit, that such a condemnation (*the condemnation of the Laurier-Greenway agreement*) would have the most disastrous effects for the peace of Canada and the cause of Catholic education in this country, while at the same time it would sow discord among the Catholics themselves.

We do not solicit His Holiness to sanction as perfect the concessions obtained, but that, in his wisdom, he will be pleased to regard them as *a beginning of justice*. . . The condemnation of the concessions made would, at the present hour, render (I am begged to insist upon this point) any future concessions impossible.

Extract from the Senate Debates, 2nd May, 1897, page 709, 2nd column.

Hon. Mr. SCOTT—The hon. gentleman must be aware that the present government have settled the school question with Manitoba.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. SCOTT—They adopted the same channels to settle the question as the late government did. The late government sent delegates to Manitoba and had a conference and failed to come to any agreement. The present government had a conference with representatives of the government of Manitoba and they came to an agreement, which was confirmed by the Manitoba legislature, and *that is the end of it*, so far as the public are concerned.

And inquired :—

1. Is the agreement spoken of by the Honourable the Secretary of State an agreement that really *is the end* of the Manitoba school question, as asserted by the government, or may it be considered as *a beginning of justice*, as put forward to the Catholic religious authorities by a man who is in the employment of the Canadian government, and who, arriving in Rome, writes that he is there once again at the urgent request of the Catholic members of the government and of the parliament of Canada ?

2. If the Manitoba School question has been definitely and irrevocably settled, when did that final settlement take place ?

3. If the Manitoba school question is not yet finally settled, and if what has been done up to date is to be considered merely as a beginning of justice, when will the remnant portion of justice, to which they are entitled, be bestowed to the Catholic minority of Manitoba ?

Hon. Mr. SCOTT—The hon. gentleman proposes to take an answer which I have given him on several occasions, and which answer I say is strictly correct, and to compare that answer with an extract from a document that he has put on this paper. That document I never heard of, as I explained the other day, until the hon. gentleman referred to it on a former occasion and I do not know that any such document exists. I should like the hon. gentleman to send me over the document if he has it.

Hon. Mr. LANDRY—I have not it here.

Hon. Mr. SCOTT—I do not think the hon. gentleman has a right to catechise me on a document not before the House.

Hon. Mr. LANDRY—It is on the minutes.

Hon. Mr. SCOTT—There is an extract on the minutes from a paper I never heard of, the authority of which I have a right to question. The hon. gentleman produces a document written by some one in the province of Manitoba to one of the ecclesiastics of the church to which I belong, which, I may say, if the document is genuine, has been purloined from Charles Russell or Cardinal Rampolla. It has been improperly obtained, and it has been obtained in such a way that no gentleman would use it in a matter of this kind.

Hon. Mr. LANDRY—Does the hon. gentleman affirm that ?

Hon. Mr. SCOTT—I affirm what I say, that no gentleman would use a private letter of that kind unless he was prepared to produce it, and he has no right to catechize a minister of the Crown as to its contents.

Hon Mr. LANDRY—How can the hon. gentleman say it is a private letter ?

Hon. Mr. SCOTT—I have my opinion about it. I am sure Charles Russell never gave a copy, and Cardinal Rampolla never gave a copy of it, if such a letter exists ; but I never heard of the letter.

Hon. Mr. LANDRY—How can the hon. gentleman say it is a private letter ?

Hon. Mr. SCOTT—It is a private letter.

Hon. Mr. LANDRY—How does the hon. gentleman know?

Hon. Mr. SCOTT—That is my opinion. If Charles Russell was representing certain gentlemen, he was representing them in a delicate diplomatic mission, which was not one in which the general public had any interest. That is quite patent and perfectly clear. But the hon. gentleman will insist on dragging this question before the House on every possible occasion, and he must know that he is doing irreparable harm to those whom he probably would like to serve. It was my good fortune, some thirty-five years ago, before the hon. gentleman became a Senator, to have settled this important question in one of the large provinces of the Dominion. I had then to deal with bigots and cranks and all sorts of people, but as time wore along the settlement then made has improved from time to time, as agitation, such as the hon. gentleman seeks to develop, was allowed to abate by the good sense of the people. A great majority of the people looked at it in a tolerant spirit, and I had the satisfaction of knowing that those who were the most bitter opponents of the system came at last to approve of it. History repeats itself, and I am sorry the hon. gentleman will not be governed by the experience of the past and leave the subject alone. He is only doing irreparable harm for those whom he professes to speak. The answers I gave, as far as the government is concerned, are accurate, and I have endeavoured on every occasion to give the hon. gentleman the fullest information to which he was entitled. I know nothing of Mr. Russell's mission to Rome, and I never had any communications with Mr. Russell at any time. I do not know the gentleman, and therefore it is highly improper for the hon. gentleman to use an extract of a document, which he says is a letter, but which he cannot produce here, and I have a right to doubt its authenticity.

Hon. Mr. LANDRY—The hon. gentleman who has just taken his seat has no right to catechise me.

Hon. Mr. MILLS—Oh, yes.

Hon. Mr. LANDRY—Does Bourinot say so?

Hon. Mr. MILLS—I say so.

Hon. Mr. LANDRY—If he has a right to do as he is doing, I have a right to do what I am doing. We are here on an equal footing as far as discussion goes. The question is this—

Hon. Mr. SCOTT—The hon. gentleman has no right to question me on a document which is not before the House, and the authenticity of which I doubt.

Hon. Mr. LANDRY—Put the document aside for a moment; you do not know what I am about to ask you.

Hon. Mr. SCOTT—The hon. gentleman has a right to ask only what is on the paper, and it is for me to say whether I am bound by the rules which govern, and the rules of parliament, to answer the hon. gentleman's questions.

Hon. Mr. LANDRY—I ask the hon. Secretary of State to put that document aside for a moment, which he will not accept now, but which he will be obliged to accept in the near future. He can tell me at all events if the agreement arrived at and spoken of by the hon. Secretary of State is really an agreement which is the end of the Manitoba school question, or if it is a beginning of justice. At all events I should have an answer on that point.

Hon. Mr. SCOTT—I have already answered the hon. gentleman that so far as the two governments are concerned it has been practically settled.

Hon. Mr. LANDRY—It is not a mere beginning of justice; it is entire justice?

Hon. Mr. SCOTT—I am not going to enter into a sentimental part.

Hon. Mr. LANDRY—It is not a sentimental part; it has been asserted that it is a beginning of justice. I am asking whether it is merely a beginning of justice, or whether it is a settled question. Is there any irregularity in that question? Could I ask if it is an entirely settled question?

Hon. Mr. SCOTT—I am not going to be catechised on a matter of that kind and I do not propose to answer my hon. friend any more.

Hon. Mr. LANDRY—I will put that question on the order paper for to-morrow; perhaps in the meantime the hon. minister

might find out if it is an entirely settled question or if it is only a beginning of justice. I will put it in that form, suppressing that letter which so much frightens the hon. gentleman, so that not being frightened by the sight of it, he may have sufficient self-control to answer my question. I will do all I can to comply with the wishes of the hon. gentleman, but I ask him one thing, if he doubts the letter let him say so.

Hon. Mr. SCOTT—I have already told the hon. gentleman I doubt its authenticity because the hon. gentleman does not produce it; I have never heard of the letter except from the hon. gentleman's mention of it.

Hon. Mr. LANDRY—The hon. gentleman said a moment ago it was a private letter.

Hon. Mr. SCOTT—I cannot tell anything about the letter. I said, and I say again, that if there was such a copy obtained either at Rome or London, it was purloined or stolen from the party, and I say it is an improper document to be made use of in parliament.

Hon. Mr. LANDRY—I am very glad the hon. gentleman has gone so far. I wanted to bring him to that point and we will hear a little more of that in a few days.

THIRD READING.

Bill (68) "An Act respecting the Montfort Colonization Railway Company, and to change its name to the Montfort and Gatineau Colonization Railway Company." —(Hon. Mr. Clemow.)

LAKE BENNETT AND KLONDIKE RAILWAY COMPANYS' BILL.

THIRD READING POSTPONED.

The Order of the Day having been called,

Third reading Bill (31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company," as amended.

Hon. Mr. LOUGHEED said: Hon. gentlemen, I am not going to ask that this bill be now read a third time but that it be amended. The hon. gentlemen who were in the Railway Committee yesterday will doubtless remember that an amendment was granted to the company by which they are enabled to construct a wagon road sixteen feet wide to run at either side of the Miles Cañon and White Horse Rapids. Since that amendment was made, a telegram has been received asking the member in charge of the bill in the other House to have a further amendment made and to have it read "from Marsh Lake to Hootalinqua River." I might say the company has the right to build a railway from Marsh Lake to Hootalinqua River; but in the meantime they desire to build a wagon road. I might further say that no other charter covers this particular territory, and it can in no way interfere with any other interests; and I think it will be apparent to hon gentlemen that it is in the public interest that a wagon road at any rate should be built between those two bodies of water. I therefore move this amendment—after the words "White Horse Rapids" add the words "and from Marsh Lake to Hootalinqua River."

Hon. Mr. POWER—The hon. gentleman is obliged to give notice; either that or he must have the 70th rule suspended.

Hon. Mr. LOUGHEED—Then I give that as a notice.

Hon. Mr. MACDONALD (B.C.)—Will this be the last surprise?

Hon. Mr. LOUGHEED—Unless some of my hon. friend's fellow-citizens telegraph for another change.

Hon. Mr. BOULTON—Yesterday you were opposing what the residents of British Columbia wanted.

Hon. Mr. LOUGHEED—I was not aware of that.

Hon. Mr. BOULTON—Now you want to give them what they want.

The third reading of the bill was postponed until to-morrow.

THIRD READINGS.

Bill (109) "An Act to incorporate the British American Light and Power Company," as amended.—(Hon. Mr. Clemow.)

Bill (116) "An Act to incorporate the Canadian Mining Institute."—(Hon. Mr. Clemow.)

THE NAKUSP AND SLOCAN RAILWAY COMPANY'S BILL.

THIRD READING.

The Order of the Day being called for resuming the adjourned debate on the third reading of Bill (52) "An Act respecting the Nakusp and Slocan Railway Company."

Hon. Mr. MACDONALD (B.C.) said: This is a bill of the Canadian Pacific Railway Company authorizing them to build a short line, as the House knows, to parallel another railway in the same part of the country. I oppose this bill from a sense of justice and fair play and because I want to protect the weak as against the strong. I have no interest in the matter more than that. Yesterday when my hon. friend, the chairman of the Railway Committee, passed such a high eulogy on the Canadian Pacific Railway Company, I agreed with every word he said. I have been a friend of that company all these years. I admired its progress and the development of the country through its operation, and that is one reason why I am surprised that a strong company like this, with all its influence and strength, should try to parallel this little railway and crush it out. A company like the Canadian Pacific Railway, with all its capital and influence, ought to be more magnanimous and let this little railway company live. Its motto ought to be to live and let live, and I regret exceedingly that the Canadian Pacific Railway Company should see fit to interfere with the ground now occupied by this private railway. I am also sorry to oppose this bill on account of my hon. friend who has charge of it. I should like, if I could, to let the bill pass without saying a word, but my sense of justice and fair play will not allow me to be silent. The hon. gentlemen of the Railway Committee know very well the bearing of this matter, but there are gentlemen in this House who are not on the committee and to them I would say, briefly, that this is a small railway of thirty miles, more or less, in the province of British Columbia. It is serving a few mines in that locality. It connects two small towns in British Columbia and brings a certain amount of trade to that country. It is operated to the full satisfaction of those people who are interested in that part of the country. No one is complaining that the section is not properly served with this railway. They have not asked for any competition and it has not been usual for this parliament to chase people with accommodation. People have, as a rule, asked for what they wanted in the way of accommodation and competition, but here we find the parliament of Canada chasing those people and saying to them "you must have this railway; we insist upon you having competition and insist upon crushing out your little railway." I am sure this Senate is imbued as I am, with sentiments of fair play and justice. I do not attribute to myself any higher sense of fair play and justice than this House possesses. It has been one of the functions of the Senate, and it is looked to in the country, as holding the scales of justice evenly between the weaker and the stronger provinces, and between the stronger party and the weaker party. What influence can be brought to bear on this House if they vote to crush out this small road and support a large and wealthy corporation? The Canadian Pacific Railway will not be one cent worse off if this bill is not passed. They can do without it. They have an idea that they require it. I do not know the extent of the mines in that section, but I believe this present private railway, in which people put their own money, serves all the purposes of the mines, and the miners are perfectly satisfied with the accommodation given to them by this road. It was chartered by the province of British Columbia and has never asked for any favours from the Dominion of Canada. They work their own schemes and their own road, and now the parliament of the Dominion comes in and interferes with a local charter. I have no doubt the effect of passing this bill will be to close up that road. If there is only enough trade now for one road, and if it is struggling along to pay working expenses and the interest on its debentures, what will it be when the trade is divided? We certainly know the weaker party must go to the wall, and the stronger party prevail. I ask every hon. member of the House to look at this case as if it were his own individual case, and if he put his money and his time into any private enterprise how would he like to have it crushed out by an act of parliament, his money all wasted and his industry destroyed? It is a case similar to that, and it will be a cruel case. Every hon. gentleman who votes for this bill will give a vote to do an injustice to a private un-

dertaking. I do hope the House will consider the interests of those private people and not do this grave injustice. It will be a grievous wrong, and, as I said before, the functions of this House are to do justice and right between man and man. I leave the matter with the House. I do not suppose any words I could utter would influence any one to change his vote. Members have their own ideas, and there is a good deal of lobbying done and members often give promises without considering the bearings of the case as they should.

Hon. Mr. McCALLUM—I try to look at this as an individual case. I live in the part of the country where we have one railway, and I would be willing and pleased to pay any reasonable amount of money to obtain competition. As I view this question, it will give competition to the miners. My hon. friend need not groan though he may not be able to see it in the same way. What is the history of all these railways?

Hon. Mr. MACDONALD (B.C.)—Who asked for the railway?

Hon. Mr. McCALLUM—The hon. gentleman says it is the only independent railway in the province of British Columbia. How many independent railways have we in this country? What is the history of the private railways or the independent railways in this country? Where are they to-day? They were glad to get the Grand Trunk Railway, to take them up in order to keep them running. I know that to be the fact, and I could mention a great many other railways in the same position. There is the Hamilton and Lake Erie, the Port Dover and Woodstock, the Welland, the Credit Valley Railway and several other railways all over the country whose history is just the same. The people get accommodation by the Grand Trunk Railway taking over these railways. What will this be worth to those miners? They will have one railway. If these speculators go in there and engage in mining, and build a railway do they not want to squeeze the miner so as to get the products of his mine away from the smelters? This is the way I look at this matter.

Hon. Mr. MACDONALD (B.C.)—Did the miners ask for it?

Hon. Mr. McCALLUM—I may be wrong, but no reason has been shown to me why I should vote against this measure, looking at the history of railways in this country. My hon. friend says we should not grant this charter. Why, we are granting things here in many cases that we should not do. We are granting charters for railways and other proposed public works in this country. We have a bill now going through where the people have two years to commence and four years to finish a public work. But you will not give them time. Then there is another independent railway, the Kingston and Pembroke. I believe it has a bill before parliament. What does it want? We will wait and see. I am not going to judge the case beforehand, but it is another independent railway which is before us for legislation. I hope all parties will get justice in this matter; but I cannot myself, knowing the effect this will have, vote against this bill. I quite understand the effect it will have on the interests of the people of the country, and I know what it is to have competition in railways. It is the first time that I have seen the Canadian Pacific Railway come before this House and want to give competition in railways. I am very glad to see it, and I hope they will continue the good work. If they will do that, the people of this country will have more accommodation and get their freight away to the seaboard at a cheaper rate. Knowing all these facts, as I do, I cannot vote against this bill.

Hon. Mr. FERGUSON—I have been watching the discussion on this bill in this House and having examined for myself the maps of the country and considered interests which it is likely to affect, I have been at a great loss to ascertain what public interests would be affected adversely by granting this charter, and though I have listened with the closest attention to the observations of the gentlemen who spoke against the charter, I have failed to find that they have shown how any public interest can be injured by the passage of the bill. They seem to rest the case wholly on what they claim to be an injury which it will inflict upon another railway corporation. I do not dispute that; it may be a fair and legitimate matter for consideration in this House, but it should certainly not be a paramount consideration. My hon. friend from Vancouver, speaking last evening,

made a statement that certainly created a very strong impression on my mind. He said that all the British Columbia members in both branches of parliament were opposed to this charter. I would certainly be inclined, if that were so, to show a deal of deference to their united opinion although I would not necessarily forego my own opinion even on that account. I find, however, that my hon. friend has been incorrect in that statement.

Hon. Mr. TEMPLEMAN—I made an exception.

Hon. Mr. FERGUSON—My information is that there will have to be several exceptions.

Hon. Mr. TEMPLEMAN—My statement was that all those members who were present in the city of Ottawa, with one exception, favoured the six months' hoist.

Hon. Mr. FERGUSON—My hon. friend says all the members present in Ottawa, with one exception, favoured the six months' hoist. I will read a telegram which was placed in my hand a few moments ago, dated to-day, from one of the members who is not in Ottawa, I refer to Mr. McInnes, the M.P., for Nanaimo. The telegram reads :—

I am heartily in favour of the Nakusp and Slocan Railway Bill as it passed the House of Commons, and since my return find no opposition to the proposed extension. On the contrary, it meets with the greatest favour and the persistent opposition to it in Ottawa is unintelligible to the public here.

This is from Mr. McInnes, one of the members from British Columbia.

Hon. Mr. TEMPLEMAN—Mr. McInnes is in British Columbia and not here.

Hon. Mr. FERGUSON—I understood my hon. friend to say a few moments ago that all the members in Ottawa were in favour of it except one.

Hon. Mr. TEMPLEMAN—Yes.

Hon. Mr. FERGUSON—Mr. McInnes is one who is a representative of British Columbia, in addition to the one in Ottawa, and I am told there are others. I am told on excellent authority that there are other members from British Columbia besides the the one my hon. friend excepts.

Hon. Mr. TEMPLEMAN—The point is not material, but I stated distinctly that all the members at present in Ottawa, with the exception of one, were unanimous in opposition to this bill. I do not know what Col. Prior's opinion on the subject is. He is in British Columbia and Mr. McInnes is in British Columbia and not here. His views were not ascertained before he left. I personally named every member, I named the two members in this House and the members in the House of Commons.

Hon. Mr. FERGUSON—I am very sorry I did not follow the hon. gentleman as closely as I thought I did. The impression made on my mind was that there was almost an entire unanimity of the British Columbia members, whether here or in British Columbia at present, as to this charter.

Hon. Mr. TEMPLEMAN—So there is.

Hon. Mr. FERGUSON—I think that is doubtful. The hon. gentleman does not know where Col. Prior stands. He distinctly excepts one representative of British Columbia at present in Ottawa, and this telegram states where another stands; so that as British Columbia has only six representatives in the Commons, it is pretty plain three of them are in favour of the bill, by the hon. gentleman's own statement. The objection which has been urged against this bill most strongly is that it parallels an existing road. It is true, I believe, from what I can learn, that there is some paralleling, but not in the sense that that bald statement would convey to hon. gentlemen when they first hear it. Although it parallels another road, yet it is opening an outlet in an opposite direction from the other road. The existing road gives an outlet to the Kootenay Lake, and this bill proposes to give an outlet from that section over an existing road, the Canadian Pacific Railway, on the Columbia River to Arrowhead Lake and when honourable gentleman bear that in mind, they will find that the paralleling does not present such a strong objection as if it was paralleling another road from the place where the trade had its inception, until it reached a common outlet. It is furnishing an additional outlet to this country, and that being so, as it is a very mountainous country, there may be only one route through a certain valley, paralleling is necessary, but its object is almost entirely different, and it

furnishes competition not only in the transport of the ores of this country, but will facilitate competition in smelting as well. It has a most important bearing on cheapening transportation to the smelter and in smelting, enabling the owners of mines in that part of the country to choose either system they like and to reach one smelter or the other. I think, therefore, this objection on the ground of paralleling has not much force. A great deal of sympathy is expressed with the private corporation. We are all inclined to sympathize with the weak as against the strong, but we must not carry that feeling too far. Suppose the case were reversed, that the Canadian Pacific Railway Company owned the existing road and a private company wished to compete with it, I am sure no member of this House would refuse that competition when no subsidy or aid is asked for. The principle is not changed because the situation of the parties may be reversed with regard to it. Another point that was made and pressed very hard by my hon. friend, from Shell River, was that the effect of this would be to kill out competition and give the Canadian Pacific Railway a monopoly of the traffic of that section. My hon. friend seemed to forget for a moment that there is no competition now; that one company has the transportation and that it is only in case of this company being killed out and falling into the hands of the Canadian Pacific Railway, that the competition would cease. If that happened nothing worse would occur than exists just now, because at present there is no competition, and there would be none then, and nothing would be lost so far as the country is concerned. This Slocan district is a rich mining country, perhaps the richest in Canada, the country lying between the Kootenay Lake and the waters of the Columbia River, and I know there is an extraordinary development going on there, and though none of these roads may at present be making fortunes, there is going to be in the near future a trade for all, and in view of the fact that there is going to be such a trade, that the richest silver mines in Canada—perhaps the richest in the world—are in that section, I think that the House would be doing a very foolish thing indeed if they threw out a bill which has reached it after having passed every stage in the House of Commons and passed through every stage up to the third reading in this House.

Hon. Mr. BELLEROSE—When this bill came before the House I was at a loss to know how I should vote. After the hon. gentleman from Shell River had submitted his motion for a six months' hoist I gave my close attention to the debate, and I must say that I did not hear arguments on either side that would place me in a position to give a more intelligent vote on this occasion. One of the objections raised by the hon. gentleman from Victoria was that this private company had a local charter, that it was a poor company, and that this parliament ought not to interfere with it. I do not consider that we have here to do more for the province of British Columbia which granted this charter than the people of British Columbia have done for Canada. What did they do? They granted a charter by which the ores of those mines are taken to the United States to be smelted. Who have the benefit of the work? The United States.

Hon. Mr. BOULTON—There is no other smelter in Canada.

Hon. Mr. BELLEROSE—If they had the interest of the country at heart I say they would have established, on this side of the line, smelting works to do that work in Canada. They did not do so. While I admit, as I said before, that the arguments on the other side are not much better, I am of opinion that if competition is allowed, as it will be if this bill is passed, the weaker company, which will be unable to compete with the Canadian Pacific Railway, may decide to erect a smelter on this side of the line, and do the smelting at the mines. In voting against the amendment and in favour of the bill I consider that I shall be working in the interests of Canada. I shall therefore vote for the bill.

Hon. Mr. PROWSE—It appears to me, hon. gentlemen, that the argument advanced in favour of this bill is not such as would commend itself to the good sense of the House. It appears that a small company have already organized and built a railway into that locality at, no doubt, very great personal sacrifices to themselves. Where was the Canadian Pacific Railway when that railway was wanted there? There was no

talk then of the Canadian Pacific Railway extending their branches into that section of the country; but now, when this small company has established a road which is serving the public to their satisfaction—because we have no petition asking for the passing of this bill from the people of that section of the country, the Canadian Pacific Railway proposes to build a competing line. I believe myself in competition in railways as in everything else, but I do not look upon this bill as calculated to give any competition. I believe it is intended, and will have the effect of wiping out and ruining this small company; and in that respect we ought to guard carefully the weak against the strong. The argument, as advanced by the hon. member from Marshfield (Mr Ferguson) is not a very good one. He put it in this way, he reversed the case; supposing that the large company had their railway in there, and a small, weak company started in opposition, would we hesitate for a moment in granting a charter? I say no, because the very fact that a small company was starting a railway in competition with a large and rich one shows that there was a necessity for the competition. But I believe that the passing of this bill will have the direct effect of granting a monopoly to this large railway company, and enable them to freeze out the smaller company which is not desirable in this country. There is no man in Canada that appreciates the services which the Canadian Pacific Railway has rendered to Canada more than myself. I believe the Canadian Pacific Railway Company have done a great deal more for Canada than any other incorporated company, but I believe they have also done and are still doing a great deal for themselves, and I do not think they need any more assistance from us as a legislature. It is our duty to protect the weak as against the strong I intend to vote for the motion of the hon. gentleman from Shell River for the six months' hoist.

Hon. Mr. BOULTON—Before this debate closes I should like to reply to one or two arguments which have been advanced in opposition to the amendment.

Hon. Mr. LOUGHEED—May I ask my hon. friend from Marquette by what right he speaks twice on one motion.

Hon. Mr. BOULTON—I always understood that the mover of an amendment has the right to make such corrections as have arisen in the course of the debate.

Hon. Mr. LOUGHEED—My hon. friend has already spoken upon his six months' hoist.

Hon. Mr. BOULTON—If the hon. gentleman is going to crush me out, on a point of order, in favour of a rich company when I am standing up for a weak one, I think he is taking a very unusual course.

Several MEMBERS—Go on! go on!

Hon. Mr. OGILVIE—We listened with a great deal of patience—those who did listen at all, for there were very few members in this House that did listen almost all yesterday afternoon to the hon. member from Shell River; and I think the hon. member for Calgary was quite right in saying it is taxing the patience of the House a little too much after spending the whole afternoon yesterday to begin the same job over again. He will not persuade one man in this House to change his mind.

Hon. Mr. MACDONALD (P.E.I.)—The debate on this question has convinced me that it is my duty to support the amendment which has been moved by the hon. member from Shell River. This is a contest between an immense and powerful corporation and a very small company that established a road into that country when it was required, and where there is, at present, no complaint made that the small road is charging unreasonable rates for the work it is doing for the people of that section. I have read in the papers printed in that locality that the charges made by this road are fair and reasonable, and that it affords a great deal of assistance to the people who are engaged there in mining enterprises. In looking at the evidence given in the committee the other day, and the plan which was submitted there respecting this road, I came to the conclusion that the road which the Canadian Pacific Railway Company propose to build there is not one which gives fair competition between the Kaslo and Slocan road and the Canadian Pacific Railway. It will draw away a large portion of the ore which is taken out from these mines

in a different direction from that in which the Kaslo and Slocan road runs, and the people who have put their money into that road will, as it appears to me, be ruined, or their enterprise will be crushed out by the building of this additional branch by the Canadian Pacific Railway. Under those circumstances, I feel that it is my duty to favour the small corporation and that being the case, I shall vote for the amendment of the hon. member from Shell River.

Hon. Mr. VIDAL—The hon. senator from King's (Mr. Prowse) has expressed the views which I hold so clearly that I shall not take up the time of this House in repeating them, but I will make an observation or two on some statements which have been made by those who are advocating the passage of this bill. While my hon. friend who supports this bill spoke a great deal of public interests and private interests, and held that private interests should be subjected to those of a public character, he failed to show how in any way possible the public interest is benefited by the construction of the road which is about to be built under this bill. I cannot see how the public interests are to be advanced by it at all. I can easily see that it would be a great thing for the Canadian Pacific Railway to extend a short branch into a mining district and to get the traffic from that district, but I do not consider that that makes it such a public matter that we should wipe out the interest of a small provincial corporation, which I think is entitled to a great deal of protection from this House against the assault which is being made upon it. I am one of the best friends of the Canadian Pacific Railway, and have always supported it; but I think in this instance it is making a mistake, and consequently I feel it is my duty not to aid it in competing with and ruining this small corporation. This bill would enable it to do what I think it would be a very great injustice to that small road which, in view of the circumstances under which it was constructed, merits a great deal of consideration in this House. The company showed a great deal of enterprise in investing their capital in order to meet the demands of the miners in that country, and so far as we know it has fully satisfied all the demands for that mining section. There is no necessity for any other railway. My hon. friend opposite did speak about the proposed opening of a new outlet. That is a mistake. The existing road comes to the very point from which the Canadian Pacific Railway branch would diverge, so it does not furnish any new outlet. The Canadian Pacific Railway branch would diverge at Slocan and the other comes in at the same place. There is the outlet north-westward from the mines. One of the arguments which has been presented is that our desire to promote Canadian interests and have works in Canada should encourage us in the passing of this bill. As a matter of fact, all the ores which have come from that rich country, going even by the Canadian Pacific railway, have been taken to the United States to be smelted. There is no smelter with which the Canadian Pacific Railway is connected.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. VIDAL—Not in operation, not for that particular class of silver and lead ores; they have for other ores. But I contend there is no place in Canada where the smelting can be done, and consequently it is immaterial, as far as the interests of this country are concerned, by which road it is taken. I believe there is a smelter situated on the Kootenay Lake in Canadian territory, which is not in operation at present on account of the adverse influence of United States legislation. That could, I presume, be put in operation again and satisfy all the requirements of this region for smelting lead and silver ore. Now, with respect to competition, I take the view that my hon. friend from King's (Mr. Prowse) takes, that it would furnish no competition at all. I do not believe that any competition would exist, for no sooner would this ten miles of road be made than it would kill the other road, because the small road could not possibly continue its existence in competition with the Canadian Pacific Railway with all its resources. The Canadian Pacific Railway would put freight rates so low that nobody would send anything by the existing road. They would do that till such time as the other road was killed, and then the miners would have to pay the penalty. That is the invariable process which has taken place where any privilege of this kind is given. I think, therefore, that instead of regarding it as a means of competition, it is the reverse, it would

have the effect of preventing any competition. A very large measure of competition can be provided by people travelling on the existing road and coming to Slocan, and there joining and coming south by the Canadian Pacific Railway if they like. There is an outlet that way. We should, therefore, pay a great deal of attention to the appeal—for I regard it as an appeal—for a Canadian road which has been made at the private expense of Canadians and is doing a very good work, all that is required for the country. The fact that this new branch has not been asked for by anybody should have some weight with us. The people in that country have no fault to find with the existing line and do not want competition, so far as we know. I think, therefore, under all these circumstances, that it is my duty to support the amendment.

Hon. Sir MACKENZIE BOWELL—May I ask the hon. gentleman whether the road that is now in existence does serve the same mining interest that would be served if the ten miles were built? Does not the proposed ten miles extension from the Canadian Pacific Railway lead to other mining industries that are not now served by the present line?

Hon. Mr. VIDAL—I contend that they do not. It was shown distinctly to us in committee, when the plan was presented, that the two roads must run strictly parallel and within the width of the walls of this chamber.

Hon. Mr. OGILVIE—Nothing of the kind.

Hon. Mr. VIDAL—And where it ends it does not go into any mine. It will not be many hundred feet away from the existing road at the proposed terminus of it; and that is one objection I intended to refer to, namely, the parallelism of the road which was almost sneered at and spoken of as a thing not worth mentioning. The road is obliged, according to the formation of the country, to be very near the other one on account of the narrow cleft of rock, and there is no possibility of the road being many yards away. It is strictly a parallel road a great length of the way, and does not lead into any region which is not fully served by the existing road.

Hon. Sir MACKENZIE BOWELL—If that were correct, then the inference to be drawn from the remarks of the hon. gentleman is that the terminus of that road to the south is exactly in the same place. If my recollection serves me right, it diverges to the south-east of the existing road and therefore leads into a mining district that is not served, and if that be the case, it must be in the interest of miners to have this road built. We know the result of having but one road in the Rossland district leading to the smelter at Trail. The charges were so great that those who were interested in some of the Rossland mines, the War Eagle, for instance, refused to send their ores down to Trail, from the fact that the charges of the smelter at that place and the railway freights were so great that they would absorb nearly the whole product of the ores sent there. I should like to ask another question: Is there any possibility of getting to the western smelters by those who desire to send their ores over the present road, without utilizing the waterways of the Slocan or Kootenay Lake and then utilizing the Canadian Pacific Railway down to the Columbia thence down to Trail? There is no other way of getting there. At present the ores, wherever taken from and sent to market by the present road, go to the United States. My hon. friend said, as I understood him, that there was no other smelter in that section of country, in Canada, to treat the silver lead ores. My information is to the contrary. There is a smelter, but it is not in operation, owing to the tariff which exists in the United States, because if they smelt the ores in Canada the products of those smelters cannot be sent into the United States on account of the high duties which are charged on matte and on the refined article. Ergo, they have now to send their ores to the United States as they are admitted at a comparatively low rate of duty. Whether we should direct our legislation in such a manner as to assist the United States tariff makers in securing the products of all our own mines is a question for this House and parliament to consider. The hon. gentleman opposite will excuse me if I volunteer a suggestion—he has often condemned us for not suggesting better measures when we criticise those of the government—if the present government would put on a duty at all equal to that imposed by the United States on our products, then we would have

the market for that large quantity of lead brought from the United States into Canada. That is the only means that I see of meeting the policy of our neighbours. I cannot understand my hon. friend's reasoning when he says that the construction of this road will be the means of killing out or absorbing the other road. By what means? By so lowering the rate that the other road could not live. Well, that would be in the interests of the miners, and if he and I had ores to send to the smelter, that is what we should like to see. I shall vote for this bill on the broad principle of supporting any charter for the construction of a road in Canada which will tend to develop its mineral resources or the prosperity of the country, so long as they do not ask us to give them any assistance. The sooner we adopt that plan the sooner we will legislate in the interests of the whole country and not of any particular individual or section.

Hon. Mr. VIDAL—I hold that the proposed construction does not meet any of the difficulties alluded to. By the present road all the ores can be taken by the route suggested. My objection to the destruction of the old road is that the Canadian Pacific Railway would keep up a low rate only until the other would give up, and then resort to monopoly charges.

Hon. Sir MACKENZIE BOWELL—There would be low rates for the time the competition would last.

Hon. Mr. BOULTON—This is a very important question, and I desire to reply to two or three of the arguments which have been used by those who support the bill. The chairman of the Railway Committee yesterday commenced his remarks by saying it was just a question whether the country owed a debt to the Canadian Pacific Railway or the Canadian Pacific Railway owed a debt to Canada. I should like to ask the hon. gentleman whether the country does not owe a debt to those who are working in the interior of the country and supplying a revenue to the Canadian Pacific Railway—the pioneers who lay the foundation of our Canadian civilization, who go in advance of railway communication and open up the resources of Canada under great difficulties and who send down here the products of their industry, leading to the distribution of the enormous revenues of the Canadian Pacific Railway; is there no debt due to them? I say it is due to those men who have come down here and asked this House to give them justice not to turn a deaf ear to their arguments and their objections. Are we going to say that this country owes nothing to those men working in the interior and supporting the Canadian Pacific Railway, 4,500 miles of which is west of the lakes and is supported entirely by the handful of population that lies between there and the coast of British Columbia? Of the $24,300,000 of revenue earned by the Canadian Pacific Railway last year a very large proportion was contributed by the labour and industry of that class whose interests I am here to defend. That $24,300,000 is in the hands of the Canadian Pacific Railway Company, and it is distributed far and wide throughout Canada as they dispose. If there were no labourers in the Northwest, there would be no Canadian Pacific Railway; if there were no Canadian Pacific Railway, there would be no labourers in the Northwest to distribute the results of their labours through the country. The country has given to the Canadian Pacific Railway bonding privileges, and bonuses of every kind and has received in this particular district $4,000,000 of a bonus and 20,000 acres of land from the province of British Columbia in order to afford competition to those who own the mines there. Are we going to kill that competition? Are we going to say to those people you are not to have any benefit from your enterprise; we will place you in the hands of a new master? Are we always going to be on the side of those who have the power to levy the revenue, and never on the side of those who produce the earning power which creates the revenue? That is what we say by passing this bill. I should like to reply to the argument of the hon. gentleman of Calgary (Mr. Loughheed) who made a point that the bondholders were not petitioning against the bill. The bondholders are safe. Their interest is paid regularly; it is a first charge upon the road, and whatever becomes of the road, the bondholders are mortgagees and it is only when the road is sacrificed for the non-payment of interest that their interest is jeopardized. But those who have paid their money to start this independent road—those people who belong to Victoria and Vancouver and Kaslo and other places in British Columbia who initiated this railway—are the people who are going to lose. Are

we going to wipe out their capital and place them under the control of the Canadian Pacific Railway which has invaded the territory of this little railway with an earning power of only $117,000? Are we going to sanction that? Is that what the fathers of confederation, some of whom are still left, the seniors of the country, sitting round this chamber, are going to say to the people of that western country? I think not. I think when you come to consider it in its true aspect you will not take that position. I know the sympathy we all have with the Canadian Pacific Railway. It is an honest sympathy, a sympathy I have myself, in the ability Canada displayed in constructing this railway. But in constructing this railway we did not intend to create a power greater than this parliament. Our sympathies are with those who wish to see competition established in some way in order to assist those who are engaged in the very hard and laborious life of the farm or the mine. This private road is thirty-two miles long. Its terminus on the water communication is Kaslo on the east. This short line has an outlet provided by nature, of water communication, which gives them the competition of the American railways, and which they have so far utilized. The mining district is on the western end of the thirty-one miles. The Canadian Pacific Railway comes in at Sandon, which is the western terminus of this railway also and wish to build ten miles of an extension in the same narrow valley to take from this railway its main support, a trade for which it was built. What for? Not to compete, hon. gentlemen, but to close out competition from the south by the natural water route they at present possess. When the Crow's Nest Railway is extended to this water communication, Kootenay Lake, these miners will have three routes to choose from, the Sandon connection with the Canadian Pacific Railway, going north; the Crow's Nest, crossing the foot of Kootenay Lake, to the south; or the water connection with the Great Northern. To build ten miles only, they are going to attack the existing thirty-one miles and weaken the support of that little road. Their gross revenue is $117,000, the revenue of the Canadian Pacific Railway is $24,300,000, and this rich company wants, by the construction of this ten miles, to force the Kaslo and Slocan Company, by a sale or otherwise, to abandon this southern competition. The miners, the citizens and the owners of the railway come down here and petition against the legislation that will force the company into that position. They are going to divide that $117,000 income which this private road enjoys. Is this House going to say to the people who have come down here with their petitions to ask our protection, that we are going to allow the Canadian Pacific Railway to take a portion of that $117,000 from them? Are we going to have it spread broadcast over the country that the people have no protection from monopolists and powerful corporations which have the right to make charges without control of any kind or description? Are we going to say they shall be subject to a further monopoly in that part of the country? I should like to reply to my hon. friend from Delanaudière (Mr. Bellerose) who is always desirous of giving an honest vote so far as he can. He is imbued, to a certain extent, with the idea that it is not patriotic for us to let any portion of our trade go to the United States. It is a strong point and appeals to a great number of people, but those who are living on the Kaslo and Slocan Road and are on water communication, the Kootenay Lake and River which nature has provided for them, have an outlet by which they may get down to the only smelter established there. They are not asking to build a railway for the same reason that the city of Winnipeg and the province of Manitoba were desirous of building a road down to the boundary. All they are asking for is to be allowed to utilize that water communication which nature has supplied them in order to develop the mines, and the business of the towns built by this railway. But you are going to say to those people, we are going to close up the line you have built in order to get this water communication? Do you think that is a sound policy? We had monopoly in Manitoba, and we had to fight it. The Attorney General of Manitoba, Mr. Martin, fought monopoly on behalf of his province. Unfortunately for the public, Mr. Martin has become a solicitor for the Canadian Pacific Railway, and I have no doubt as an honest politician he found that he could not occupy the position of solicitor of that company, and serve the public interest at the same time, and so he retired from politics. I understand that Mr. McInnes, a telegram from whom was

produced here to-day as evidence of the popular feeling in British Columbia, is going with Mr. Martin into political life in British Columbia. These gentlemen are working together on the same lines. No doubt Mr. McInnes, as an honest man, felt that he could not sit as a member of parliament and at the same time do his duty to the public and to the great corporation whose cudgels he evidently prefers to take up, as evidenced by that telegram read here to-day from him. Now we do not want to have another fight with monopoly in the west. We do not want British Columbia to come under monopoly. We want to govern this country on equitable terms and we want to feel that this parliament is open to everybody to get fair play, and that this central parliament is the centre of a bond of union of a great nation which is springing into life, and which will be a great nation and an ornament to the people who have built it, and will extend its influence and power upon lines of justice. If we are going to be held down under the heel of monopoly in any shape or form whatever by the action of this parliament, I say we are taking a wrong turn. This is one of those questions which it is necessary for us to consider carefully before deciding which course to pursue. The public interests and private interests are the only points I wish to touch upon. The hon. gentleman from King's said he did not see that any great public interests were affected. I do not think any public interests are affected. I do not see how public interests come in. It is merely the private interests of the people of the town of Kaslo, and the private interests of those who constructed that thirty-one miles, and if this ten miles of railway is to be constructed, their private interests will be wiped out. The hon. gentleman from Monck (Mr. McCallum) tried to convince us that we are refusing competition. The object of the application of the Canadian Pacific Railway for this legislation is to kill competition with the water communication to the south, not to give competition to the miners. As the hon. gentleman from Sarnia (Mr. Vidal) has told us, by reducing the rates the Canadian Pacific Railway will kill out a weaker concern, and then the new concern will adopt the old rates. It is those private interests which are in question. There are no public interests concerned, and therefore I hope the House will carefully consider this very important question. The question is; which way are we going to turn? Are we going to be the mouthpiece of those who seek for legislation in this matter, or are we going to be the mouthpiece of the people who wish to be protected from a powerful monopoly.

The House divided on the amendment, which was lost on the following division:

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The Honourable Messieurs.

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The bill was then read the third time and passed.

SECOND READING.

Bill (72) "An Act further to amend the Adulteration Act."—(Hon. Mr. Mills.)

CANADA EVIDENCE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (N) "An Act to amend the Canada Evidence Act, 1893."

Hon. Sir MACKENZIE BOWELL—This is a very grave departure from the

practice and the laws which have regulated the giving of evidence. I think we should have some explanation in order to be better able to judge of its merits before we go to committee.

Hon. Mr. MILLS—I will just read a clause which is an amendment to section 5, of the Canada Evidence Act of 1893. This provision is due to a difference of opinion between the judges in the Chancery Division of the High Court of Justice and the judges of the Queen's Bench Division of the province of Ontario. The question arose as to whether the evidence that was given before coroners and other similar proceedings by the party incriminated could be used upon the trial. One division of the High Court took one view and the other division took another, and different view, and this is for the purpose of settling that difference. The clause, as it stands and as we propose to make it, provides that the parties may be compelled to give testimony in preliminary proceedings, but that if they object on the ground that it will incriminate them, the evidence which they so give cannot be used upon the trial against them. It removes a subject of controversy and settles the law in one particular way, so that hereafter there will be no difference of opinion upon a subject of very great importance. Hon. gentlemen will see what the precise provisions are when I come to read the section as we propose to make it. The section reads :

5. No witness shall be excused from answering any question upon the ground that the answer to such a question may tend to criminate him, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person ; provided, however, that if with respect to any question the witness objects to answer upon the ground that his answer may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person, and if but for this section the witness would therefore have been excused from answering such question, then, although the witness shall be compelled to answer yet the answer so given shall not be used or receivable in evidence against him in any criminal trial or other criminal proceeding against him thereafter taking place other than a prosecution for perjury in giving such evidence.

The provision in England in regard to the law of bankruptcy contains a similar provision to this. A party being examined as to the use made of his property or estate may be compelled to give evidence, but if he says that the evidence he may give will tend to criminate him, it does not release him from the obligation of testifying as was the practice under the old criminal law of England, but it does entitle him not to have the evidence which he so gives used against him in a criminal proceeding, I think the proposition is reasonable. Hon. gentlemen will understand that this has been a subject of controversy, and it is a matter about which the law ought to be clear and settled, one way or the other, and the proposal here is in accordance with the view of the vast majority of the profession as to what the law ought to be on the subject.

Hon. Mr. DE BOUCHERVILLE—If a witness refuses to answer, how do you compel him ?

Hon. Mr. MILLS—Precisely the same way as you compel a witness in any other case now. He may be punished for contempt of court.

Hon. Mr. DE BOUCHERVILLE—That is the only way ?

Hon. Mr. MILLS—Yes, that is the only way.

Hon. Mr. LOUGHEED—What is the difference between the amending law and the law as it at present stands ? I have looked at the two sections, and while the phraseology is more elaborate in the amending section, I fail to see any substantial difference between the two sections. In both cases immunity is granted to the witness in the event of his answering the question, but so far as I can observe from the amending bill, no greater immunity is afforded him under the amended law.

Hon. Mr. MILLS—One-half of the judges have held that the law, as it stands, is this way, and others say it is not, and it is to make that point perfectly clear that we have this legislation.

Hon. Mr. LOUGHEED—But they may equally differ as to the amending section, and I want to know wherein the amending bill makes any substantial difference in the law as it at present stands. I am aware of the judgment the hon. minister has referred to, yet at the same time I cannot appreciate any substantial difference between the two sections.

Hon. Mr. MILLS—Except that it is expressly declared he shall not be excused

from giving testimony on the case, and that if he does give testimony in the case, does not state that it will incriminate himself, it may be used in a subsequent case. If he does so state, it cannot be used, and that is the point upon which the judges in the case heretofore have differed.

The motion was agreed to and the bill was read the second time.

HARBOUR OF ST. JOHN, N.B., BILL.

SECOND READING.

Hon. Mr. DEVER moved the second reading of Bill (101) "An Act respecting the Harbour of St. John, in the province of New Brunswick." He said: This is a bill from the common council of the city of St. John asking for an extension of the by-laws which govern St. John Harbour to St. John Harbour north at Indiantown.

Hon. Sir MACKENZIE BOWELL—It extends the limits of the harbour?

Hon. Mr. DEVER—Yes. It is drawn up, I am informed, with great care by the recorder of St. John city, a gentleman of good legal standing, and a representative in the legislature, and it has stood the test there. I think the government and the local authorities had something to say about it, from the fact that it came under the Minister of Marine's department. It gives satisfaction and I do not want any amendments or changes in the bill.

The motion was agreed to, and the bill was read the second time.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 13th May, 1898.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

TRADE MARK AND DESIGN ACT AMENDMENT BILL.

MOTION.

Hon. Mr. TEMPLEMAN moved that Bill (61) "An Act in further amendment of the Trade Mark and Design Act," be placed on the Orders of the Day, for a second reading on Tuesday, the 17th instant.

Hon. Mr. FERGUSON—The hon. gentleman should give some reason for this motion. This bill was dealt with only a few days ago.

Hon. Mr. TEMPLEMAN—I do not know that this is the proper stage to make my explanation. This bill to amend the Trade Mark and Design Act was up for a second reading on the 10th May, and the consideration of the bill was then postponed *sine die*. The principal objection taken at that time to the bill, as far as the discussion went, was to its last clause. It was thought by the House that associations or unions of workingmen would have authority, under this bill, after registering their trade mark, to put that trade mark upon goods or articles manufactured by other than union men—that where union men were employed in shops, they might claim the privilege and exercise the right under this bill of placing their trade mark upon the goods. I have had an interview with the gentleman who had charge of this bill in the House of Commons and learned that it was not contemplated by the Trades and Labour Council of the Dominion, who seek this legislation, that any such thing should be done, or any such privilege exercised. It was expected by this House that if this bill passed in its present shape the Trades and Labour Council would have the right to affix their particular trade mark to articles manufactured in shops where they were employed, whether with or without the consent of the proprietors. I understand that that was the principal objection to the bill and the reason why the motion to adjourn the second reading was carried. I understand that it was not contemplated that any thing of the kind should be incorporated in the bill, and the promoters of the bill are quite willing that it should be amended in conformity with the views of this House in that regard. I desire to replace it on the order paper with the view of moving an amendment to the latter clause of the bill something in this form:

> That such trade mark shall not be used to designate any article whatever unless by the consent of the owner of such article.

I think such an amendment as that would meet all the objections which were raised to

this bill when it was discussed the other day.

Hon. Mr. MACDONALD (B.C.)—Supposing 100 labouring men came to a manufacturer and asked to have their trade mark put on the goods what could he do? How could he defend himself from the labouring men?

Hon. Mr. TEMPLEMAN—If 100 men went to him and asked for liberty to use their trade mark and the proprietor refused, they could not do anything.

Hon. Mr. MACDONALD (B.C.)—They could strike.

Hon. Mr. TEMPLEMAN—They can strike now. I have had long experience with trade unions, and I rather favour them. I have worked harmoniously with them for many years and I have never found them arbitrary, or unjust in their claims. The unions of the country are not asking any exceptional or unfair privilege in this bill that I have moved to reinstate on the order paper. I would be quite willing to accept any reasonable or fair amendment to meet the views of the House in that regard, that is, to this extent, that no member of an organization can put his trade mark on any goods without the consent of the owner of these goods. I presume when the bill is placed on the order paper it can be debated at the proper time and the proper amendment can be drawn up.

Hon. Mr. PROWSE—I should like to inquire of the hon. gentleman who has just sat down if there is any law to prevent the proprietor of a manufacturing establishment using any mark he pleases, whether it is in accordance with the wish of the trade unions or not at the present time. There is no necessity for a law of this kind. If it is to be optional with the manufacturer to grant the request of the trade union there is no necessity for a law in the matter at all. If the proprietor is willing to use any mark to please the trade unions, he can do it without any law whatever.

Hon. Mr. BELLEROSE—I am not against trade unions; on the contrary, I believe it is one of our duties to help those institutions, because they are the institutions of the poor. But I am in favour of the unions so long as they stand within the limits in which they should confine themselves. But it is well known that those unions go a great deal beyond that. Every day you hear of strikes and you hear of those trade unions persecuting men who do not belong to unions in order to prevent them from working, and filling their places with union men. This shows that parliament ought not to encourage those institutions too much, and that in granting to them powers or favours we ought not to give them favours which may induce them to go too far. I believe this is a favour which would lead them to go beyond proper limits. I am quite opposed to any favours of this kind. I believe that those union men who work in a manufactory have no right to have a mark of their own on the goods that they manufacture. They have no moral right to it; consequently why give them such a right? The hon. gentleman on my left (Mr. Templeman) says that the proprietor will be protected because he will have power to grant or to refuse the request of the union men. But hon. gentlemen know very well that if such a privilege as this is granted by law, they will work very hard in order to get it an established rule, but as mentioned a moment ago by the hon. gentleman from Victoria (Mr. Macdonald, B.C.) they will even have recourse to strikes to force the employers to allow them to do so. Of that there can be no doubt. Is not that a bad state of affairs? Should this parliament open such a door to the union men? I say no. If parliament does so it does just the reverse of that which they have been established for. Therefore I am now, and always will be, against granting such favours. Give them such rights as will increase their standing in society and help them to earn money for the sustenance of their families. I shall always be ready help in carrying out any scheme which has this for its object, but I am not in favour of granting such favours as those now asked for. They may have their own mark. We have enough societies who have marks to know each other, and what have they used them for? Not always for what was best, but often for what was not for the good of the country. That they might form a strong organization and with that strength they can act in a way that is not always for the good of the country.

Hon. Mr. FERGUSON—I cannot say that I altogether agree with my hon. friend from

De Lanaudière. For my own part, I have a very favourable feeling for trades unions generally, and I believe that labouring men and employees have a right to organize, and that in this age of the world it is necessary for them to organize in order to hold their own against capital; but, at the same time, I think that this bill has received sufficient consideration already from this House. It was three times distinctly brought forward, and the discussion of it laid over until there would be time for further consideration. On each occasion it received some discussion and consideration. It appears to me that the bill has been prepared by those who have not had much experience in legislation, and probably without getting professional aid in the preparation of this proposed amendment to the law. My hon. friend from Vancouver suggests, as my hon. friend from Halifax did when it was up before, that this trade mark should only be placed on goods by the consent of the manufacturer. When I heard that suggestion I saw some practical difficulties, that I think were insuperable, to the bill, even after that consent was given. Suppose the manufacturer gives his consent, half his employees are union hands and half are not. The articles produced by the trade union men have this mark and the others have not, though coming from the same shop. It is very plain that the parties who put this bill before Parliament did not give it very full consideration—did not themselves see the difficulties that would be in the way. It is not very clear from the bill what they are really wanting to get. I cannot imagine that it was the intention to get a law by which of two packages of goods coming from the same manufactory one would have a particular brand on it which the other could not have. That difficulty would still remain after my hon. friend's amendment. Possibly if we knew distinctly what the promoters of the bill wanted, we might be able to so far agree with them as to give them what would fairly meet their wishes, but I am satisfied that this would not affect it, and that it would lead to greater difficulties than they anticipate.

Hon. Mr. BELLEROSE—Does the hon. gentleman believe it is necessary to make a law to give those trade unions labourers a right to place a mark on the goods which they produce, with the consent of the manufacturer?

Hon. Mr. FERGUSON—I do not think it.

Hon. Mr. BELLEROSE—There is nothing to prevent them doing so now, with the consent of the proprietor.

Hon. Mr. SCOTT—This is to allow them to register their mark.

Hon. Mr. BELLEROSE—But if permission is given?

Hon. Mr. SCOTT—They cannot register.

Hon. Mr. McCALLUM—I think it is trifling with the House to take up this question again. We have decided it once already.

Hon. Mr. ALLAN—When this bill first came into the House it struck me very forcibly that it was a bill which might affect very seriously the trade and commerce of the country, and was therefore one which should be introduced by the government. The Secretary of State adopted it, but did not seem to like it very much even when he presented it to the House, and, for my part, I find it very difficult to understand the principle of the bill, or how that it could be properly carried out. I have always been under the impression that a trade mark meant some distinguishing mark by which the manufacturer of particular goods might have his goods distinguished from those of other manufacturers; and if his firm had attained a certain reputation, this trade mark would stamp it and be a sort of warrant that the goods were of the class they were represented to be. That is what I understood was the principle of the trade mark. It seems rather an inconsistent thing to have two trade marks, one of the manufacturer and one of the men employed in the manufactory. At all events, it seems to me that the bill was presented to the House in such a shape that it was impossible to adopt it as it was. It required a good deal of explanation, and I supposed that the Secretary of State or the Minister of Justice would be prepared to make suggestions to improve it. For my own part, I should have been very glad indeed to have allowed the bill, as suggested by the hon. gentleman from Halifax, to be sent to the committee, but it is rather an unusual thing to bring it up in this way after the House has disposed of it. It is very clear to my mind that the government, in a question of this nature,

should take the responsibility and say what they would advise in the matter.

Hon. Mr. ALMON—This measure has been very well got rid of. We need not get rid of it again. It was introduced into this House without any sponsor, and taken hold of by the hon. Secretary of State, and the way he handled it—the delicate way in which he touched it, showed that it had a malodorous element in it. He stated several times that it was not his bill—that he merely took hold of it because nobody else would. I listened very carefully and did not hear any one mention one solitary advantage that this bill would be to the workingmen. The use of a trade mark, as stated by the hon. gentleman from Toronto, is not for the man who makes the goods, but for the proprietor. When you see a trade mark on goods, it is something you have been told about before, and you buy it, but if a trade mark indicates that it is made by Tom, Dick and Harry, in one house, and Jones, Smith and Robinson in another, what possible use is it to the general public? There has not been one word said to show what possible benefit this bill would be to the trade unions. I do not think it can be denied, in regard to these trade unions, that the principle is that because certain men choose to pay a certain sum into the union, they are to have a pull over the other men, who say "we will keep this money and pay nothing to your society; we will keep it for the benefit of our wives and children." I have often heard complaints from the working classes about the tyranny practised over them by the trade unions. They say "in the first place we have to pay a large sum to them, and we cannot do it without denying ourselves the feed and fuel which our family require," and the industrious man is put in shackles and compelled to work a great number of hours as the majority of them do. I think that this House should not pass this measure, despite the fact of any unpopularity it may cause, because we are told this measure passed by only a majority of one in the trade union. It has been forced on them by some demagogue, in all probability, connected with the association, who for a little popularity endeavours to force it on them. It seems to me that it is a bad bill, and it is the function of the Senate to reject it. They endeavour to force this malodorous thing down our throats, and I hope the House will not allow it.

Hon. Mr. MILLS—I cannot help but remark the treatment given to this bill as compared with the treatment of the bill introduced by the hon. gentleman from Calgary some days ago when that bill was before this House. The hon. leader of the opposition moved that the debate upon it be adjourned. The effect of his motion was precisely the same as the effect of the motion made in reference to this bill the other day. That motion was carried by a small majority, and the bill went off the order paper. Did any hon. gentleman rise in his place and say that the House had fully considered the subject, and it was an improper thing to bring the matter up again? Was that a proper line of argument to adopt toward the bill?

Hon. Mr. PROWSE—The debate was adjourned.

Hon. Mr. MILLS—But the effect was to put it off the order paper altogether.

Hon. Mr. PROWSE—That was the effect, but that was not the intention.

Hon. Mr. MILLS—The hon. gentleman says no and I say yes, and he has but to look at the minutes of proceedings of the House to see that my statement is correct. That is the rule which has been followed before, and that order was not before the House and was not on the order paper, and required a distinct motion to put it on the order paper again. What was done in that case? Was the six months' hoist such as to put it beyond the power of the House to consider it made? No, it was not. The motion was for the purpose of adjourning the consideration of this bill indefinitely.

Hon. Mr. PROWSE—Was that the object?

Hon. Mr. MILLS—The motion to adjourn the consideration of the bill *sine die* was carried. Does that put the matter out of the consideration of this House? Why was it put in that form and not in the form that it be considered three months or six months hence? It was because the House indicated by that motion, if it meant anything, that the matter was still under consideration, that the members were still unprepared to move the six months' hoist to the bill, but left it in such a condition that it might be taken up and considered at some future day. It meant that there was an object in putting

it in that form, and if we are to assume that it was a fair and straightforward vote, then the object was to give the House an opportunity at any moment before the end of the session to bring up this matter again. What has my hon. friend done by this motion? He is within the rules of the House. This matter having been adjourned without fixing a day for its future consideration, it is quite proper to ask this House to permit this bill to be put on the order paper for consideration on Tuesday next. Every step in that proceeding was perfectly legitimate and naturally sprung out of the action taken by the House when this bill was last before us. My hon. friend from Toronto says that the government ought to assume the responsibility of this bill. I say the government ought not. This is a bill for marking the products of a trades union. They come before this House just as parties seeking incorporation for a railway, just as parties may come before the House seeking for a trade mark with which to mark their goods or merchandise. They come before us in the same way, in their private capacity, for the purpose of obtaining a recognition so that a trade mark may be used by them to mark the products of their industry, and may not be used by any other person. It seems to me that that is a legitimate request. What is the old law with regard to a trade mark? It is a law relating to a proprietory interest in those goods so marked. A party who owned a particular article he had been in the habit of producing, that had secured distinction on the market, that was upon the market received with favour, applied to parliament for the purpose of enabling him to mark the products of his manufacturing establishment with a particular mark in order that he might, to the fullest extent, profit by the skill and success which had attended his production. That was in relation to capital. Formerly labour was not recognized. Capital alone was recognized, and the proprietory interest of the capitalists was recognized in the old law with regard to trade marks. Is that the condition of this at this moment? Society has undergone a change, and trade has become organized. The men who are engaged in ordinary labour ask for the recognition of their rights in the same way as you have hitherto recognized capital, and in England they have had it. In England the labourer marks the product of his industry with the consent of the proprietor, just as they ask to be allowed to do here. We are not asking to go beyond the settled statutory law of England at this time, and it seems to me an extraordinary proceeding that these men should be denied this privilege because some real or fancied abuse might spring out of the power which they possess under this law. Let me say to hon. gentlemen that all power is liable to be abused by the party who possesses it. Public opinion and the law generally exercise a wholesome restraint and put an end to abuse if parties are so disposed to abuse power, and my opinion is that if trades unions or organizations of labour, feeling their power, are disposed to exercise that power to the full extent to the detriment of other parties, public opinion and, if necessary, legislation will exercise a wholesome restraint over that. Men in the exercise of power of self government, in almost every sphere, new at the business, are liable some times to go wrong and to go too far, but in order that they may go at all, it is necessary that they should be trusted with some power. The old lady's advice to her son, never to go into the water till he knew how to swim, is very like the suggestion of some hon. gentlemen in the discussion of this matter. I think the bill was a moderate bill. Some hon. gentlemen say there ought to have been amendments. I think the bill was fairly clear as it stood, but if amendments are required, what is the course you adopt in case of every other bill? What is the course you have adopted where hon. gentlemen say there may be something in a bill to which they object without objecting to the whole principle of the bill. They let the bill be read a second time. Let this bill go to committee, let it be amended there and changed and improved and made more clear where it is obscure, as you would do in the case of other bills. That is the usual practice. Why was that not done here? Why were not these men given that same fair play that you give to every body else? I remember not long ago—it will be perhaps unparliamentary to say when—a bill was before this House when hon. gentlemen suggested changes, in order that the suggestions and the objections to the measure might be considered in the committee. Why was not this referred to committee? Why did it not get a second reading in order that these amendments might be made which hon.

gentlemen thought necessary? Why is it? It is not said that the bill is vicious in principle, because if that were the objection the six months' hoist should be moved.

Hon. Mr. McCALLUM—We can move it now if the hon. gentleman wants it.

Hon. Mr. MILLS—That would be the proper course, but if the hon. gentlemen are merely objecting to details, if they say the bill is obscure where it ought to be clear, then the proper course was to have read the bill a second time and sent it to the committee. The hon. gentlemen will see if they look at the English legislation on this subject the trade unions in what they have asked by this bill had not gone further than they have gone in England and further than the parliament of England has protected them in going. It does seem to me, that being the case, that my hon. friend is pursuing the proper course in asking to have this bill again put on the orders of the day for consideration at a date which he mentions, any member of the House can then, if he is opposed to the principle of the bill, move a six months' hoist. If hon. gentlemen object to the details and require them to be made more clear, then let the bill be read a second time and sent to the committee for consideration and revision and amendment.

Hon. Mr. LOUGHEED—I desire to say that I am prepared to support the motion of the hon. gentleman from Victoria who has moved to restore this motion to the order paper, so that the bill may be fully discussed. I am of opinion that the bill should be placed on the order paper for the second reading. I must, however, differ entirely from the remarks made by the hon. Minister of Justice as to the analogy between this bill and the one recently before us, so far as the motion for the adjournment was concerned.

Hon. Mr. MILLS—The effect was the same.

Hon. Mr. LOUGHEED—There is not an hon. gentleman in the House who does not know that when the motion for adjournment was made in regard to the Hamilton Smith Bill, that it was intended that the debate on the second reading should be continued. It was only through inadvertence that a day was omitted to be fixed for the second reading of the bill, but I think the opinion of the House in regard to the bill now under consideration was practically that it should receive the hoist. I desire to say that my hon. friends who lead this House are entirely responsible for the defeat which this bill received on its second reading. The hon. Secretary of State undertook to introduce this bill to the House, and to then relieve the government from responsibility in regard to it. He was particularly anxious to place himself in the position of introducing the bill and of having the government accept the credit of the bill in the event of any credit being attached to it, but in the event of its not meeting with public favour he also placed himself in the position of being able to appeal to the Debates and divest the government of all responsibility.

Hon. Mr. SCOTT—My hon. friend, I am sure, does not mean to put me in the wrong. The bill coming down as an amendment to the Act I supposed it was a government measure. Government bills often come to the Senate without my being aware of it. It was a departmental matter, and when I found I was wrong I explained to the House that I was in error, that I had never heard of the bill.

Hon. Mr. LOUGHEED—Of course, I accept the hon. gentleman's explanation, but it seemed to me to be rather inconsistent with freedom of responsibility upon this question that the representatives of trades unions should have an interview with the hon. Minister of Justice on this bill, and that it practically should have received his approval, that that approval should have been practically conveyed to the House in the statement made by the hon. Secretary of State, and that then my hon. friend should have stated to this House that the government was in no way responsible. The bill is practically a government measure. It is a public bill; it is such a bill as is invariably introduced by the government. It is a departure, and a very radical departure, from the policy embodied in the Act respecting Trade Marks and Industrial Designs, and it is therefore, a question as to whether the government is prepared to assume the responsibility for a serious departure of this nature. Hon. gentlemen who will look at

that Act will at once perceive the policy of it to be that all manufacturers, as individuals, or corporate bodies manufacturing a particular article should have the right to say to the world: "This is our trade mark; this "is our design, we manufacture this parti- "cular article." Now the policy involved in the bill goes far beyond that. It involves this consideration: that a body of men may be enabled to say to the world, except the product of a manufacturer bears a design indicating that a particular class of labour is engaged in the manufacture of that product, then the public should not buy that article. Now it would be almost as logical to say that the product of a manufacturer should bear a design, indicating whether Conservatives or Liberals were engagad in that particular work, or white or coloured labour, as the case may be. However, I do not purpose discussing that phase of it now, because I am desirous, if this bill should come before the House again, that whoever is responsible for the introduction of it should state to the House the reason why there should be this departure from the Act which has long been upon the statute-book, the salutory principles of which have been recognized, but, as I say, now intended to be very seriously departed from. I therefore, with very great pleasure, so that every consideration shall be given to this bill, shall vote for the motion of my hon. friend from Victoria for the restoration of the bill to the order paper.

Hon. Mr. BOULTON—I am responsible for this motion having come up again today in wording my resolution for having it postponed *sine die* as I did. I should have moved the three months' hoist. However, I wish to explain that the intention was that the question should not come up till next year, as I stated when I moved the resolution that there was no public opinion behind the bill, that the only public opinion we were aware of was a fight in the city of Toronto between the aldermen, which resulted in the passage of a by-law by a majority of one that the imprint of the trades unions should be put upon publications for which the city paid. The principle of this legislation is wrong in my opinion and I am strongly opposed to it. The origin of this legislation was in California. It was instituted there among the Trades Labour Unions in opposition to Chinese labour. They wished to designate the manufacture of cigars and that class of goods upon which Chinese labour was engaged in the manufacture of those articles. Now the same influence came from California and resulted in a bill being brought before the Congress of the United States in order to have the same principle of legislation extended over the whole of the United States. That was brought up some four or five years ago and was rejected as a bad principle; the legislation was refused. This legislation may have been put upon the statute-book in England, but the circumstances are different. There, labour works under free trade and it has to regulate its action to meet the world's competition; that prevents labour unions from taking any aggressive steps that will undermine their own means of livelihood, and they make co-operative industry the basis of their success, rather than attempting to institute a boycott on the customers of non-union labour or foreign competition. Now what is this principle of legislation? It is not a fight between the people of the country and the Chinese, but it is a fight between the trades unions and the non-union men. It is one class of our population against another class of our population. Is it fair for us, without any further evidence, without any expression of public opinion of any kind or description, that we should give that power by legislation to the trades union organization in order that they may oppress both the employers and the non-unionists themselves by means of the power which we put into their hands? They would be able to tell their families and friends that when they go to the stores they should not purchase that pair of boots, or that article, unless it has the trades union mark upon it. The effect of this legislation would be able to upset all the trade and the commerce of the country and convert manufacturing labour into a large monopoly in the absence of any other competition. Every man and every storekeeper would be frightened out of his life.

Hon. Mr. McCALLUM—It would lead to boycotting.

Hon. Mr. BOULTON—Yes, every store would be in danger of being boycotted—would have to choose whether they should keep in stock only goods produced by union labour or not. Is it, therefore, right for us

to institute such a principle in this country without public opinion to justify it? It will spread to every town and city in the whole country. Of course, as far as the restoration of this motion to the paper is concerned, I have no desire to oppose the motion which has been made. We will only have the debate over again on Tuesday. It was my intention, when I moved that the debate be postponed *sine die*, that this matter should not be brought up until next year, so that the public might have time to give the subject consideration from a public standpoint. That is the use for which this Senate was constituted.

Hon. Mr BELLEROSE—It was voted as that the other day.

Hon. Mr. BOULTON—Yes, and the majority was quite sufficient, although it was in a small House, and if the House had been larger I believe the majority would have been much greater.

Hon. Mr. de BOUCHERVILLE—No doubt this bill will require a great deal of amendment, which can be done when it comes to the committee stage; but there is another point which seems to me important. The hon. Minister of Justice has proved that his bill is certainly a private bill—at least the reasons he gave convinced me that it was. But I should like to ask the opinion of the Speaker, if this is a private bill whether it can be passed now if it can be introduced as a public bill?

Hon. Mr. DEVER—It seems to me in this debate that there is a misunderstanding with reference to the matter, and I think if the question were thoroughly understood the House would be in favour of a trade mark. I believe it is one great safeguard to trade. A trade mark such as "Coleman's Mustard," "Coleman's Ginger," "Coleman's Starch," etc., would be, in my opinion, a very good thing, because if you find that an article which bears a certain trade mark is not satisfactory, it is a protection to the public, and the next time we can refuse to take that article.

Several hon. GENTLEMEN—Hear, hear.

Hon. Mr. DEVER—Hon. gentlemen need not laugh at that. I have had a little more experience in this matter than most members of this House, and as a commercial man I say I am in favour of putting trade marks on all packages of goods, and then the party who manufactures the most satisfactory article will get the trade. If these people who have ambition to put their trade mark on certain goods find that they cannot establish a reputation for those goods the trade mark would not amount to anything; on the contrary it would be a means of enabling people to shun the goods. Therefore, I cannot conceive why we should be against this measure. We know there are canned goods on every shelf in the stores of the country, and when a man goes to get canned goods he has to take the recommendation of the grocer, whereas if the trade mark was on he could select those he had found to be satisfactory in the past and shun those that he had found unfatisfactory.

Hon. Mr. MACDONALD (B.C.)—Why not have two trade marks?

Hon. Mr. DEVER—Yes; I don't care whether we have two or three trade marks; I can refuse things with one, two or three trade marks on. I think, on the contrary, that we ought to protect the good article, and we ought to be in favour of this measure. Of course we must guard it and see that there is no design to take advantage of the public or to take advantage of manufacturers, but I cannot see how they can be taken advantage of in the present case. For instance take a pair of boots and the trade mark is not on the boots.

Hon. Mr. AIKINS—Take anything.

Hon. Mr. MACDONALD (B.C.)—Take a shirt.

Hon. Mr. DEVER—Yes.

Hon. Mr. ALLAN—No one is objecting to that.

Hon. Mr. MACDONALD (B.C.)—They have no right to mark their goods.

Hon. Mr. DEVER—I say they have a right; and therefore, on the grounds which I have mentioned, I shall vote for giving these people the opportunity of putting a trade mark on the goods they produce. It does not follow that I am going to purchase those goods.

Hon. Sir MACKENZIE BOWELL—I am not going to prolong this discussion further than to point out that the hon. Minister of Justice has not read this bill, or if he has, he misunderstands it. There is no provision in this Act for the incorporation of any society.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—I understand the hon. gentleman to have said, and those listening around me also understood him to have said, that it was for the incorporation of certain labouring men for the purpose of enabling them to have trades marks to designate the goods they manufacture. Now, there is no provision in the bill for such a purpose. If the hon. gentleman did not intend that, why, of course, I am not going to discuss it. If such were the case, and we were passing a bill to enable the working man to manufacture certain articles to put upon the market, and thereby put a trades mark on them, there would be no necessity for the measure, because the Act on the statute-book already provides for that. This bill—and I draw the attention of hon. gentlemen to the fact—is not for the purpose of designating the quality or character of the article, or to prove to the public that it is the invention of certain persons, but is for the purpose of enabling men who belong to a trade union to put their mark upon an article to show that it was manufactured by them, and not as a voucher for the quality of the article.

Hon. Mr. DEVER—What is the difference?

Hon. Sir MACKENZIE BOWELL—All the difference in the world. If the hon. gentleman invents an article and wants to make a fortune out of it, as I hope he would, then he could put his mark upon it.

Hon. Mr. MILLS—That would be his patent?

Hon. Sir MACKENZIE BOWELL—The patent is to enable him to manufacture exclusively, and he would put his trade mark on it under the provisions of the law now on the statute-book. The manufacturer of an article, no matter how he acquired the right to manufacture, can have a trade mark, provided it does not infringe any other trade mark, that would indicate the character of the article and the person by whom it was manufactured, provided he had the patent. My hon. friend from St. John (Mr. Dever) we will suppose, is placing on the market a certain article which he believes, and the public might believe, to be superior to any other article of the kind. He puts his trade mark upon it, which he has acquired under the statute, and I, employed by him to manufacture it for him, belonging to a trades union, could say to my hon. friend: "This cannot go into the market unless I put my mark upon it."

Hon. Mr. DEVER—What is the difference?

Hon. Sir MACKENZIE BOWELL—There is this difference. The hon. gentleman who sits in front of him might manufacture the same article and the trades union might say, "you must only buy that article which has upon the face of it the trade mark of that particular union, and you must not buy the article that does not carry that trade mark."

Hon. Mr. DEVER—To whom does it say that?

Hon. Sir MACKENZIE BOWELL—To the public and to the members of the trades union.

Hon. Mr. DEVER—And the public must submit!

Hon. Sir MACKENZIE BOWELL—I want to convince the hon. gentleman that he is wrong in the view he has taken of the provisions of the bill.

Hon. Mr. DEVER—The hon. gentleman cannot do it.

Hon. Sir MACKENZIE BOWELL—I shall not waste any further time in the attempt. We will take the case of the Eddy Company, who are large manufacturers of a particular class of pail. That is the output of the firm, not the output of the workingmen. Mr. Eddy puts his trade mark on his pail. We know it is one of the best articles of the kind on the market, and we buy it. The men working for him say that, in addition to that, the pail must have a certain mark to indicate that it is made by certain persons belonging to a trades union. Another manufacturer alongside of

him says no, I will not permit that. Then the trades union pass a resolution declaring that the members — I will not say the public—of the trades union, must not purchase any pail that does not have upon it the mark showing that it was manufactured by the members of that organization. That is what is intended. I am of exactly the opinion of the hon. gentleman from Marquette, that it is vicious in principle. If there is any working man who has an article superior to another, or who manufactures an article better than any other, let him put his trade mark upon it, but I say it is not a question of interest to the public, to the purchaser or consumer, who manufactures that article for him and for that reason I shall vote against the principle of the bill, on that ground apart from anything else.

Hon. Mr. PERLEY—The way I understand this matter is this; the bill was up the other day. It was not disposed of by a six months hoist, but simply laid over.

Hon. Mr. BOULTON—That was not the intention.

Hon. Mr. PERLEY—When the hon. member from Victoria moved the adjournment of the debate on the bill introduced by the hon. gentleman from Calgary, the debate was adjourned, and there was a question if that bill could come up again. This bill is in very much the same position. The first step is to decide whether it should be put on the orders again. Then we can discuss the merits of the bill. We are now discussing the merits of the bill instead of discussing whether it should be restored to the order paper. If we place it on the order paper, we can deal with the merits next Tuesday. I shall certainly vote to have the Bill restored to the order paper.

The SPEAKER—The question raised is whether this is a public bill or a private bill. It seems to me that the bill, being an amendment to the Trade Mark and Design Act, which is a public Act, must necessarily be a public bill.

Hon. Mr. ALMON—I move an amendment to the motion before the House that instead of this bill being placed on the order paper for a second reading next Tuesday it be read the second time six months hence.

Several Hon. MEMBERS—That is not in order.

The Senate divided on the motion which was rejected on the following division:

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THE LATE DALTON McCARTHY.

Hon. Mr. BAKER—Before the Orders of the Day are proceeded with, I beg the indulgence of the House while I make one or two observations upon an incident which has recently transpired by which the parliament of Canada has lost one of its most distinguished members, and the legal profession has been deprived of one of its greatest ornaments. I refer to the death of the late Mr. Dalton McCarthy, whose position in public and professional life was such as to justify, in my opinion, a brief reference thereto in this chamber. For three parliaments I was a colleague of Mr. McCarthy in the House of Commons, and in the earlier period of that association, when he was in active sympathy with the party to which he gave support, I was frequently brought into the closest professional and political relations with him. From the very outset I was impressed with the clearness and the completeness of his grasp of every subject which was presented for his consideration. How concisely, how clearly, how convincingly he presented his views is known to every one who ever heard him speak, for he expressed them as he entertained them, with

sincerity and with earnestness and even when his arguments failed to carry conviction to the mind of his hearers, his perfect sincerity commanded their respect. In his profession Mr. McCarthy was at the very head. It is no disparagement to his confrères to say that he was conspicuous amongst the foremost of them all. He was conspicuous for his commanding ability; he was conspicuous for his great attainments; he was conspicuous for his indomitable zeal; he was conspicuous for his dauntless courage, and last, and best of all, he was conspicuous for the fidelity, which he showed to his clients and to whatever cause he espoused. But he has gone! He was borne down in the forefront of the battle of life in the maturity of his manhood and in the fulness of all his splendid powers. The fall of such a man is a loss that amounts to a calamity, for it is a loss not only to the public and the parliamentary life of the country, but it is a loss to the profession to which he belonged and a loss also to the citizenship of Canada. In the face of such a loss, in the presence of death, those of us who differed most widely from the views which Mr. McCarthy was constrained to adopt in the latter years of his life, views which he urged with such forceful pertinacity that they were largely instrumental in shaping the policy of the administration upon an important public question; at such a time and in such a presence, even those who suffered from the adoption of that policy, and who have been deprived of rights, which they considered most sacred, and which are most sacred, may fittingly allow the past to be covered with the broad mantle of charity and to unite in placing upon his bier a tribute of respect for the memory of the man. In that spirit, hon. gentlemen, I offer to the memory of the late Dalton McCarthy respectful homage, and I believe that I am voicing the sentiments of this chamber; I am voicing the sentiments of the country at large, in the expression of regret that his career, a career so full of achievement in the past, and a career that until the announcement of his death was so hopefully full of achievement for the future, has been brought to such an untimely end by an accident that is tragic in its incidents. I say, that I believe the country at large, independently of party and of political opinion, will lament the death of a man who was great in his profession and who, in the private walks of life, was a good citizen. He fought his fight manfully and in doing so, antagonized an important element in our population. But in the presence of death resentments may be silenced. He has gone to his last rest, and may he rest in peace.

Hon. Mr. MILLS—I suppose that it was my duty to have brought this matter under the attention of the House, but I understood, upon inquiry, that it had not been the practice, except in one instance (that of Sir John Macdonald) to discuss in this House the loss of members of the House of Commons, and that is my sole reason for not having referred to the matter before. I cordially subscribe to all that the hon. gentleman from Missisquoi (Mr. Baker) has said with regard to the great talents in his profession, and the great ability which the late Mr. McCarthy brought to the consideration of public questions. It did so happen that on almost every question which he brought under the attention of the House of Commons and which, in a large degree, arrested the public attention, that the opinions which I entertained upon those questions were different from those which he expressed, but I am sure that no one who sat in the House of Commons was capable of expressing with more clearness and precision, and enforcing with greater ability, the views which he entertained than the late member for North Simcoe. Mr. McCarthy had acquired distinction before he entered parliament at all in his profession, a profession which he loved, a profession to which he devoted himself with great ardour and perseverance and with extraordinary ability. To-day there is no one at the bar in the province of Ontario—and there are many men of eminence and great distinction at the Ontario bar—who occupied a higher place, or who enjoyed in a higher degree the confidence of those who required professional advice than Mr. McCarthy. There is no one who ever questioned the high integrity, the strict probity which on all occasions he brought to the consideration or to the discharge of his professional duties. In parliamentary life, of late years, Mr. McCarthy separated himself in a high degree from both the parties of the state; he threw off—if I may so express myself—what he regarded as the trammels of party, and whether his views be thought to be well or ill-founded, there can, in my opinion,

be no doubt whatever that he sincerely subscribed to them and that he earnestly devoted himself to the maintenance of what he thought was just and right. In my opinion, if he had lived to longer continue in the service of the state, and had devoted his abilities to that service, he was likely to have attained a greater measure than he had in the past, the confidence of all classes of the community. Men's views broaden with experience. Men who devote themselves assiduously to the pursuit of one profession and give only the residue of their time to the consideration of public questions, some times become narrowed; but I have no doubt whatever, from my intercourse with Mr. McCarthy, that his views would have broadened the more he studied public questions, and the asperity which during a portion of his career he excited, would have, at no distance time, worn away, and he would have given to the service of the country, and not to any party, those great abilities which he possessed. I have, therefore, no hesitation is saying that I believe the country has sustained a very great loss in the death of Mr. McCarthy; and what he has hitherto done would have been but a very slight indication of what he would have been able to accomplish if he had withdrawn his abilities from his profession and devoted his attention to the service of the state. I am sure of this, that the bar has sustained a great loss in the death of Mr. McCarthy and that in parliament, if he had lived, he would have been of essential service.

Hon. Mr. ALLAN—I hope the House will bear with me for a few moments, as I have been for so many long years on terms of intimate friendship with Mr. McCarthy, and the members of his family, if I add a few words to what has been so eloquently said by the hon. senator from Missisquoi. I am aware, as has been stated by the hon. Minister of Justice, that it has not been usual in this House to take notice of the death of a member of the other House, and with the exception of one notable case, it has not, I believe, ever been done, yet it did seem to me (and I had a feeling of disappointment that no allusion was made to it by the leader of the government yesterday) that in the case of one who in the full vigour of life and with every prospect of a long and distinguished career and one too who was so well known to all of us, being so suddenly snatched away from amongst us, that perhaps it might form an exceptional case and be a very proper one of which some notice should be taken in this House. My hon. friend on my left has paid a most eloquent tribute to Mr. McCarthy's memory, and I feel very grateful myself, as a personal friend, for the manner in which the hon. Minister of Justice has also alluded to him and his career. The blank which Mr. McCarthy has left both in public and professional life I am sure we all feel is one which will not easily be filled. But the point I wish to call the attention of the House more to than anything else is what I consider one of the noblest traits in Mr. McCarthy's character; that is, whatever he did, he did from a strong conviction of right, and he had the courage to carry out those convictions and was never swayed by wrong or improper motives. His political life has been always clean, pure and upright, and we must all feel, I think, that to lose such a man from our public life and from the parliament of this country, is a very great misfortune. To his family his loss is irreparable and to those who had the advantage of Mr. McCarthy's friendship, and have known him for many long years his sudden death came as a very great shock. No man was more kind and generous, no man filled the duties of social life as a husband and father more thoroughly than did Mr. McCarthy. I am quite satisfied that not only in public life, but amongst all those who knew him, it will be many long years before the memory of Dalton McCarthy will have passed away.

LAKE BENNETT AND KLONDIKE RAILWAY AND TRAMWAY COMPANY'S BILL.

THIRD READING.

The Order of the Day being called—

Bill (31) "An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company, as amended."—(Hon. Mr. MacInnes.)

Hon. Mr. LOUGHEED moved in amendment:

That the said bill be not now read a third time, but that it be further amended as follows: In the amendment, after the words "White Horse Rapids," insert "and from Marsh Lake to the Hootalinqua River."

He said: I explained to some extent yesterday the desirability of this amendment

being made, and also its object. I pointed out that it simply proposed, by the amendment, to give the company power to construct a road from Marsh Lake to the Hootalinqua River through a section of country not covered by any other charter, and being part of the public domain. I cannot see wherein any opposition can be raised to the amendment, as it in no way encroaches upon any other rights. The carrying out of it will be in the public interest and it is desired by the company.

The motion was agreed to, and the bill was read the third time and passed.

SECOND READING.

Bill (117) "An Act to incorporate the Klondike and Dawson City Bank."—(Hon. Mr. Clemow.)

THIRD READING.

Bill (N) "An Act to amend the Canada Evidence Act, 1893."—(Hon. Mr. Mills.)

BILLS INTRODUCED.

Bill (135) "An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters."—(Hon. Mr. Scott.)

Bill (136) "An Act further to amend the Act respecting the protection of navigable waters."—(Hon. Mr. Mills.)

Bill (104) "An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company."—(Hon. Mr. Clemow.)

Bill (120) "An Act respecting the North American Telegraph Company."—(Hon. Mr. Clemow.)

Bill (119) "An Act to incorporate the Dawson City and Victoria Telegraph Company."—(Hon. Mr. Clemow.)

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 16th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THE MANITOBA SCHOOL QUESTION

INQUIRIES.

Hon. Mr. LANDRY rose to

Call the attention of the government to the following statement given to the Canadian public at large by one of the members of the present administration, and in its name, on the 2nd day of May, 1898:—

EXTRACT from the Senate Debates, 2nd May, 1898, page 709, 2nd column—

"Hon. Mr. SCOTT—The hon. gentleman must be aware that the present government have settled the School question with Manitoba.

"Hon. Mr. LANDRY—Hear, hear.

"Hon. Mr. SCOTT—They adopted the same channels to settle the question as the late government did. The late government sent delegates to Manitoba and had a conference and failed to come to any agreement. The present government had a conference with representatives of the government of Manitoba and they came to an agreement, which was confirmed by the Manitoba legislature, and that is the end of it, so far as the public are concerned."

And inquired:

1. Is the agreement spoken of by the Honourable the Secretary of State an agreement that really is the end of the Manitoba school question, asserted by the government, or may it be considered as a beginning of justice?

2. If the Manitoba school question has been definitely and irrevocably settled, when did that final settlement take place?

3. If the Manitoba school question is not yet finally settled, and if what has been done up to date is to be considered merely as a beginning of justice, when will the remnant portion of justice, to which they are entitled, be bestowed to the Catholic minority of Manitoba?

Hon. Mr. SCOTT—In answer to the first question, I know of no other agreement than the one I have fully explained, which was made by the province of Manitoba, and the settlement took place when they passed the statute approving of the concessions that were contained in that settlement. The third question, of course, is answered by my previous answer.

Hon. Mr. LANDRY—I think the hon. minister is mistaken as to what I am asking in the first question. I am not asking if there is another agreement, but whether that agreement is the end of the Manitoba

School Question, or only the beginning of justice.

Hon. Mr. SCOTT—That I am quite unable to say further than I have said. I cannot tell what will take place in the future. I am not a prophet nor the son of a prophet.

Hon. Mr. LANDRY inquired :

Whether, since the commencement of the present session the government, or any one of the members of the present administration in the name or for the government, has received from the government of Manitoba, or from the Catholic minority of that province, or from the episcopate or any member thereof, any communication whatsoever, in the form of a demand, of a claim, of a protest, or otherwise, on the subject of the Manitoba school question ?

Hon. Mr. SCOTT—My answer, so far as the government is concerned, is no ; and as far as I can gather from any of my colleagues, the answer is also no. I have asked the premier and other members who are likely to know.

Hon. Mr. LANDRY rose to

Direct the attention of the government to the publication made in *L'Electeur* of 8th May, 1896, of certain words professed to be uttered by the Right Hon. Sir Wilfrid Laurier, at La Salle Jacques Cartier, in the city of Quebec, on the 7th May, 1896, which read as follows :—

(Translation from the French.)

"Do not misunderstand me as to my intentions, I repeat here, that I wish the minority in Manitoba to obtain entire justice. It is a principle written in letters of gold in the programme of my party that the rights of the minority must be respected. . .

"If the people of Canada bring me into power, as I have a conviction they will, I will settle this question to the satisfaction of all parties interested. I shall have with me in my government Sir Oliver Mowat, who has always been in Ontario, at the peril of his own popularity, the champion of the Catholic minority and of Separate schools. I will put him at the head of a commission where all the interests at stake shall be represented, and I affirm to you that I will succeed in satitfying those who are suffering at this moment. Is not Sir Oliver Mowat's name alone a guarantee of the success of this plan ?

"And then, finally, if conciliation does not succeed, I shall have to exercise that constitutional recourse which the law furnishes, a recourse which I shall exercise completely and entirely."

And asked :

1. Is this version published by *L'Electeur* a correct version, at least giving the substance of the declarations which were made by the Right Hon. Sir Wilfrid Laurier on the aforesaid occasion ?
2. If the version is not a faithful one, wherein does it sin against the truth, and which of the declarations reproduced in the account given by the *L'Electeur* does the Right Hon. Sir Wilfrid Laurier repudiate because they do not express his view on the questions to which they relate ?
3. Did the Right Hon. Sir Wilfrid Laurier really promise that Sir Oliver Mowat would be placed at the head of a commission where all the interests at stake in the school question should be represented ?
4. Did the Right Hon. Sir Wilfrid Laurier really promise complete satisfaction for those who were at the moment suffering ?
5. Did the Right Hon. Sir Wilfrid Laurier really promise to settle the school question to the satisfaction of all the parties interested, and to exercise, if necessary, in its fulness, the constitutional recourse which the law furnishes ?
6. If the Right Hon. Sir Wilfrid Laurier did not make such promises, what are, in substance, at least, the promises which he then made and which could give reason for the interpretation given by *L'Electeur* of the 8th May, 1896 ?

Hon. Mr. MILLS—I will say to my hon. friend I do not know that the prime minister made any of these statements to which he refers here, and which he quotes or professes to quote from *L'Electeur*. Now, my hon. friend has not questioned me with regard to any matter pending in parliament, or any question that is likely to be brought before parliament at this session. My hon. friend is putting a question with regard to what the prime minister said when a private member of the House of Commons, leading the Liberal party, at a meeting held May 7, 1896, in the province of Quebec. I dare say that the prime minister could not to-day say whether he spoke of all those matters in precisely the way in which he was reported. I understand that he did not. Now, my hon. friend will see that if he were to put questions of this sort with regard to what a minister said out of parliament before he was a minister, and in reference to matters which may have been at that time pending in parliament, and which are not pending now, he might put questions with regard to everything that a public man said during the whole period of his life up to the moment when the question was put ; my hon. friend could continue to frame questions of this sort, not only during the whole period that the session continues, but if he were to prepare himself beforehand he could fill up the orders of the day with a series of questions that would take up the whole day when those questions were reached to adequately answer. This is not a matter pending in parliament, but a matter which was dealt with two sessions ago by the government, or by some members of the government in conjunction with the government of Manitoba, and secured from the latter a settlement that was at the time accepted as a compromise, which may or may not be a finality—that may be determined by experience, for I do

not suppose that the government will insist, or that any member of the government, or that any member of the opposition will insist with regard to this school question that a different rule shall be adopted to that which is applied to all other questions. Experience has shown that the doctrine of finality is sometimes a dangerous one. Men are imperfect; all the difficulties that surround a question may not present themselves at the moment, and experience may show that further consideration may be necessary. Now it may well be that further consideration will be given by the legislature where primarily the duty rests, so that this parliament may never be called upon, under any circumstances, to consider the question again. While I am ready to answer all questions relating to the practical business of parliament, so far as it is in my power to do so, I do not feel that it is necessary to answer all questions that my hon. friend can put with regard to a subject that has ceased to be a question of practical politics, for the time being, and is simply an academic question, and I trust that my hon. friend will see that in making this statement I mean certainly no discourtesy to him. But I do not think it necessary to submit this series of questions to the prime minister and obtain from him an accurate statement, to the best of his knowledge and recollection, of what he did say on that particular occasion. I do not see the bearing of that question on anything that is before this House, and, however gratifying that might be to my hon. friend, I do not think that this House will insist upon me taking up time to undertake to answer in minute detail the questions of this sort which he has put.

Hon. Mr. LANDRY—Do I understand that the hon. gentleman did or did not ask the prime minister? I did not catch his answer fully. Did the hon. minister say he would not trouble himself to inquire?

Hon. Mr. MILLS—No, I did not say that. The hon. gentleman had this question up before, and my recollection is that on that occasion the words of the prime minister were "I have no recollection of what was said on the occasion referred to."

Hon. Mr. LANDRY—I think the hon. gentleman is mistaken in what he has just related, because the first time I put the question on the order paper, I dropped it before getting any answer, because I did not want to put before the House a controvertible fact in assuming that the words I quoted had been really pronounced. I withdrew the question and framed it in this way, but I had no answer to the question as first framed. The answer was refused. The hon. minister gave no answer or, if he gave one, we did not hear it.

Hon. Mr. MILLS—If it is any satisfaction to my hon. friend, he may let the question stand on the paper. I will bring the question as it stands under the notice of the prime minister.

Hon. Mr. LANDRY—I am satisfied.

The notice was allowed to stand.

ABSENCE OF THE MEMBERS OF THE GOVERNMENT.

INQUIRY.

Hon. Mr. LANDRY rose to inquire of the government:

1. In the course of the year 1897, did the prime minister, or any member of the present administration, make a voyage or several voyages to Europe, to the United States or elsewhere?
2. What are the names of the members of the administration who thus absented themselves from the country?
3. How long did the absence of each of these members of the administration last, specifying as to the prime minister the dates of his departure from and of his return to the country?
4. What was the mission or object of the voyage of each of the members of the administration who so absented themselves?

Hon. Mr. SCOTT—My answer to the first question is:

1. Yes.

2. The premier, Sir Louis Davies, Mr. Blair, Mr. Fielding, Mr. Dobell and Sir Richard Cartwright.

3. The prime minister from the 3rd June to the 27th August, and later, in the month of November, one week in Washington.

4. The premier left on June 3rd to attend the Jubilee celebration in London. He was absent one week in Washington discussing the Behring Sea regulations with the Washington authorities. Sir Louis Davies went to England to discuss with the law officers the question whether the Belgian and German treaties applied to Canada; also to assist in the preparation of the argument of the fishery case before the Privy Council, between the Dominion and the provinces.

Sir Louis Davies attended at Washington to discuss the question of Behring Sea regulations.

Sir Richard Cartwright visited Washington with Sir Louis Davies to discuss general questions affecting Canada in reference to relations with the United States.

Mr. Blair visited England, and his visit was of a private nature, and was not taken at the expense of the country.

Mr. Fielding visited England in connection with the recent loan.

Mr. Dobell visited England in connection with the fast line.

Hon. Mr. LANDRY—Did the hon. gentleman mention Mr. Fitzpatrick?

Hon. Mr. SCOTT—No; he is not a member of the government.

Hon. Mr. LANDRY—I am not asking as to members of the government; I am asking as to members of the administration.

Hon. Mr. SCOTT—He is not a member of the administration.

Hon. Mr. LANDRY—He is not a member of the administration?

Hon. Mr. SCOTT—Mr. Fitzpatrick is the solicitor general. He is not a member of the cabinet.

Hon. Mr. LANDRY—I am not asking that. I am asking as to the members of the administration.

Hon. Mr. SCOTT—Yes; he is a member of the administration.

Hon. Mr. LANDRY—Then I have not the proper answer.

Hon. Mr. SCOTT—I think he has been in England, too.

Hon. Mr. LANDRY—I would rather have the motion stand, so that I can get the correct answer.

Hon. Mr. SCOTT—I will ascertain the fact. I have answered the rest.

TORONTO AND HUDSON BAY RAILWAY COMPANY.

THIRD READING.

The Order of the Day being called:

Third Reading Bill (77) "An Act to incorporate the Toronto and Hudson Bay Railway Company," as amended.

Hon. Sir MACKENZIE BOWELL moved:

That the bill be not now read a third time, but that it be further amended by inserting the following words after the word "company," in the nineteenth line of the 10th section, "the James Bay Railway Company."

The motion was agreed.

Hon. Sir MACKENZIE BOWELL—Before the third reading I desire to move some further amendments, to which the parties interested in this bill have agreed. Mr. Grier, who appeared for the city of Toronto, and also Col. Tisdale, who appeared on behalf of the company now in existence, consented to these changes. The amendments which I propose to make are in accordance with the suggestions made by the law clerk during the discussion of this question in committee. As pointed out to the parties interested by the law clerk of the Senate, if the bill was allowed to pass as reported, it would give no powers whatever to the company intended to be incorporated by this Act, and they mutually agreed that no action could be taken by the city of Toronto, and those interested in the Act before the Senate till the time which the present company in existence was allowed for the commencement and construction of the road should have expired, or an arrangement entered into by the incorporators of this company and those of the companies now in existence. The 18th clause reads: "This Act and the operations thereof shall be suspended for the period of two years," etc. The suggestions which were made by the law clerk, and have been accepted by both parties interested, make the 18th clause practically read as follows:

The operations of sections 4, 9, 11, 12, 13, 14, 15, 16, shall be suspended for the period of two years.

That is the period during which the corporators of the companies now in existence shall have to commence their lines, and in case they should fail then this company would come into operation. It will be observed by those who have taken an interest in it, that the tenth clause is not rendered inoperative under the amendment which I propose to make, and that the tenth clause simply gives to the present corporators the power and right to enter into negotiations with certain existing companies, and in the forty-fifth line the words "thereof" would be left out, and the words "of the said sections" inserted in lieu thereof. In the third subsec-

tion of the eighteenth clause the words "notwithstanding anything contained in this section the corporate existence of this company shall subsist for the purpose of negotiation with the James Bay Railway Company, and the Nipissing and James Bay Railway Company, and for the purpose of becoming parties," are struck out and the following inserted in lieu thereof:

The company may become parties to and entitled to enforce any agreement which may be made between the James Bay Railway Company and the Nipissing and James Bay Railway Company, or between either of the said parties, etc.

The different companies are enumerated in order to avoid the possibility of mistake. Consequently it reads:

Any agreement which may be come to between the James Bay Railway Company and the Nipissing and James Bay Railway Company or between either of the said railway companies or with the Grand Trunk Railway Company and the Canadian Pacific Railway Company or either of them.

The House will observe that these amendments simply suspend the powers of the company to go on with works of any kind, but a corporate existence is given to the company which will enable it to enter into negotiations and effect an arrangement for an amalgamation of the companies mentioned therein for the purpose of the construction of the road. I think hon. gentlemen will see that they render the bill plainer, and as both these parties have agreed to them, I move that the amendments be concurred in.

Hon. Mr. POWER—Would the hon. gentlemen be kind enough to say which sections are mentioned in the beginning of the amendment that he has just read?

Hon. Sir MACKENZIE BOWELL—It reads thus: "The operation of sections, 4 11, 12, 13, 14, 15 and 16 of this Act," which in fact are all the clauses less those incorporating the company and the 10th clause which gives them power to enter into the negotiations.

Hon. Mr. POWER—I am very glad that the hon. gentleman proposes to move this amendment, because without the amendments which are now proposed, the bill would not have effected the objects of the promoters. I would, however, respectfully suggest to the hon. gentleman that he should first move, and I have no doubt that the unanimous consent of the House could be obtained for that purpose, that the 71st rule be suspended.

Hon. Sir MACKENZIE BOWELL— I move that rule 71 be suspended, so far as relates to this bill.

The motion was agreed to, and the amendments were concurred in.

THIRD READINGS.

Bill (D) "An Act for the relief of James Pearson."—(Hon. Mr. Clemow.)

Bill (105) "An Act respecting the Montreal Island Belt Line Railway Company," as amended.—(Hon. Mr. Bellerose.)

Bill (69) "An Act respecting the Kingston and Pembroke Railway Company."—(Hon. Mr. Clemow.)

SAFETY OF RAILWAY EMPLOYEES AND PASSENGERS BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (4) "An Act further to secure the safety of railway employes and passengers." He said:—This bill, as it comes to us, is what remains of a measure which was introduced some years ago, for the first time, in the House of Commons, and it passed that House in its present truncated form, so to speak, this session. The portions of the original measure which were peculiarly objectionable to the railway companies have been stricken out, and, as I understand, there is now nothing in the bill to which the railway companies seriously object; and the provisions which remain in the bill are calculated to be of value in the direction of saving the lives and limbs of railway employes and passengers. The first clause provides that two years after it is made to appear to the Railway Committee of the Privy Council, that a satisfactory device for connecting air-brakes is in existence, all cars shall be provided with an automatic device in the hose coupling of such air-brakes or in the train pipe, so arranged that after the cars are coupled, the connection between such brake and the air pump on the locomotive cannot be broken or the couplings disarranged, accidentally or otherwise, without the knowledge of the engineer. The only portion of the Act which goes into operation immediately is that all box-freight

cars built for use on Canadian railways hereafter shall be of a uniform standard height of draw-bar from the top of the rail, and shall be provided for the security of railway employes with outside and end ladders on opposite corners of each car, projecting below the frame of the car and with one step or rung of the ladder below such frame. Such standard height and such ladders to be subject to the approval of the Minister of Railways and Canals. The bill, as originally introduced, provided that this clause should apply to cars already built, and that they should be so altered as to comply with the provisions of the bill. That portion of the clause has been omitted. The remainder of the bill simply imposes a penalty for the violation of the Act.

Hon. Sir MACKENZIE BOWELL—Does this bill go into operation immediately it becomes law?

Hon. Mr. POWER—No, the second clause provides that the box cars shall be built in future as described in the bill.

The motion was agreed to, and the bill was read the second time.

Hon. Mr. POWER—Strictly speaking this, being a public bill, should go to a Committee of the Whole House, but inasmuch as the subject of the bill is one which could be more satisfactorily discussed in the Railway Committee, I think it would be better to send the bill to the Railway Committee in the first instance, and I therefore move that it be referred to the Committee on Railways, Telegraphs and Harbours.

The motion was agreed to.

GOVERNMENT HARBOURS, PIERS AND BREAKWATERS BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (135) "An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters." He said: In the maritime provinces it is found there are many wharfs where the receipts are very small, perhaps ten, twenty or fifty dollars, and this bill provides that where the annual receipts are less than $100 the Minister of Marine and Fisheries may lease it to the municipality for a term not exceeding three years.

Hon. Mr. PROWSE—I would call the attention of the hon. Secretary of State to the fact that in Prince Edward Island there are no municipalities and there are many wharfs from which the receipts are very small indeed. I should think the bill would be more applicable to that province than to any other.

Hon. Mr. SCOTT—Are there no municipal divisions?

Hon. Mr. PROWSE—None except in cities and towns.

Hon. Mr. SCOTT—There are some county organizations are there not?

Hon. Mr. PROWSE—No.

Hon. Mr. SCOTT—I will call the attention of the department to the matter, and it can be amended in committee if necessary.

The motion was agreed to, and the bill was read the second time.

SECOND READINGS.

Bill (136) "An Act further to amend the Act respecting the Protection of Navigable Waters."—(Hon. Mr. Mills.)

Bill (104) "An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company."—(Hon. Mr. Clemow.)

Bill (120) "An Act respecting the North American Telegraph Company."—(Hon. Mr. Clemow.)

Bill (119) "An Act to incorporate the Dawson City and Victoria Telegraph Company."—(Hon. Mr. Clemow.)

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 17th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

ALIEN LABOUR LAW AMENDMENT BILL.

FIRST READING.

Hon. Mr. MILLS introduced Bill (O) "An Act to amend Chap. 11 of the Statutes

of 1897, intituled 'An Act to restrict the importation and employment of aliens.'"

Hon. Sir MACKENZIE BOWELL—Explain.

Hon. Mr. MILLS—There is no provision in the Act as it stands for proof of what the law is in another country, and it is necessary to provide some simple, ready and inexpensive means of proof. I propose by the bill to provide that the copy of an Act of a foreign country, in the print of the press of the government, will be sufficient evidence of what the law is in that country, without going to the trouble of getting a copy under the seal of the country, or without the necessity of calling in a foreign expert to prove what the law is.

Hon. Sir MACKENZIE BOWELL—Would not a copy of the Statutes of the foreign country be sufficient?

Hon. Mr. MILLS—That is precisely what the bill provides. It may be a copy of the individual Act, or a volume of their statutes.

The bill was read the first time.

TRANSPORTATION OF STORES AND GOODS TO THE YUKON.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) inquired:

1. Were any of the stores and goods to be forwarded to the Yukon by Boston and Alaska Transportation Company for the Dominion Government purchased in the United States? If so, to what value and of what character?
2. Were any of the stores and goods to be forwarded in the same way and for the same purpose purchased in the Dominion? If so, in what place and to what value?
3. With whom was the contract made for the carrying such stores and goods from the place of purchase to their destination?
4. Are such stores and goods as are purchased in Canada to be shipped from United States ports, and how carried to such ports?
5. Were tenders asked for for the transportation of these stores and goods?
6. Are there not steamers enough, ocean and river, in British Columbia to carry Government stores and goods from ports in that province to the Yukon at as low a rate of freight as by the vessels of any other country?
7. How many tons of stores and goods are to be transported by the Boston and Alaska Transportation Company to the Yukon?
8. How many tons are to be forwarded by vessels of the Dominion to the same place?
9. What is the rate of freight per ton to be paid the aforesaid Boston Company for transporting stores and goods from a United States port to the Yukon?
10. What is the rate per ton freight to be paid to any Dominion Company for the same service?
11. What was the rate per ton asked by any Dominion Company for the service to be performed by the Boston and Alaska Transportation Company?
12. Does the Government deem it patriotic or just to our own people to purchase products in another country which could be had in the Dominion at equal prices, and to employ the vessels of another country in the transportation of its stores and goods, thereby diverting the legitimate trade of the country to its injury, and building up the trade of another and a rival country?

Hon. Mr. MILLS—To the first question the answer is none; except in so far as the government contractors, Messrs. H. N. Bate and Sons and the Hudson Bay Company, may have purchased in the United States. If they did purchase them from the United States or any other foreign country of course, they paid the duties upon them. I do not know that they did so. To the second question the answer is: Outside of the stores purchased from the two contractors above mentioned, which were all food supplies, the whole of the stores forwarded were purchased within the Dominion of Canada. To the third question the answer is: For the goods purchased from Messrs. H. N. Bate and Sons and the Hudson Bay Company, their contracts called for the delivery of the stores to the Boston and Alaska Transportation Company on the Pacific coast, either at Seattle or Vancouver as the case might be. The contract for the carriage of the stores was, therefore, made with the Boston and Alaska Transportation Company in this case from Seattle or Vancouver, respectively, to Fort Selkirk.

With regard to the goods purchased other than from the two firms mentioned above, amounting to about 50 tons, by weight, a contract was made with the Grand Trunk Railway Company for delivery at Seattle. To the fourth question the answer is: Stores and goods, to the extent of about 100 tons by weight were purchased partly in Canada and partly for delivery by the firms abovementioned, place of purchase not known, to be delivered at Seattle to the Boston and Alaska Transportation Company. Stores and goods to the extent of about 150 tons, place of purchase not known, presumably Canada, are to be shipped at Vancouver by the same transportation company.

With regard to the last portion of the question; such goods as were delivered to the department in Eastern Canada were carried to Seattle by the Grand Trunk Rail-

way Company. The choice of the other routes is in the hands of the contractors who tendered for delivery on the coast. It is not known definitely by what route these goods have gone, but it is understood that a large proportion have gone by the Canadian Pacific Railway Company, probably 200 tons.

To the fifth the answer is Yes. To the six question the answer : is I am not aware that any Canadian firm is in a position to transport stores through from Vancouver to Dawson City or Fort Selkirk. Certainly none tendered at a lower rate than that accepted by the government. To the seventh question the answer is, 250 tons.

To the eighth question the answer is : None, but a weight of 100 tons is accompanying the force proceeding to the Yukon, which is being conveyed entirely in Canadian vessels and by Canadian contractors.

Hon. Mr. MACDONALD (B.C.)—By the Stikine River, I suppose.

Hon. Mr. MILLS—Yes, by the Stikine River. To the ninth question the answer is : $300 per ton from Vancouver or Seattle to Fort Selkirk. To the tenth question the answer is : there is no Dominion company doing the same service. To the eleventh question the answer is : If Davidge & Co. of Victoria are a Canadian company their rate to Dawson City was $275 per ton, while the rate accepted by the government was $200 per ton to that place. Then to the twelfth question I do not know what answer my hon. friend expects. I may say that the government did not purchase anything in a foreign country. Their contract was with Canadian firms, the Hudson Bay Company and H. N. Bate & Son. That the government, once having entered into a contract with them, could prevent them purchasing a portion of their supplies abroad, I suppose my hon. friend will not maintain, especially if the purchase made any material difference in the price of the goods to the public. Then with regard to the other portion of the question, "does the government deem it patriotic or just to employ the vessels of another country in the transportation of the stores and goods?"—well, the government do when they are unable to secure vessels of their own. I understand that in this case many companies were applied to, and the names of the vessels that could enter into the service were asked for, and no names were given and no satisfactory tenders were made. In fact, at the present time, as I understand it, those parties who are building or fitting out steamers upon the western coast of this country were not yet prepared to enter into this contract or to engage in the transportation. They may be able to do so at a later period, but they were not able to do so at the time the government sought these tenders.

Hon. Mr. MACDONALD (B.C.)—I have to thank the hon. minister for his very clear and concise answer to the questions which I have asked. My first notice of this matter was in a Seattle newspaper rejoicing over the Dominion government casting a slur on the town of Vancouver and Victoria as not being the proper place to buy stores and get supplies and establishing Seattle as the base of supply for the Yukon. When I saw that, I thought I should ask those questions and it is quite clear, from the answers given, that a large portion of those stores have been bought in another country and not in Canada. Bate and Company should have been prevented from doing this in the contract given to them. Now, with regard to there being no vessels to carry supplies to the Yukon, I am informed that the Canadian Pacific Railway Company were perfectly competent and had the vessels at their disposal to carry those goods. They have now three river steamers and two splendid ocean steamers. They were perfectly prepared to carry up these stores, but they were not asked for a bid or an offer to do so.

Hon. Mr. MILLS—They were.

Hon. Mr. MACDONALD (B.C.)—I see also, that the rate of freight allowed is simply enormous.

Hon. Mr. TEMPLEMAN—Did I understand the hon. gentleman to say the Canadian Pacific Navigation Co.?

Hon. Mr. MACDONALD (B.C.)—I say that the Canadian Pacific Railway Company were prepared with their steamers to carry these stores from Vancouver or Victoria to the Yukon—I do not know how far up—probably Fort Selkirk. And mentioning Fort Selkirk, reminds me that we were told, by a gentleman who was formerly in the Mounted Police, Dr. Wills, that Fort Selkirk will be inaccessible in winter—that Dawson City

might be swept out and captured and the whole country carried away before you could communicate with Fort Selkirk. Whether a road can be made I do not know. The hon. member from Shell River (Mr. Boulton) will be able to substatiate what I said as to Dr. Wills saying it is inaccessible, and that the troops ought to be stationed near Dawson City to be of any use at all. I deprecate very much, and I am sure this House must, that it should be found necessary to go to a foreign country to procure and carry those supplies to the Yukon Territory. Every rescource in our own country ought to be exhausted, and if it was found that there was no company or person able to undertake this work of transportation of supplies, there would be no objection to giving other people the work.

Hon. Mr. MILLS—I think that was the rule adopted.

THE DRUMMOND COUNTY RAILWAY.

INQUIRY.

Hon. Mr. WOOD—I should like to ask again the question which has been standing on the order paper for a long time:

1. Whether they will, during the present session, introduce legislation to ratify the agreement made with the Grand Trunk Railway bearing date the 1st February, 1898, and lately laid before parliament?
2. Whether the government will, during the present session, introduce legislation to authorize the purchase of the Drummond County Railway, or confirm an agreement for the purchase of the same?

When I asked this question before, the leader of the House told me that this subject had not been considered by the government I presume that at this stage of the session, the government have decided what legislation they propose to adopt, and I hope the hon. leader of the House will be able to give me a definite answer.

Hon. Mr. MILLS—I may say that I am not able, that the subject has not been considered, and until the subject has been considered, I shall be unable to answer my hon. friend's question.

THE MANITOBA SCHOOL QUESTION

INQUIRIES.

Hon. Mr. LANDRY—I rise to direct the attention of the government to the publication made in *L'Electeur* of 8th May, 1896, of certain words professed to be uttered by the Right Hon. Sir Wilfrid Laurier at La Salle Jacques Cartier, in the city of Quebec, on the 7th of May, 1896, which read as follows:

(*Translated from the French.*)

Do not misunderstand me as to my intentions, I repeat here, that I wish the minority in Manitoba to obtain entire justice. It is a principle written in letters of gold in the programme of my party that the rights of the minority must be respected.....

If the people of Canada bring me into power, as I have a conviction they will, I will settle this question to the satisfaction of all parties interested. I shall have with me in my government Sir Oliver Mowat, who has always been in Ontario, at the peril of his own popularity, the champion of the Catholic minority and of separate schools. I will put him at the head of a commission where all the interests at stake shall be represented, and I affirm to you that I will succeed in satisfying those who are suffering at this moment. Is not Sir Oliver Mowat's name alone a guarantee of the success of this plan?

And then, finally, if conciliation does not succeed, I shall have to exercise that constitutional recourse which the law furnishes, a recourse which I shall exercise completely and entirely."

And I beg to ask:

1. Is this version published by *L'Electeur* a correct version, at least giving the substance of the declarations which were made by the Right Hon. Sir Wilfrid Laurer on the aforesaid question?
2. If the version is not a faithful one, wherein does it sin against the truth, and which of the declarations reproduced in the account given by *L'Electeur* does the Right Hon. Sir Wilfrid Laurier repudiate because they do not express his views on the questions to which they relate?
3. Did the Right Hon. Sir Wilfrid Laurier really promise that Sir Oliver Mowat would be placed at the head of a commission where all the interests at stake in the School Question should be represented?
4. Did the Right Hon. Sir Wilfrid Laurier really promise complete satisfaction for those who were at the moment suffering?
5. Did the Right Hon. Sir Wilfrid Laurier really promise to settle the School Question to the satisfaction of all the parties interested, and to exercise if necessary, in its fulness the constitutional recourse which the law furnishes?
6. If the Right Hon. Sir Wilfrid Laurier did not make such promises, what are, in substance at least, the promises which he then made and which could give reason for the interpretation given by *L'Electeur* of the 8th May, 1896?

I should like to know if the hon. minister has seen the premier and is now in a position to answer my questions?

Hon. Mr. MILLS—I might say to my hon. friend that the prime minister is unable to recall what was said on that occasion. He cannot say whether the report made was a correct report, and so, it is not in my power to gratify my hon. friend's curiosity.

Hon. Mr. LANDRY—I do not know who is the hon. know-nothing member of this cabinet, but I should like to have the third, fourth and fifth questions answered, and I should think it would be easy even for the prime minister to answer them. I ask the government :

3. Did the Right Hon. Sir Wilfrid Laurier really promise that Sir Oliver Mowat would be placed at the head of a commission where all the interests at stake in the School Question should be represented ?

Surely the hon. prime minister is able to recollect if he made such a promise or not ? The Hon. Minister of Justice ought to be able to answer that question.

Hon. Mr. MILLS—With all deference to my hon. friend, I do not think I ought to be able to answer the question, because there is no public question under the consideration of this House that would call upon me answering that question or to which that question has any special relevancy.

Hon. Mr. LANDRY—The hon. minister is quite mistaken ; if this Manitoba School Question is not a public question, I do not know where he could find a more public question.

Hon. Mr. MILLS—So is the fall of Jerusalem.

Hon. Mr. LANDRY—The constitution has been violated ; the judgment of the Privy Council declares so. The hon. Prime Minister went through all the provinces before the last election, promising to restore the rights of the minority. If those rights have not been restored, it is a public question to see whether the constitution shall be vindicated and whether the rights of the minority shall be restored to them, and as long as that question is not definitely settled in the way of justice it is a public question. The hon. minister has no right to evade the question by saying that there is no such question before the House and country. At all events, the Prime Minister should know if he made such a promise or not. Questions four and five are questions that the government should answer for the same reason. If the Hon. Sir Wilfrid Laurier, the Prime Minister, tried to settle the question by an agreement with Manitoba, and if that agreement does not give to the minority all the rights to which they are entitled, then comes this question five—will he have recourse to the law ?

Hon. MILLS—What law ?

Hon. Mr. LANDRY—The hon. Minister of Justice asks me "what law" ? Has the Minister of Justice not read the constitutional law ? Has he not read the law incorporating Manitoba into the Dominion ? Does he not know that there is a law existing which provides that any question of the kind which cannot be settled in the province and comes here to be settled by way of an appeal must be settled in a certain way ? He might put the question to the Prime Minister if he knows the law and the constitution, I should like the hon. Minister to answer at least these three questions. If he cannot say that the version of the Premier's speech given in *L'Electeur* is correct or not—if the two years which have elapsed since those promises were made is too long a period to permit the Prime Minister or any member of the Cabinet to know if that promise was made or not, at least Sir Wilfrid Laurier might remember if he made such a promise, whether correctly reported in *L'Electeur* or not. If he made the promise, why not answer yes ; if he did not make the promise can he not answer no ? Did he make such a promise ? If he made it and cannot keep it, what is the excuse ? Is it for the public good ? Is the hon. Minister unable to answer ?

Hon. Mr. MILLS—My hon. friend has the floor.

Hon. Mr. SCOTT—And can keep it as long as he likes.

Hon. Mr. LANDRY—I am asking the hon. minister if the Prime Minister made such a promise ? Cannot the hon. minister answer one of the three questions ? I give him a choice ; surely he can answer one if he cannot answer the three. No answer at all ? Are the ministers afraid to answer ? Are they ashamed to answer ? Mute ! Well, I think that is not an enviable position for a minister ! Cannot answer ! Unable to answer on the question that brought them to power—unable ! surely the hon. minister ought to be able ! Let him make an effort ! What is the answer I should get ?

Hon. Mr. MILLS—I do not like to disregard the rules of the House. My hon.

friend occupies the floor and calls upon me for an answer. When my hon friend gets through, if I see proper I shall answer.

Hon. Mr. LANDRY—The hon. minister rose to make this remark ; why did he not answer then? He got up! Where is the answer? I sat down and gave him the floor: where is the answer? Does he want me to sit down again? I will give him a chance if he wants me to do so.

Hon. Mr. DANDURAND—Allow me—

Hon. Mr. LANDRY—Oh, here is a new minister!

Hon. Mr. DANDURAND—I wish to make a few remarks on the questions the hon. gentleman has put to the government. He has declared that the constitution has been violated—that a judgment of the Privy Council has decided so. There is a decision of the Privy Council declaring that the constitution was not violated. That is the first. The second judgment said that the minority had a grievance. Now, it is claimed by the leader of the government that the grievance has been redressed. The superintendent of the separate schools of Manitoba, Rev. Mr. Cherrier, published a letter over his signature in a newspaper, *La Presse* of Montreal, last winter, declaring that there were at the time twenty-five Catholic schools working under the system of public schools to the satisfaction of the minority.

Hon. Mr. MASSON—I rise to a question of order. Discussion is useless in this case. There is no necessity to know how many schools in the North-west are good or bad. There are differences of opinion on that subject. There are differences of opinion in the other provinces on the subject of education. If the hon. gentleman thinks that on a simple question to a minister he can raise the whole question, he is entirely out of order. If the minister does not wish to answer, I think it is very presumptuous for a private member to undertake to answer for him.

Hon. Mr. DANDURAND—On the question of order, I should like to say this: I was here when the same question was raised by the hon. member on the other side last week or the week before. It was declared by the Speaker that other remarks could be made on questions put to a minister. Now, I do not want to address this House irregularly, but I thought when there were absolutely gratuitous, unfounded statements made by the hon. gentleman who supplemented his questions in that way, it was my duty to correct them. Of course, I do not want to express an opinion on the point of of order raised. As I know the tenacity which distinguishes the hon. member from Stadacona, I have no doubt that I will have an opportunity to put before the House the remarks I was about to make.

THE SPEAKER—I hope hon. gentlemen see how desirable it is to have some rule to guide the Senate under circumstances such as have arisen to-day. I am sorry to say that this discussion is not creditable to the Senate, and I hope the Senate will help me to frame some rule to prevent its repetition. I said the other day that, in my opinion, when a minister declared that he had given the only answer he could give, and could not give any more—when he claimed that he had answered the question, it is entirely out of order to comment on the refusal of the minister to give a further reply. I hope the Senate will find some way to put an end to such discussions.

ABSENCE OF MEMBERS OF THE ADMINISTRATION.

INQUIRY.

Hon. Mr. LANDRY inquired of the government—

1. In the course of the year 1897, did the Prime Minister, or any member of the present administration, make a voyage or several voyages to Europe, to the United States or elsewhere?
2. What are the names of the members of the administration who thus absented themselves from the country?
3. How long did the absence of each of these members of the administration last, specifying as to the Prime Minister the dates of his departure from and of his return to the country?
4. What was the mission or object of the voyage of each of the members of the administration who so absented themselves?

May I ask the government if they are now ready to supplement the answer given yesterday, as far as the Solicitor General, the Hon. Mr. Fitzpatrick, is concerned?

Hon. Mr. SCOTT—I am advised, in answer to the first and second questions, that he made one trip to Europe last year and was absent about six months. The

object of his visit to Europe was to assist in the argument on the Fisheries question before the Judical Committee of the Privy Council, in addition to other cases before the Privy Council.

AN ADJOURNMENT.

MOTION POSTPONED.

Hon. Mr. CASGRAIN moved :

That when the Senate adjourns on Wednesday, 18th instant, it do stand adjourned until Wednesday, the 25th instant, at three o'clock in the afternoon.

Hon. Mr. POWER—It has not been customary to adopt these resolutions without some expression of opinion from the government, and I think at this stage of the session, when there is a good deal of work before the House, it is more necessary than at an earlier stage that we should have some expression from the government.

Hon. Mr. ALLAN—I entirely agree with what has been said by the hon. gentleman from Halifax. I think at this stage of the session we ought to know from the government whether an adjournment would interfere with the public business. It is quite true that we lose only two days, but it is equally true—I speak for myself—that we are in ignorance as to how long the session will last. General reports say that the government and the opposition in the other House are equally anxious to bring the session to a close, and it is probable that each day will bring us a good deal of work from the other House. I do not think it would be in the interest of the Senate that members should be absent when work is to be done. I have never been one of those who carped at these motions for adjournment when there was nothing to be lost by them, but near the close of the session the matter stands in a different position altogether.

Hon. Mr. ALMON—I think this is a matter which rests entirely with the members of the government. The leader of the government might tell us what they are going to send up from the other House, either the Plebiscite bill or any other bills, and then we can see what there is for us to do. If there is business to be done I think we should not adjourn. We must all feel that we have been wasting time during the last two weeks and doing nothing. I don't know of anything that has been done during the last two weeks that has been of benefit to the country.

Hon. Mr. MACDONALD (B.C.)—We have passed fifty bills the last week.

Hon. Mr. ALMON—What kind of bills?

Hon. Mr. MACDONALD (B.C.)—Good bills.

Hon. Mr. WOOD—So far as the Senate is concerned, no harm would result from adopting the motion of the hon. gentleman regarding the postponement. The Bills before us seem to be pretty well disposed of, and if the current reports are correct, I certainly have an impression quite different from that of the hon. gentleman who last spoke; the opinion generally prevalent is that the session would not close until the latter part of June, or possibly the first part of July, and that view is confirmed by the statement which the hon. leader of the House made today, that the government had not yet decided, or even considered whether they should bring down legislation regarding the Drummond County Railway. My object in rising was to say this, that I think the proposed adjournment cannot retard the business, and I know there is a feeling among members from the maritime provinces, that they would like this adjournment long enough to enable them to go home, as some of them have important private business to look after, and if this adjournment could be extended to two weeks, it would enable them to do so.

Several hon. MEMBERS—No, no.

Hon. Mr. WOOD—If we are correct in the impression that the session must last to the end of June, if we take this adjournment it will leave ample time for the Senate to consider the Plebiscite Bill, the Franchise Bill and any other bill which may come up from the House of Commons.

Hon. Mr. MILLS—I may say to the hon. gentleman that the Franchise Bill is before the House, that it stands for the third reading, and has been delayed from day to day to meet the wishes, I think, of the leaders of the opposition in that House. The government have been all along prepared to move that third reading, and it is out of deference to some of those who wish further opportunity for consideration that the third

reading has not yet been moved. I apprehend that as that is a bill that specially concerns the other House, there will perhaps be no very long discussion upon it here. Then there is the Plebiscite Bill, I understand many hon. gentlemen are very anxious for an opportunity to give it their support.

Hon. Mr. ALMON—Hear, hear.

Hon. Mr. MILLS—I may say the same thing with regard to that. It is not a measure to which, as it is regarded by the government, my hon. friends opposite will be disposed to offer any opposition. I may say to my hon. friends that I propose tomorrow introducing a bill for the government of Yukon territory. My hon. friends know that there is not likely to be anything in that bill of a controversial character. We have the government in the North-west Territories, but this territory is too far away to be left under the control of the government of the North-west Territories, and a simple machinery to serve the present purpose, on the lines of the former legislation on the subject of the North-west Territories, will be submitted in that bill, so that as it is short and simple in its provisions, and, following in the way that has been trodden before by the House of Commons and the Senate, I do not apprehend that that bill will be a cause of any serious delay. Then there was a bill placed in my hands some time ago, but which I have held for reconsideration by some of the parties interested, relating to loan companies, to give them an opportunity of uniting where they desired to unite and become incorporated under an Act of Parliament. That is not in the ordinary sense a government measure. It is simply a measure from which the government do not dissent, which is important, and for which responsi bility may be taken. If hon. gentlemen will further its passage through this House, then of course it will carry. If they think the period too late in the session to press the bill, it will be printed and distributed and will be before the country for consideration till we meet again.

Hon. Mr. ALLAN—Hear, hear.

Hon. Mr. MILLS—Whichever course on the whole the House may feel disposed to take. My hon. friend has alluded to the Drummond County Railway Act and he says that that matter has not been before parliament and that it is getting late in the session.

Hon. Mr. WOOD—I said that it had not been considered by the government.

Hon. Mr. MILLS—Well that is perfectly true—not considered in the sense of coming to a final conclusion. A bill on that subject was before this House, and I think that less than a day was spent over it, and whatever conclusion the House will come to, from the very nature of a measure of that sort—not complicated, not abstruse in its character, easily comprehended, so that a judgment may be readily formed on it—if the government should see proper to bring it forward, it is not likely to occupy a very long period, so that I do not see anything to necessitate the long delay of which my hon. friend has spoken in reaching the end of the session. I hope that the end will be reached at a very early day. In fact, my hon. friends opposite know well that at the present time the country is far more interested in the conflict between our neighbours and the government of Spain than they are in the proceedings in this House, and at the present time, not being able very closely to interest them, there is no great object on either side in remaining here longer than necessary for the actual discharge of the public business in a business-like way. I would say to my hon. friend that I am not prepared to express an opinion with regard to the proposed adjournment, and I will ask my hon. friend to let that motion stand till to-morrow. There will be no difficulty in adjourning over Friday. Friday is the only day of this week we would lose, and as far as my hon. friend beside me (Hon. Mr. Scott) and myself are concerned, we would be fully able to occupy our time in getting business ready for the consideration of this House, but we would lose Monday.

Hon. Mr. OGILVIE—Throw in Monday too.

Hon. Mr. MILLS—My hon. friend is anxious to get away early, and if he would like the session to last a little longer for the sake of having the Queen's Birthday spent at home, he would take the view of my hon. friend, who has made this motion, but I am sure the House will agree with my sug-

gestion to let this matter stand till to-morrow, and I shall be able to answer definitely

The motion was allowed to stand.

BONDING PRIVILEGES TO CANADIAN GOODS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—Before the orders of the day are called, I should like to direct the attention of the members of the government to an item in the *Citizen* in reference to certain concessions purporting to have been made by the United States government for the transportation of goods into the Yukon District. It reads as follows :

"The Customs Department has received a copy of the United States treasury regulations respecting the Port of Wrangel on the Stikine. It permits the transhipment of Canadian goods and passengers at Wrangel, under customs supervision of United States officials, and the temporary landing of passengers, but not of goods, on the Stikine in American territory. The Alaska Bill, which was signed by the President Saturday, grants unconditional bonding privileges to Canadian goods for the Yukon at all ports in Alaska.

I should like to ask whether the information in this paragraph has been received by the government, and if so, considering its great importance to those who are transporting goods and passengers, whether the full text of the regulations to which this refers will be laid before parliament at an early day, and also the information contained in the bill alluded to in this paragraph ?

Hon. Mr. MACDONALD (B.C.)—Especially with reference to the unconditional bonding privileges.

Hon. Sir MACKENZIE BOWELL—Yes. I understand that to mean the same system that prevails in allowing goods to be bonded at any of the Atlantic coast ports to come through Canada or any portion of the Dominion. That is the interpretation I would put on the word unconditional. However, the minister will, I am sure, concur in the view I have taken, that this concession is of a very important character, and the sooner all parties interested become acquainted with the full term of it, the better.

Hon. Mr. MILLS—I entirely agree with my hon. friend. I have seen the paragraph n the paper to which he refers, and I intended to have spoken to the Minister of Customs in regard to it, but other business coming before my attention it went out of my mind. I agree that it is very desirable that this information should be given to the public and should be as widely known as possible. I have no doubt whatever of its accuracy.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman will inquire and let us know to-morrow ?

Hon. Mr. MILLS—Certainly.

DELAYED RETURNS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—I do not wish to be considered importunate, but as the session is drawing to a close I should like to have this return for which I moved about twelve months ago, and the reason why I am a little persistent in asking for these returns, is that they are very voluminous and it is not usual for the Printing Committee to publish the whole of a retrun of that character, it not being considered necessary to publish the information which we desire to have, but they are, as a rule, referred to a special committee to eliminate all that is considered unimportant and to have a synopsis of it. In regard to the motion I made last year, we have no return from the Railways and Canals Department neither has the Senate any return from the Public Works Department.

Hon. Mr. MILLS—Certainly my hon. friend is entitled to the returns and I cannot say why they are not brought down.

Hon. Sir MACKENZIE BOWELL—Will you try to find out?

Hon. Mr. MILLS—I shall endeavour to.

Hon. Mr. LANDRY—I would ask the hon. gentleman not to forget me also. I asked for a few returns last year.

Hon. Mr. MILLS—It is impossible that the hon. gentleman could be forgotten.

Hon. Mr. LANDRY—But I am forgotten, because I did not get the returns.

Hon. Mr. MILLS—It was the return that was forgotten and not the hon. gentleman.

THIRD READING.

Bill (127) "An Act further to amend the Fisheries Act."—(Hon. Mr. Scott.)

ADULTERATION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (72): "An Act further to amend the Adulteration Act."

Hon. Mr. MILLS—I may say to the House that subsection marked "8" is new.

8. If it is so coloured or coated or polished or powdered that damage is concealed, or if it is made to appear neither or of greater value than it really is.

This is intended to cover the adulteration of teas mainly, I understand.

On clause 4.

Hon. Mr. MILLS—The changes in subsection 22*a* are the substitution of $500 instead of $50, and then further down the substitution of $50 for $10. The penalties are increased; and then the words "or six months' imprisonment or both," are new; they are not in the law as it formerly stood.

Hon. Mr. POWER—I wish to direct the attention of the minister to what I think is an omission in paragraph A, who reads "if such adulteration is, within the meaning of this Act, deemed to be injurious to health, for the first offence a penalty not exceeding $500 and costs or six months' imprisonment or both," and then "not less than $50 and costs"; suppose that the fine is $200 and costs, which the tribunal impose upon a person, As I understand this paragraph, there would be no power on the part of the tribunal to inflict imprisonment for any period. I think that ought to be made clear. Even suppose the lowest fine is imposed and that the accused is not able to pay and does not pay, it should be within the discretion of the court to order him to be imprisoned a certain time in proportion to the amount of the fine and there does not appear to me to be any provision to that effect.

Hon. Mr. MILLS—There is no necessity; that stands alone as the minimum punishment. The minimum punishment would be $50 and costs, the maximum punishment would be $500 and costs, or six months' imprisonment, or both. There may be both fine and imprisonment in the maximum offence: but there will be a minimum punishment in which a fine alone will be imposed.

Hon. Mr. POWER—But suppose the minimum fine is not paid, there should be some alternative, some punishment for the offender who does not pay the fine?

Hon. Mr. MILLS—I may say that I think that is otherwise provided for; if a party does not pay the fine it comes under the provisions of the Criminal Law.

Hon. Sir MACKENZIE BOWELL—I think the point taken by the hon. member from Halifax is a good one. In the administration of a criminal law no judge will send a man to jail unless it is specially provided that he shall be so punished, if I understand it. This provides for a maximum fine and imprisonment in the one case, and provides for an absolute fine of $50, but no imprisonment, as a minimum. The magistrate must fine him $50. Then the member from Halifax says that if the offender is subject to a heavy penalty and six months' imprisonment, should he not be subject to a shorter date punishment or both in the minimum punishment? There may be a reason for this, in case the offender has not been wilfully guilty, although the law may have been violated, while the law imposes an absolute minimum penalty of $50, it might not be deemed advisable to send him to jail for a violation of the law that might have been committed by some of his employees.

Hon. Mr. MILLS—I am sure it is provided for in the statute. My hon. friend will see that this is only an amendment.

Hon. Mr. POWER—I would suggest that the Minister allow this clause to stand so that he may inform himself as to whether this point is provided for in the statute.

Hon. Mr. MILLS—Quite so.

The clause was allowed to stand.

On Clause 5.

Hon. Mr. MILLS—Section A is exactly the same as in the old Act; the difference is only in the penalties. The word $200 is inserted instead of $50, and $500 is inserted

instead of $200, and then the words "or six months' imprisonment, or both" are new.

Hon. Mr. SULLIVAN—That is an extraordinary penalty, because there are a great many of these drugs that are adulterated. I do not know of any one that is absolutely pure. It seems to me that this is a very extraordinary penalty. I do not know who will decide that it is very injurious to health.

Hon. Mr. SCOTT—It must be done wilfully.

Hon. Mr. McMILLAN—Should it not be left optional and the justice have the privilege of imposing a fine that will come between those figures?

Hon. Mr. MILLS—My hon. friend will see that it is not exceeding $500. It may be as much less as you please until you come down to $50, but it cannot be less than $50.

Hon. Sir MACKENZIE BOWELL—The only question that is suggested to me in making the penalty so large and it being discretionary on the part of the magistrate, is whether he is likely to impose it. I do not object to the principle at all.

Hon. Mr. MILLS—My hon. friend was a long time in the government and he knows what the experience of the Inland Revenue Department has been with regard to the adulteration of foods. I suppose they have found the present punishments are altogether inadequate to serve as a deterrent to those who are engaged in adulteration for profit, and so it has been found necessary, in order to check that adulteration, that the penalty should be increased.

Hon. Mr. POWER—It struck me a number of years ago, and I was impressed with the idea when the late government was in power and it appears to me some of the officers under the present government are pursuing the same policy—it has often struck me that the law as it stood was not enforced properly. It seems to me that the law with respect the adulteration of foods should have been enforced with just about the same rigour that the other portions of the Excise law with respect to liquor and the customs law have been inforced. If the officers of the government were to bestir themselves in seeing that the existing penalties are enforced, there would be no necessity for increasing the penalties to the very high figures at which they are placed in this bill.

Subsection A was adoptrd.

On clause 2.

Hon. Mr. MILLS—In the subsection "he shall be discharged from the prosecution, but shall be liable"—that is one important change that is made, and then after the word "defence" the following words are added "and has called the party from whom he purchased the said articles into the case, as provided for by the next following subsection, in which case he shall be liable only to the forfeiture provided by section 21 of this Act." Then the next subsection is wholly new.

Hon. Mr. LOUGHEED—Is this introduction of the warranty a new feature or does the provision exist in the Act? What I wish to point out to the hon. gentleman is this: Supposing those goods go through the hands of three or four parties, unknown to each other it would be utterly impossible to comply with the provisions of the Act, because the last person selling, apparently, has to make the statement that "the undermentioned articles manufactured by myself, or by persons known to me, and sold by me to so and so, are pure and unadulterated within the meaning of the Adulteration Act." I do not see how you can apply that warranty to a purchaser of goods.

Hon. Mr. MILLS—I may say to my hon. friend that the department feel they can do so. Take, for instance, a man engaged in manufacturing spice; it can only be sold if it is a pure article at a certain price. He mixes, say tan bark, with it and sells it at a very much lower figure—there ought not to be very much difficulty in reaching him.

Hon. Mr LOUGHEED—Suppose it is an imported article?

Hon. Mr. MILLS—Then if it be an imported article he could not be punished if he showed that he had not imported it, because it was an adulterated article.

Hon. Mr. SCOTT—The warranty is not a new feature. I find it in the Act of 1890.

Hon. Mr. LOUGHEED—Is there provision for exemption in the case of an imported article?

Hon. Mr. MILLS—No, I think not.

Hon. Mr. LOUGHEED—Most of those articles that are dealt with are imported articles.

Hon. Mr. MILLS—Quite so. You could not well permit the introduction with impunity of adulterated articles from abroad and prohibit them at home.

Hon. Mr. LOUGHEED—Certainly not.

Hon. Mr. POWER—That is one difficulty that occurs to me which may arise in prac tice, but if this warranty has been in use the department ought to know about it. The form of warranty reads: "I hereby warrant that the undermentioned articles manufactured by myself, or by persons known to me and sold by me to (whoever it is) on the dates opposite thereto, are pure and unadulterated within the meaning of the Adulteration Act." I can understand that a manufacturer of any supplies could safely give that warrant, as far as regards himself, but that will not cure the difficulty, because the dealer who purchases from the manufacturer may adulterate, and he may produce this warranty as a defence; and it seems to me that the practical operation of the thing —if every dealer through whose hands the article passes from the manufacturer down to the purchaser who buys a single can or box of the article, is to give a warranty it is going to cause a great deal of inconvenience, but, on the other hand, if the warranty is only given by the manufacturer, it is not going to be any guarantee to the ultimate purchaser.

Hon. Mr. LOUGHEED—It seems to me to be practicable in this regard; supposing A B and C handle certain goods. A is the manufacturer; B is a wholesale dealer, and C a retail dealer, who purchases from B. Now, C, as a retail dealer, sells to somebody else. He certainly cannot make this form of warranty; he may not know A, yet he has to say that the articles are manufactured "by myself or persons known to me." Now, while C is dealing with those goods he could certainly not make a form of warranty that the goods are manufactured by him, or that he knows A. A may be an absolute stranger to him.

Hon. Mr. MILLS—One great advantage of the law—and this provision of the law of warranty was introduced in 1890—is that it makes those who deal in the goods cautious to see that they are not purchasing a spurious article with a view to putting it on the market. My hon. friend will see the provision of this clause:

> Provided that if the person accused proves to the court before which the case is tried that he had purchased the article in question as the same in nature, substance and quality as that 3 demanded of him by the purchaser or inspector, and with a written warranty to that effect,—which warranty, in the form in the third schedule to this Act, is produced at the trial of the case,—and that he sold it in the same state as when he purchased it, and that he could not with reasonable diligence have obtained knowledge of its adulteration, he shall be discharged from the prosecution.

Now this provision is a provision of precaution, and I do not well see how you can suppress adulteration at all unless you have some provision of this sort. Cases of this sort may arise that you cannot reach, but the vast majority of cases you are likely to reach, and the Act in these instances will accomplish the desired result.

Hon. Mr. LOUGHEED—You should extend the warranty in some way to preserve security. I appreciate the value of this new feature introduced in the bill, but I think it should be made practical, which at present it is not.

Hon. Mr. MILLS—The amendments made in this law from time to time are amendments which are suggested by the experience of the officers of the department, and they generally draw up these provisions in such a form, before they are submitted to the law department, as to meet the difficulty that they are intended to meet, and I think it will be found in practice that they fairly well accomplish that object.

Hon. Sir MACKENZIE BOWELL—The explanation does not meet the point raised by the hon. gentleman from Halifax. The point is this: A man buys under warranty. The goods may be pure, but the party who disposes of them adulterates them. That is met, I suppose, by some other clause. The presentation of the warranty to the consumer would be a guarantee of their purity, because he may have adulterated them himself, and if he were brought before a magistrate the production of a warranty would be no proof whatever, Then you would have to put the oath to him that he had not himself adulterated them.

Hon. Mr. MILLS—Supposing a retail dealer was the party who sold an adulterated article and is tried for the offence, he produces the warranty, then the other party is called in under the concluding provision. He declares that the goods were pure when sold to him. It then becomes obvious that the adulteration has been made by the party who is retaining them, and he is bound to exculpate himself from that logical inference.

Hon. Sir MACKENZIE BOWELL—That is quite true, provided you can reach the party, but in 99 cases out of 100, the articles which are adulterated are purchased in Europe, and to produce the gentleman who there ground the spices would be utterly impossible.

Hon. Mr. LOUGHEED—It seems to me you are omitting the most important provision that you can introduce into this bill in connection with this feature, namely, the adulteration by the middlemen who deal in the article.

Hon. Mr. MILLS—If he gives a warranty that the article is pure and adulterated, and it is adulterated, his warranty is fraudulent.

Hon. Mr. VILLENEUVE—This Adulteration Act is very important, and having been a merchant dealing in spices, I find that now, according to the present law, every box of spices, whether pepper or mustard, has a label on it which describes it as a mixture. In England the label says that this admixture contains nothing injurious. We buy it as such and sell it as such. Then we have goods that are sold pure, such as pepper, mustard and cinnamon, but when it leaves the store of the wholesale merchant, he does not know what the retailer will do, though he has the box on which is marked that it is entirely pure. What does the government inspector do? They enter now and then the stores of the merchants, take a sample of the goods, analyse it, and then they do not go to the merchant that has put up the goods, but to the retailer who has sold the goods, and he is fined for selling adulterated goods. It is for the man who put up the goods to prove that they were sold entirely pure. I think it is one of the best laws that we have, because at one time, when merchants sold spices and other goods of that character, more than half of what were sold were adulterated and we did not know with what. It is true the spices are not sold as they were, or at the time goods were entered that cost two or three cents a pound to be mixed with general goods and went into goods that sell at thirty or thirty-five cents, but under the present law the public is protected, because if you buy anything you can be sure it is pure if you deal with an honest merchant.

Hon. Mr. DEVER—There is where my argument of yesterday comes in. Every man's goods should be marked by the manufacturer. No one has spoken of an article we use extensively in every houuse—cream tartar. That article, as the hon. gentleman who spoke last knows, is extensively adulterated with pulverized alum. Importers who are most anxious to give this article pure to the community import it in the crystallized form at present; then they know it is pure. But when you import it in boxes, and especially when those boxes are not marked with the initials of the manufacturers, in almost all cases that important article is extensively adulterated with alum. While the minister is dealing with this bill, I might say that for a long time, for several years back, I have been drawing the attention of the department to the necessity of having this question very carefully examined. I am afraid that merchandise generally is not inspected in that careful manner that it should be. While we have a department we should look to them for protection. I do not wish to find fault with any official, but I think it requires a very competent man to go from warehouse to warehouse and ascertain accurately whether commodities of great importance, food especially, have been adulterated. The hon. gentleman talks about whiskey; that I contend is not adulterated. I should like to impress on the government the necessity of seeing that competent men are appointed to investigate these matters thoroughly and make the country understand that consumers are protected. In the past a great deal of looseness prevailed. A great deal of show of investigation was made which amounted to nothing. Articles have come into my own house that had the reputation of being inspected, but, if inspected, it was by men who were not competent, or who did not do their duty.

The clause was adopted.

On Clause 8,

Hon. Mr. LOUGHEED—May I ask my hon. friend how the term "judge" is introduced? The trial is to be before a magistrate. It is a summary proceeding.

Hon. Mr. MILLS—It would be whatever judicial authority would have the right to try it.

Hon. Sir MACKENZIE BOWELL—Would the word "judge" include that?

Hon. Mr. MILLS—I think so.

Hon. Mr. LOUGHEED—I do not think the word "judge" is used as synonymous with the word "magistrate" in any part of the Act. Considerable doubt would be thrown upon the determining power.

Hon. Sir MACKENZIE BOWELL—Would it not necessarily compel all cases of this kind to go before a judge?

Hon. Mr. MILLS—I think so.

Hon. Sir MACKENZIE BOWELL—There is no provision for trying these cases except at the sitting of the court.

Hon. Mr. LOUGHEED—Then, there being a County Court judge and a Superior Court judge, a conflict would take place as to where the jurisdiction would rest for the determining of the counsel fee.

Hon. Mr. POWER—The 30th section of the chapter says: "every penalty imposed under this Act may be enforced and dealt with as if imposed under the said Act." That is the Inland Revenue Act. There are several sections under the Inland Revenue Act, beginning at 104, which deal with it.

Hon. Mr. SCOTT—Section 113 of the Inland Revenue Act makes provision as to the tribunal before which the cases are to be tried. They may be tried before a county court judge, or any justice having jurisdiction in the place where the matter arises. There is a clause in the Act which refers you to the penalties in the Inland Revenue Act.

Hon. Mr. MILLS—My hon. friend will see that the word "judge" is applicable in the case for the reason that the judge is the party who is to try the case. The section to which my hon. friend refers merely states the result of the trial without stating before whom it should take place. You are referred to another statute for the purpose of ascertaining the fact—the statute to which my hon. friend refers.

Hon. Mr. LOUGHEED—I think the point is covered.

Hon. Mr. SCOTT—Under the clause I read of the Inland Revenue Act provision is made for prosecutions before the various tribunals.

Hon. Mr. LOUGHEED—There is an omission which I might point out. It only makes provision for a counsel fee to the prosecutor. In the event of the prosecution failing, there is no provision for the accused securing a counsel fee, although he may have succeeded. It seems to me it is a jug-handled clause, and the merchant who succeeds as against a prosecution of this nature should be protected as well as the Crown. In fact, the government should give greater consideration to the merchant who has succeeded in the prosecution than the Crown itself. It seems to me a counsel fee should be payable in both cases.

Hon. Mr. SCOTT—I think the judge would have a pretty liberal latitude to say what the costs of defence should be.

Hon. Mr. LOUGHEED—No, because it says such expense of prosecution shall include reasonable counsel fee. That is the expenses of the prosecution. I doubt if that would cover the counsel fee of the defendant.

Hon. Mr. MILLS—My hon. friend will find that costs are not given against the Crown in these cases.

Hon. Mr. LOUGHEED—Why should they not be?

Hon. Mr. MILLS—That is far too large a question to raise on this bill and make it different from every other statute in that regard.

Hon. Mr. MACMILLAN—There might be vexatious prosecutions.

Hon. Mr. MILLS—It may be an important question, but it should be raised generally.

Hon. Mr. LOUGHEED—But the extraordinary provision is introduced giving the Crown a counsel fee where to-day it has no counsel fee. If an extraordinary right of that nature is introduced into the Act why should not the right be mutual?

Hon. Mr. MILLS—The Crown may always employ counsel for the purpose of defending the realm.

Hon. Mr. LOUGHEED—But you have provided that the Crown prosecutor may receive a counsel fee in the discretion of the judge.

Hon. Mr. MILLS—Yes. The matter may be for a small amount. The judge may say "these facts are easily investigated and no counsel fee is necessary," and in that case no counsel fee should be allowed.

Hon. Mr. LOUGHEED—The fixing of the amount is in the discretion of the judge, but he must fix some counsel fee.

Hon. Mr. MILLS—No, that is a mere limitation on the discretion.

The clause was adopted.

On section 4.

Hon. Mr. POWER—There was an understanding that this clause should be held over, but I think there is no object in that. If the hon. gentleman makes inquiry and finds it desirable to amend, he can do so on the third reading.

The clause was adopted.

Hon. Sir MACKENZIE BOWELL—Before the committee rises I should like to call the attention of the minister to the fees in the Act of 1890, and ask him whether he does not think they are rather extraordinary. For analysis of milk the charge is $8, and for bread and other articles mentioned in the schedule $9. For butter, cheese, malt liquors and a number of other articles $12, and for coffee, tobacco, cocoa, chocolate, opium and other articles and water $14. My hon. friend beside me says he had some mineral water analysed and it cost him $10. Of course these are provisions of the law, and the other section is subject to an Order in Council. The question is whether these fees are not exorbitant.

Hon. Mr. MILLS—My hon. friend will find upon inquiry that those articles referred to are difficult of analysis, and they are very important, so it is of consequence that the analysis should take place.

Hon. Mr. LOUGHEED—Do the fees go to the public analyst or to the government.

Hon. Mr. MILLS—I think they would go to the analyst.

Hon. Mr. LOUGHEED—Is he a salaried officer?

Hon. Mr. MILLS—Then they would go to the government.

Hon. Sir MACKENZIE BOWELL—I do not think they are salaried officers. I think they are paid by fees.

Hon. Mr. MILLS—I think so.

Hon. Mr. ALLAN—I made inquiries about the fees. I found out that the analyses were not very difficult ones, but the lowest charge was $10. I do not think this is excessive.

Hon Mr. TEMPLEMAN, from the committee, reported the bill without amendment.

GOVERNMENT HARBOURS, PIERS AND BREAKWATERS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into committee of the whole on Bill (135) "An Act further to amend the Act respecting government harbours, piers and breakwaters."

(In the Committee.)

On clause 1.

Hon. Mr. SCOTT—This bill gives power to the minister to lease to the municipality any wharfs for which the revenue for the last three years has not averaged over $100. I find there are no municipalities in Prince Edward Island, and therefore it cannot apply to Prince Edward Island, and the wharfs will have to remain as they are, so far as this bill is concerned. The clause reads:

If at any time the average annual receipts from any wharf for the three years previous have not exceeded one hundred dollars, the Minister of Marine and Fisheries may lease it to the municipality within which it is situated, for a term not exceeding three

years, for an annual sum, payable in advance, not less than such average annual receipts, and on such other terms or conditions as to him seem advisable.

Hon. Mr. PROWSE—I would suggest to the hon. Secretary of State that it is an easy matter to provide for the disposal of the small wharfs in Prince Edward Island by making provision that they shall be disposed of by tender or by public sale for three years, just the same as they would to a municipality.

Hon. Mr. FERGUSON—I think that suggestion is a good one. I know, from my own knowledge of public wharfs in my own province, that a wharfinger has been appointed, and the department do not look after him, and a wharf which, under different management, might be quite productive, scarcely produces any revenue at all. This bill proposes to take the revenue as a basis for handing over the wharf to a municipality or some other body. I think the Department of Marine and Fisheries should lease these wharfs by public tender to any person who will give proper security, and in that way there will be very much more revenue derived from them.

Hon. Mr. SCOTT—I suppose it was thought that the municipality would have more interest in looking after the wharf for the public benefit. An individual would get all he could out of it for that term and not keep up repairs, whereas the municipality would have an interest in keeping the wharf in repair. I will call the attention of the minister to the suggestion, however.

Hon. Mr. MILLS—My hon. friend will see the municipality would have an interest in moderate charges for the use of the wharf, whereas an individual would have an interest in making as large an income as he could from it, and the interest of the individual and the public who were to be served by it, might be diametrically opposite to each other. That never could be the case with a municipality.

Hon. Mr. FERGUSON—The scale of charges is fixed by law; if not, it has been by regulation of the department, and no matter to whom they would be leased they could not charge more than the regulation rates. I do not see that a municipality would have any greater interest in keeping the wharf in repair than an individual would if the lease is to be for no more than three years, and in that case a municipality might take all they could out of it and at the end of the three years hand it back to the department to have it put in repair again.

Hon. Mr. SCOTT—I will call the attention of the minister to the suggestion.

The clause was adopted.

Hon. Mr. McMILLAN, from the committee, reported the bill without amendment.

PROTECTION OF NAVIGABLE WATERS BILL.

IN COMMITTEE.

The House resolved itself into a committee of the whole on Bill (136) "An Act further to amend the Act respecting the Protection of Navigable Waters."

(In the Committee.)

Hon. Sir MACKENZIE BOWELL—What is the difference between this and the present law?

Hon. Mr. MILLS—This is wholly new. There is no provision such as this.

Hon. Sir MACKENZIE BOWELL—It only applies to tidal waters in Manitoba or Ontario.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Why is it not necessary in our rivers? If it applied to the inland waters it would meet the views of my hon. friend from the Rideau division (Mr. Clemow).

Hon. Mr. SCOTT—The Act at present provides that no owner or tenant of sawmills or workmen shall throw any sawdust, edgings, bark or rubbish of any description into any navigable water.

Hon. Mr. ALLAN—But that law is a dead letter.

Hon. Mr. LOUGHEED—That does not apply to tidal waters.

Hon. Mr. MILLS—This is an attempt to extend a similar provision to tidal waters,

and the depth here is far beyond what was required in rivers.

Hon. Sir MACKENZIE BOWELL—The law forbidding the throwing of sawdust into rivers has been suspended.

Hon. Mr. MILLS—But judgment has been given against those parties who violated the law.

Hon. Mr. PROWSE—The depth of twelve fathoms appears to us to be very extreme. That is seventy-two feet. No vessel built draws that much water, and it applies to the Straits of Northumberland, and no rubbish can be thrown in the Straits of Northumberland which are less than that depth.

Hon. Mr. MILLS—The object is to prevent large steamers emptying their furnaces into harbours and places where the water is not that depth, and where it would in time make the water very much less if they did so.

The clause was adopted.

Hon. Mr. McDONALD (C.B.), from the committee, reported the bill without amendment.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 18th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THIRD READING.

Bill (101) "An Act respecting the harbour of the city of St. John in the province of New Brunswick."—(Hon. Mr. Dever.)

PACIFIC AND YUKON RAILWAY NAVIGATION AND MINING COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BAKER, from the Committee on Railways, Telegraphs and Harbours, reported Bill (F) "An Act to incorporate the Pacific and Yukon Railway Navigation and Mining Company," with amendments.

Hon. Mr. LOUGHEED—I move that rule 71 of this House be suspended, in order to permit the amendments to be concurred in to-day.

Hon. Mr. POWER—I object.

Hon. Mr. LOUGHEED—Do I understand that my hon. friend objects?

Hon. Mr. POWER—Certainly.

Hon. Mr. ALMON—I am very much astonished at any hon. gentleman objecting to the suspension of the rule. We have been told that the people in the Yukon country are likely to starve on account of the Senate having rejected the former bill. I think all the senators, even those who voted against the bill, would be anxious for an opportunity of constructing a road to that country. The government and their supporters told us that the people up there will be starving after the 1st September next, the day on which that road would have been finished if this cruel House had not thrown out the bill. I am astonished that the hon. senior member for Halifax, who has so much of the milk of human kindness in his composition, should endeavour to deprive these poor people of the chance of getting food to that district.

The SPEAKER—Is there any objection to the suspension of the rule?

Hon Mr. POWER—Certainly.

GOVERNMENT OF YUKON DISTRICT BILL.

FIRST READING.

Hon. Mr. MILLS moved the first reading of Bill (P) "An Act to provide for the government of the district of Yukon." He said: This measure, as I said yesterday, is on the lines of the North-west Territories Act, made as brief as possible, and to provide for the present government of the Yukon district, for the appointment of a commissioner to administer the government, for the appointment of a council to advise and assist him in the preparation of ordinances for the government of the district, and to provide for the administration of justice.

Hon. Mr. LOUGHEED—Is the council to be an appointed one?

Hon. Mr. MILLS—Yes, an appointed council.

The motion was agreed to, and the bill was read the first time.

LOAN COMPANIES BILL.

FIRST READING.

Hon. Mr. MILLS moved the first reading of Bill (Q) "An Act respecting Loan Companies." He said: This bill is intended to provide under the authority of parliament for the incorporation of loan companies by letters patent. I need not enter into a discussion of the provisions of the bill at this present moment, as it is somewhat lengthy, and it will be printed immediately. At the second reading I will discuss those provisions in detail.

Hon. Mr. ALLAN—Did I understand the Minister of Justice to say before, in reference to this bill, that he would not urge its passage this session if there was not ample time to discuss the details?

Hon. Mr. MILLS—Quite right, if there be any objection. It has been supported, I think, by nearly all the loan companies, at all events in the province of Ontario. The bill is important and its provisions have been carefully considered. The plan itself is important, because it will suggest plans for the union of corporate companies, on which there does not seem to be very adequate information at the present time; and the bill is not only important in itself but I I think will prove valuable in the preparation of measures relating to the incorporation of companies, other than loan companies, hereafter.

Hon. Mr. ALLAN—I think the bill is a very desirable one, but there should be ample time given to send the bill in its complete form to the various loan companies.

Hon. Mr. MILLS—Quite so. It will be printed immediately and may be circulated, and my intention at the present time is to send the bill to the Banking and Commerce Committee, instead of considering it in a Committee of the Whole House, and it will be considered in that committee and its provisions discussed and parties interested in the bill may be heard as to their opinion.

Hon. Mr. AIKINS—I think this bill has been asked for by the loan companies themselves.

Hon. Sir MACKENZIE BOWELL—Does it apply to the organization of new companies as well as to old ones?

Hon. Mr. MILLS—Yes.

GOVERNMENT CONCESSIONS TO THE DESCHENES ELECTRIC COMPANY.

MOTION.

Hon. Mr. CLEMOW moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the Senate, all papers, correspondence, contracts and arrangements with the government or any member thereof, whereby permission was granted to the Deschênes Electric Company to lay an electric cable for private purposes across the Ottawa River, from Hull to Ottawa, also through and under public property from the foot of the locks at Ottawa River to the canal basin in this city.

He said: My object in moving for this return is to ascertain what representations were made to the government whereby the Deschênes Electric Co., were allowed the privilege of having a cable stretched across the Ottawa River from Hull to this city for the purpose of transmitting their electric current to the city of Ottawa. The Deschênes company is an outside company, having an establishment near Aylmer. They have been desirous of entering the city, but the city authorities have so far refused them admission, because they considered it was interfering considerably with the vested rights of the Ottawa Electric Company, a company established whose works involve an expenditure of $1,000,000. The Deschênes company is an outside corporation and is desirous of coming in and competing with the Ottawa company, contrary to the wish of civic authorities. Therefore, I do not think the government were justified in granting this privilege to an outside company. I question very much whether they had the legal authority to grant any such privilege. However, I shall wait until the papers are brought down and then we can ascertain what induced the government to grant such extraordinary privileges. I hold that the use of public property should not be granted to private individuals or companies, because it belongs solely to the whole people, and should not be interfered with by any one under any circumstances.

There is another most serious objection to the granting of this privilege. Hon. gentlemen know that at the time of the construction of the Rideau Canal by the Imperial authorities, it was a condition that the property ceded at that time was granted by the donors upon the conditions that it should be employed only and exclusively for canal purposes. The heirs of one of the parties have been contesting the right of the government to appropriate a portion of the property thus acquired for other purposes. An action was instituted against the government for damages in consequence of mal-appropriation and non-compliance with the conditions imposed upon them by the donors, which is now before the Supreme Court. A part of this property now granted the Deschênes Company is in a similar position. It will give these, or other parties, the right to institute another action against the government, for non-compliance with the original intention of the donors with respect to that property. It is very unfortunate at this particular time that the government should place themselves in a position which may involve them in additional law suits, whereby they may be compelled to pay heavy damages for infringing on the rights of the people who originally made the grant. A portion of the land between the foot of the locks and the canal basin was the property of the Sparks estate, and may be an additional inducement to continue litigation and additional damages may be obtained for deviation from the terms on which the land was granted over forty years ago. It is extraordinary that the government, at this particular time, should grant this privilege to an outside company. By the action of the government, the city has been thwarted in its intention to prevent this company from coming into the municipality. I do not think the government should interfere, as they have done, to thwart the city authorities, as they are the only parties who should decide this matter between the parties, I shall wait until the papers are brought down—I suppose they are not very voluminous—and if it can be shown that the government have not acted legally or discreetly in this matter, they may see their way to cancel their agreement with the company.

Hon. Mr. MACDONALD (B.C.)—How about competition? You are very fond of competition some times.

Hon. Mr. BOULTON—Before the government reply to this question, I wish to say a few words. It is not often that I have occasion to differ from my hon. friend on my left (Mr. Clemow) upon any matters which he brings before the House, which are generally of a progressive and intelligent character. But I think when he discusses the foreign policy of the government he should give us a day's notice, because it is an important matter. I do not wonder at all that Englishmen complain that they are called by Canadians foreigners, but certainly I never thought it would come to pass that it would be said that the people of our neighbouring town were to be called foreigners also, which my hon. friend seemed to consider them when they attempt to cut into his electric power privileges. He asks us to discuss this great question upon international grounds, upon foreign policy, and everything else, as to the rights of crossing the canal built by the government some sixty years ago, and as to the rights of the Sparks estate, which were acquired by occupation some sixty years ago, I think and laid the foundation for the Sparks estate to come down on the Canadian government for half a million dollars for the invasion of their territory. Apart however from the question of foreign policy, which is the amusing application he gave to an outside competitive company, we come down to the question of competition, and whenever there is a desire to monopolise electric lighting or railways, or anything else, I am opposed to it. We had this question before us some two years ago when the Hull Electric Railway Company wanted to get a footing in the city of Ottawa, and the representatives of my friends in the electric street railway of the City of Ottawa opposed that, I supported my hon. friend on that occasion but it was not to kill competition. The reason I opposed it on that occasion was that I considered the legislation was imperfect, in so far as the electric company of Hull, if it came into the city of Ottawa, would have to be operated under the laws of Ontario, and in Hull it would be under the laws of Quebec. I considered the legislation imperfect, that the company should have come to the parliament of Canada, and acquire a Dominion charter. I am not prepared to agree with my hon. friend when he says that the Dominion government has no right to allow a cable, or a telegraph wire, or

anything else to cross one of the navigable streams of Canada. This is what I call an inversion of the foreign policy that is contrary to the welfare and good of the country.

Hon. Mr. SCOTT—There is no objection to the papers being brought down. They will be brought down as soon as possible. I do not think there are many of them. I suppose there is the application and the Order in Council, but my recollection of the charter of the company is that they are authorized to do business in the province of Quebec and also in the township of Nepean and the city of Ottawa. The letters patent were granted by the late government. They proposed to the Minister of Railways and Canals that they would like to be allowed to go as far up the canal as the head of the Deep Cut.

The motion was agreed to.

AN ADJOURNMENT.

MOTION.

Hon. Mr. CASGRAIN moved:

That when the Senate adjourns this day it do stand adjourned until Wednesday, the 25th instant, at three o'clock in the afternoon.

He said: The hon. leader of the House promised us an answer to this question today.

Hon. Mr. O'DONOHOE—I think it would be more convenient to meet at eight o'clock in the evening.

Hon. Mr. MACDONALD (B.C.)—Say next Christmas.

Hon. Mr. MILLS—I may say to hon. gentlemen that we are only desirous to meet the wishes of the House, and if it be the general wish of the House that the adjournment should take place till Wednesday at the usual hour, the government, of course, will not oppose the wishes of the House with the understanding that it does not prolong the session. We think we are getting near the end of the session and there are several important bills to come before the Senate from the House of Commons. There is the Franchise Bill and the Plebiscite Bill. The Franchise Bill, I think, will be here this afternoon. That being so, a good deal depends on the desire of the House with respect to the measures that have been introduced here to-day and those which will come up to-day from the House of Commons. If my hon. friends are disposed to discuss these questions very fully, then the adjournment would be a matter of greater difficulty because we would dislike very much that the Senate would not be through with its work at the same time as the House of Commons will be through theirs. We have certain measures now to go from this House to the House of Commons, and there are certain measures to come from the House of Commons before us, and the probability is that the time and the amount of labour required from the House in this regard, apart from the estimates, will not be very different. If we adjourn till Wednesday at three o'clock then it will be important that we should have evening sessions, for a while at all events, till we overtake the business that will be laid before this body. My impression is that the House of Commons expect to get through with their work at a comparatively early period, and I am inclined to think, if the Senate will co-operate with us in carrying through the measures of the government, that we may be able to complete the work of legislation this month. But of course the government are in the hands of the two Houses. My colleague and myself are desirous of meeting the wishes of this body, and we hope they will be ready, if the general desire is for an adjournment till Wednesday, to actively co-operate in promoting legislation still under consideration, so as to conclude our business here without any material delay in consequence of the adjournment.

Hon. Sir MACKENZIE BOWELL—I might say, so far as the Senate is concerned, that it has shown in the past no indisposition to assist the government in the passage of all measures brought before it, except in one instance in which the measure was not deemed to be in the public interest. We are just as anxious to facilitate the business of the Senate as the government possibly could be. However, without desiring to be of too scolding a nature, I might say that I think the government might, with a little more exertion on their own part, have presented the important measures which are now before the Lower House and also before this House, to parliament at an earlier period of the session. We have now been nearly four months in

session. We knew that the Plebiscite Bill and the Franchise Bill were to be laid before us, and we also had the promise, a long time ago, of the two bills which the hon. gentleman has spoken of to-day. Both of them are of a very important character. I think neither of them will occupy any lengthened period further than is necessary to thoroughly understand them. I have no anticipation whatever, considering the importance of the Companies Act, that that will pass this session. It is a very grave and important question, and one with the provisions of which every one interested in companies of that kind would desire to make himself familiar. The bill which has just been laid before the House for the government of the Yukon territory has, in many respects, departed from the provisions of the charter originally adopted for the government of the North-west Territories. Probably the government have good reasons for these departures. From a cursory glance at the bill, it seems to me to give most extraordinary powers. I will not discuss them now, but merely instance that to show the important character of the work which we have to consider. In reading the newspapers this morning, I find the government, in the Lower House, have proposed some four or five additional measures, some of them of no very great importance. Others may necessitate a good deal of discussion. I think it is generally accepted that the Plebiscite Bill is a measure which, under the circumstances, will have to be presented to the people, and I do not think it will create much discussion. Whether its provisions meet the approval of those interested—those who are opposed to it, and those who are in favour of it—is a question which can only be decided when we discuss it. The Franchise Bill is vastly more important. How far it is in the power of the Senate to alter, change or amend, or in any way to interfere with that measure, is a question for future consideration; and under the circumstances, considering the necessity for discussing this question fully, I do not see that the adjournment would interfere to any very great extent with the consideration of those measures. We only lose two days, and if we go to work with a will on Wednesday, and, as has been intimated by the hon. minister, hold night sittings, which I think we ought to do at this period of the session, we can get through business without delaying prorogation to any great extent. But what is to come forward in the way of railway subsidies, or bills for confirming the new arrangement which has been entered into with the Grand Trunk Railway and the Drummond County Railway, of course I cannot say. If those bills come down, they will require some little consideration before they are passed, more particularly under the present circumstances, and the evidence which has been adduced in the committee of the House of Commons which has been investigating the subject. I think, speaking for those members of the House with whom I have any connection, I can say that they have every desire to facilitate the work presented to them, and that no obstructive tactics will be resorted to in order to frustrate or to delay any matter that they may have to submit to us.

Hon. Mr. MACDONALD (B. C.)—As this is a question of adjournment I would like to ask the Minister of Justice if the government still adheres to the policy of hanging up all legislation relating to the Yukon railway.

Hon. Mr. MILLS—I am unable to answer the hon. gentleman.

The motion was agreed to.

NAVIGATION LAWS.

INQUIRY.

Hon. Mr. BOULTON rose to inquire:

If it is the intention of the government to relax the navigation laws so as to permit of the owner of a steamboat ten or twelve tons capacity to be commanded by himself though he has not put in the full time as master or mate required by law?

He said: The object of my question is with reference to the navigation of some of our small lakes by small boats. The law requires that a capable engineer with a certificate should be employed. This engineer has to be pretty highly paid. Now, if the man is the owner of the steamboat, and has to pay an engineer and captain as well, his boat running on a route some ten or fifteen or twenty miles only on some of the inland waters or lakes, it is a great stoppage to enterprise. I have an application from some one who wants to run a steamboat from Wabigon, fifteen miles across to portage for the mining districts. It is a small boat, and the summer's receipts are exceedingly small.

He has to pay high wages to his engineer, while he himself has had considerable experience in saling a boat. He is only three months short of the time which the law requires. The law requires that he shall be one year a master or a mate, and one year at sea in some shape or form. Because of the shortness of that three months which I have mentioned, he is debarred from acting on a little steamboat.

Hon. Mr. McCALLUM—Let him employ a man for three months.

Hon. Mr. BOULTON—It is all very well to say that, but when you come to pay $40 a month for a captain and $40 a month for an engineer it comes to quite a bit

Hon. Mr. McCALLUM—What is the size of the boat?

Hon. Mr. BOULTON—It is a small boat of ten tons, he carries freight and passengers. I understand that the government have had a great many applications of this description before them, and I do not think there is the slighest necessity for debarring this man, who has had nine-tenths of the experience required by law.

Hon. Mr. POWER—If I might be allowed to interrupt for a moment I do not think it is necessary to relax the navigation laws for the purpose set out by the hon. gentleman in his question. The hon. gentleman asks if the owner of a steamboat of ten or twelve tons will be permitted to be commander himself. Well, there is nothing in the navigation laws that says the owner of a vessel shall not command himself, and I think the owners of small vessels have plenty of self-control.

Hon. Mr. McCALLUM—If he carries passengers he is liable to a penalty under the law.

Hon. Mr. MILLS—He will have to carry them on his back. I would call my hon. friend's attention to the legislation already adopted this session. My hon. friend perhaps was not present—but I think he was—when the bill entitled "An Act further to amend the Act respecting Certificates to Masters and Mates of Ships." That came up from the House of Commons and was discussed in this House and adopted. One of the provisions of that Act is:

> The minister, upon a report of a duly appointed and qualified examiner of masters and mates, may grant a temporary certificate as master to an applicant sufficiently qualified by his knowledge and experience to take charge of a steamboat of not more than ten tons, gross tonnage, and certificated to carry not more than ten passengers, plying within specified limits in the minor inland waters of Canada.

That is precisely what my hon. friend asks shall be done. He will see that it is already provided for by the legislation of this session.

Hon. Mr. BOULTON—That is satisfactory.

QUEEN'S COUNSEL JUDGMENT.

INQUIRY.

Hon. Sir MACKENZIE BOWELL rose to inquire:

1. Whether a judgment has been rendered by the Judicial Committee of the Privy Council in the appeal in the Queen's Counsel case from Canada? If so, what is the purport of said judgment?
2. What communications, if any, have passed between the Dominion government and the governments of the several provinces in Canada in respect of the subject matter of such judgment?
3. What is the policy of the government in respect of future appointments of Queen's Counsel?

He said: While I know the profession are anxious to ascertain the facts in connection with these appointments, I must say that I scarcely expect my hon. friend to give me a definite answer to the third question, as to their policy, unless they have decided upon the course which they intend to pursue in the future.

Hon. Mr. MILLS—I may say to my hon. friend, in reply to his first question, that a judgment of the Judicial Committee of the Privy Council has been rendered, and in that judgment their lordships have held the doctrine that the Lieutenant Governor, upon the advice of his ministers, may appoint Queen's Counsel to discharge their functions in the courts of the province. I may say to my hon. friend that I think there was a good deal of misapprehension on this side of the Atlantic upon this subject of Queen's Counsel. Of course the notion prevailed that only His Excellency the Governor General represented the Queen, and that the governor of the province was simply an executive officer created by the statute known as the British North America Act, and that the lieutenant governor in no sense was a representative of the sovereign.

Hon. Sir MACKENZIE BOWELL—That was the opinion that was very strongly

held by the late Minister of Justice, Sir John Thompson.

Hon. Mr. MILLS—Yes ; that has always seemed to me to be a mistaken opinion, and it was so held by the Judicial Committee of the Privy Council. I think it was a mistaken opinion for this reason, that the executive authority, apart from the special provision of statute, is everywhere, throughout the empire, in Her Majesty, and that everywhere the prerogatives of the Crown are the same—that Her Majesty's powers and prerogatives are the same—in any portion of the empire as they are in the United Kingdom ; and the question always is, upon whose advice these powers are to be exercised ? Now, the provinces, at the confederation, were not created by the British North America Act ; they had existed before, and the preamble of the Act declares that these provinces which before existed have declared or desired to be federated and to unite under a constitution similar in principle to that of the United Kingdom. If my hon. friend will look carefully at the Act he will see that there is nothing said in the preamble about the creating of governments for the provinces. It is assumed that they already existed, and it is only the creation of a central authority, with power similar in principle, that is contemplated. There were certain changes in the constitution of the provinces required, because the union that existed between Quebec and Ontario or between Upper and Lower Canada was at that time dissolved, and as two edifices—political edifices—were to stand where one stood before, it was necessary by this disruption that certain repairs should be made, and those are included in the British North America Act. Now, my hon. friend will also see that the fact that these provinces existed, their governments existed, there is nothing said specially as to what the form of the executive government in the provinces shall be—all that is assumed as something already existing and to be continued as it had existed before. Then, further than that, with respect to the provinces, where the legislature is to be called together, it is declared it shall be called together in the Queen's name in every instance ; not only is that so with regard to Canada, but it is also so with regard to the provinces. Now, why ? Because under the British constitutional system, each House is an advisory body, it is a council of the Crown. We advise the Crown in matters of legislation—"Her Majesty by and with the advice of the Senate and House of Commons enacts." Who enacts ? Her Majesty. Her Majesty does it upon the advice of these two bodies. Therefore, we are the councillors of the Crown for the purpose of legislation ; and if the Lieutenant Governor of the province was simply an executive officer, and did not represent Her Majesty, there would be no sense in calling the legislature together in Her Majesty's name. They are called in Her Majesty's name because they are to advise Her Majesty ; they are Her Majesty's council ; and if they were not Her Majesty's council, but the council simply of an executive officer, they ought to be called in his name, for they would be his advisers in the work of legislation. Then, my hon. friend will see that where legislative councils exist in provinces, that is, where there is a second chamber, all the members of that chamber are appointed by the Crown, the same as senators are appointed by the Governor General upon the advice of his ministers. They are appointed in the name of Her Majesty. Why in the name of Her Majesty ? Because they are to advise and counsel Her Majesty with regard to the legislative authority that is being exercised through her agent, the Lieutenant Governor. And so my hon. friend will see that the point which was in dispute formerly as to whether the Lieutenant Governor was a simple executive officer created by the statute, or whether he was a representative of the sovereign, practically determines the question as to whether he has the power to appoint in Her Majesty's courts, in the provinces officers to represent Her Majesty. Historically there was at one time a council learned in the law to advise the sovereign, just as there is a council to advise the sovereign in respect to politics. The Privy Council were the advisers on questions of public policy and a section on difficult questions of law. Her Majesty or the sovereign had, at one time, a council to advise on legal questions. For many years that council consisted of the King or Queen's advocate and the law officers of the Crown, and of the judges who were summoned to parliament to act as assessors to the Crown, and it was originally—as Mr. Herne points out—with the idea that the title of Queen's Counsel, or King's Counsel was given to

persons who were made members of that body, and not simply because they appeared as representatives of the sovereign in the court; and although that body has long since, as Mr. Herne points out, ceased to be other than an effete body, its honorary distinction still continues, and I suppose there is nothing in the world to hinder the representative of Her Majesty in any part of the world to create such a counsel, and I suppose if the ancient authority of the Crown in this regard was revived, after the counsel was created they could be summoned to assist the Crown by their advice. That power, or practice, of course, has long since ceased; but I mention it to show that the Lieutenant Governor, as the representative of the Crown, has, in the nature of the arrangement, the power to appoint Queen's Counsel. Well, I suppose the same power will belong to the Governor General, although that question was not raised or disposed of by the Judicial Committee of the Privy Council in this decision. Then my hon. friend asks whether there were any communications between the Dominion government and the governments of the several provinces in Canada with respect to this decision. I am not aware that there have been any communications. I think if there were any they would be in my department, and there we have no communications on that subject. Then, in regard to the third question as to what would be the policy of the government in respect of future appointments of Queen's Counsel, I may say to my hon. friend that the question has not been considered by the government since this decision has taken place. Perhaps after the session is over I shall have an opportunity of discussing the subject with my colleagues, when more practical business is not pressing constantly upon us for consideration. We are to remember that we have a few courts in which members of the profession appear for the purpose of conducting the business of the Crown, and there might be a certain amount of propriety in continuing to exercise this power and for the purpose of conferring these honours upon members of the bar. That is a question that we have not yet considered, and before we come to a conclusion on the subject it might be necessary to confer with the law officers of the different provinces with a view to ascertaining their views on the subject.

Hon. Sir MACKENZIE BOWELL—I am much obliged to my hon. friend for the lucid explanations he has given, but did I understand him to say that the appointees of the different provinces would occupy the position of Queen's Counsel when they appeared in the Supreme Court, or whether the appointments of Queen's Counsel in the different provinces would only give them precedence and standing in their own courts in their respective provinces, and whether the Dominion government does not reserve to itself, at present, the right to appoint Queen's Counsel who would take precedence in the Supreme Court and the Exchequer Courts, being Dominion courts and not provincial ones?

Hon. Mr. MILLS—That is not a question that has been touched in this decision. My hon. friend knows by the Supreme Court Act and by the Exchequer Courts Act the Dominion, having no bar of its own, no provision existing for a Dominion bar and all the persons who practise in the Dominion courts being members of the bar of the different provinces, that, I suppose, will always continue as long as that condition of the law continues to recognize the status that has been conferred by the local governments upon persons practising in these courts.

Hon. Sir MACKENZIE BOWELL—Practising in the Dominion courts?

Hon. Mr. MILLS—Yes. For instance, if a member of the bar in any colony who has the rank of Queen's Counsel conferred upon him, appears before the Judicial Committee of the Privy Council, which is the court of the empire, just as the Supreme Court is the court of Canada, he is recognized in that character which has been impressed upon him by the Crown in his own province, although he has no status or right to appear in a court of law of the United Kingdom properly. These are matters, though, which may be regarded, perhaps, as matters of courtesy, not as matters of right. I am expressing no official opinion on the subject.

Hon. Sir MACKENZIE BOWELL—Perhaps the hon. gentleman will excuse me, but the answers suggest other questions. The

hon. gentleman told us that Queen's Counsel appointed in the colonies of the Empire have the right to appear before the Judicial Committee of the Privy Council in the status which they hold in their own colonies. That implies that the provincial governments are analogous to the colonial governments. Well, it is known that under the constitution, provincial governments are established under the Confederation Act, a power given by the Imperial government to Canada, and that the legislature of Canada has organized and established other provincial governments. Does my hon. friend desire to be understood as conveying the impression—take Manitoba, for instance, which was created by the Dominion parliament under the authority given in the Confederation Act—that they stand in the same position to the courts in England that a Queen's Counsel of Cape Colony or any other colony does? Is that what I am to understand?

Hon. Mr. MILLS—Yes, I think so, the appointment is the appointment of the Queen in every case.

THIRD READINGS.

Bill (72) "An Act further to amend the Adulteration Act."—(Hon. Mr. Mills).

Bill (135) "An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters."—(Hon. Mr. Scott.)

Bill (136) "An Act further to amend the Act respecting the Protection of Navigable Waters."—(Hon. Mr. Mills.)

BILL INTRODUCED.

Bill (113) "An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada."—(Sir Mackenzie Bowell.)

RETURNS TO ADDRESSES.

Hon. Mr. SCOTT—I beg to lay on the table a portion of the return, moved for by the hon. leader of the opposition, relating to commissions issued in connection with dismissals. This is from the Department of Railways and Canals. I have made inquiries as to the other departments, and I do not find that any commissions have been issued except, recently, one in the Inland Revenue Department.

Hon. Sir MACKENZIE BOWELL—Are there any other documents relating to the granting of bonding privileges at the different ports in Alaska to British subjects carrying goods through to Canadian territory? I notice, in running my eye hastly over the return which has been laid on the table to-day, that it does not go as far as was indicated in the paragraph from the Ottawa *Citizen* which I read to the House yesterday. It refers only to Wrangel, and not to any other ports.

Hon. Mr. SCOTT—If my recollection serves me right, instructions were issued last January which covered the other points. If the hon. gentleman wishes, I think I can get a copy of them for him.

Hon. Sir MACKENZIE BOWELL—Thank you, I should like to have a copy.

Hon. Mr. SCOTT—In January there were regulations issued which covered all other points.

Hon. Sir MACKENZIE BOWELL—Had copies of those regulations been in our possession when we were discussing the Yukon Railway Bill, we could have saved a great deal of time.

Hon. Mr. SCOTT—At that time they had not made any regulations affecting Wrangel. You may remember that we were not able in the debate to say what they would be. In making the regulations, they had reserved Wrangel.

Hon. Mr. MILLS—They had agreed to make regulations the same with regard to all. The others were adopted immediately, but they reserved Wrangel, I suppose, for the purpose of finding which was the best point for transhipment with a view to preventing smuggling.

Hon. Mr. MACDONALD (B.C.)—The great difficulty was that at Skagway and Dyea the officials did not carry out the instructions they had received from Washington. They exacted from the miners extortionate charges—as high as nine dollars a day—and they killed the trade.

Hon. Mr. BOULTON—That is to be done away with, is it not under the new regulations?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BERNIER—I beg to call the attention of the government to the fact that they have not yet brought down the return which I moved for last March relating to the sale of school lands in Manitoba. When may I expect to have it?

Hon. Mr. SCOTT—I will make inquiry and will be able to answer my hon. friend when we meet again.

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 25th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

OTTAWA RIFLE RANGE.

MOTION.

Hon. Mr. MACDONALD (B. C.) moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, a statement of the tenders received by the Department of Militia and Defence for the work of the Rifle Range on the Ottawa River, east of the City of Ottawa, and a statement of the estimated quantities on which tenders were figured out; a statement of the date and amount of each cheque sent in with each tender.

A copy of the tender of J. Lyons, and a copy of the cheque which accompanied the same, showing date of acceptance by the bank.

He said: In this case tenders were called for, I believe, by the Militia Department, and very properly so, and no fault could be found if a friend of the government got the contract, everything being equal; but, if anybody else put in a much lower tender and did not receive the work, that would cause a grievance. I move for these papers in order to ascertain how the matter stands.

The motion was agreed to.

THE CANADIAN PACIFIC RAILWAY LAND GRANT.

INQUIRY.

Hon. Mr. BOULTON inquired of the leader of the Senate:

If notice has been given to the Canadian Pacific Railway Company to select their land grant before the expiration of the term of twenty years exemption of taxation, under the Statutes incorporating the Company?

He said: I do not intend to detain the House with any long remarks upon this matter. As hon. gentlemen are quite aware, when the contract was made with the present company, a land grant was given and the exemption from taxation was placed at 20 years. The contract was entered into in 1880. Annually as work of construction proceeded land grant bonds were issued and released by the government as lands were earned. Up to 1882 and 1883, a very large proportion of these lands were earned at that time. The construction is sought to be put upon this question that the exemptions run for an indefinite period, and only from the date of the issue of the individual patents. I do not think it is desirable that that position should be assumed by the government or by parliament. It is not a question for the courts to decide. It is for this parliament to declare what was the intention that gave the exemption from taxation for twenty years for the large land grant of twenty-five to thirty millions acres that was made to the Canadian Pacific Railway Company. It is an injustice to the people who reside in the province of Manitoba and the North-west Territories that such enormous blocks of land should be exempt from taxation, because it retards their progress in educational matters and all those matters for which they themselves are heavily taxed, and it is desirable that some understanding should be arrived at as to what action is to be taken in this matter. It is not fair to the municipalities, who are incapable, either by co-operation or as individual municipalities, of taking any steps to bring the matter before the courts. It would be a most costly proceeding and not a proper precedent to establish in such a matter. The people who are settling there require municipal and school organization, and it is unquestionable that the intention of parliament, when they gave that exemption for twenty years, was that the twenty

years should date from the issue of the lands to the company, from the time that the company have been in the enjoyment of them as a financial asset. The proper step to be taken in this matter, in order to let the municipalities know that the government have them under their care and are watchful over their interest would be to notify the Canadian Pacific Railway Company that they must select their lands before the termination of the twenty years exemption from taxation. In the United States this has been a question with a great many companies, and the railway companies have sought to evade the responsibility of taxation by taking no steps to select their lands. It grew to be an evil, and the step that was taken by the government of the United States was to give them notice, and if, within the space of twenty-five years or the limit of exemption, they failed to comply with the notice, the land grant was cancelled. I think it is desirable and necessary that the Canadian Pacific Railway Company should not be allowed to hold that position of indefiniteness, that the exemption from taxation is to go on for any indefinite period, or that the responsibility should be thrown on the municipalities in the west in order to test the case before the courts.

Hon. Mr. MILLS—I would say to my hon. friend that I have quite overlooked this question, but I will inquire of my colleague, the Minister of the Interior, to-morrow as to what action has been taken and will let my hon. friend know precisely how the matter stands. I know that with regard to the claims of the company in respect to some of these lands, there are some matters in controversy; and the papers, which are rather voluminous, are in my department, but I have had no opportunity of looking into them, nor shall I do so until after the session is over. It is quite impossible to do so with the work of the session and the ordinary business of administration to attend to, but as to precisely how the matter stands, I shall endeavour to let my hon. friend know to-morrow.

THE SPEAKER'S HONOURS.

Hon. Mr. POWER—Perhaps the House will excuse me if, before we proceed to the Orders of the Day, I call attention to a circumstance which has come to our knowledge since the adjournment this day week. Hon. gentlemen have learned, since the adjournment, that it has pleased Her Majesty to confer a title of honour and dignity upon the hon. gentleman who occupies the chair of this House—(cheers)—and although we all are aware of the exceeding modesty of our Speaker, I trust that he will pardon us if we do not allow the occasion to pass without some remarks. I think that, as members of the Senate, we should feel gratified that Her Majesty has conferred a title upon our Speaker. It recognizes the position of the House; and, as to the individual on whom the honour has been conferred, I think there can be no two opinions. The hon. gentleman who now occupies the chair of this House has been a member of the Senate for over 21 years. During the first two years he was also a member of the administration of the day. Then, for a regrettably large number of years, he was a private member of this House. During the past two sessions and the present session he has acted as Speaker of the Senate. I think that no member of this House can recall an occasion, during all those years, when in any of those capacities the hon. gentleman has said a word that has been uncourteous to any member of this House, or has done an act which was unkindly. (Hear, hear.) The hon. gentleman, although his manners are very agreeable, is a thorough going party man. I do not think that the warmest friend of the hon. gentleman has ever suspected him of being anything else than thoroughly loyal to his party; but, while he has been loyal to his party, there has been nothing in his conduct in this House, or as head of the House, to make any gentleman who differed from him in politics realize that that was the case. Socially, and as head of the House, he has treated us all in the same way; and I think that I am speaking the sentiments of every hon. gentleman present when I say that we all rejoice at the honour which has been conferred upon our Speaker and that we all wish he may live many years to enjoy the well-deserved honour which Her Majesty has been good enough to confer upon him. (Applause.)

Hon. Sir MACKENZIE BOWELL—I need scarcely say that there is not a sentiment which has fallen from the hon. gentle-

man who has referred to the distinctions that have been conferred on our Speaker, that will not be re-echoed by every member of the Senate, with the exception of one. It would be affectation on my part, if I were to say that I agreed with him on that point, and that is where he said it was regrettable that His Honour, the Speaker, after two years' service of his country in the cabinet, was relegated to the opposition. Were I to do that, it would be a condemnation, of myself; but apart from that, which may be taken as badinage, I cordially endorse the remarks which have been made in reference to His Honour, the Speaker. There are few men at the present day who have sat in parliament longer than I have; there are some. I had the honour of his acquaintance when he was a Minister of the Crown, and when in the House of Commons, before he became a Minister of the Crown, and in all that the hon. gentleman from Halifax (Mr. Power), has said in reference to his suavity of manner and the courtesy with which he has treated his opponents, the hon. gentleman has not said too much. Personally, I congratulate the Speaker on the distinguished honour which has been conferred upon him. I congratulate the Senate on the fact that, on this Jubilee year of Her Majesty's reign, She has seen fit to bestow honours upon the Speakers of the two Houses of Parliament, and more particularly upon the one who presides in this Chamber. I need not add more. It may be accepted as a recognition of services rendered, or a recognition of the importance of this branch of parliament, in the person of him who presides over its deliberations. He has been all that could be expected of a Speaker, and I re-echo the utterance of my hon. friend in wishing him long life, good health and happiness to enjoy the distinction which has been conferred upon him. (Applause.)

Hon. Mr. MILLS—I am sure that I can endorse all the observations that have been made in commendation of Mr. Speaker by the hon. friend who has spoken before me. I, of course, do not concur with my hon. friend opposite in his exception; I think that was a misfortune, while he thinks it otherwise. But, let me say this, that as long as we are a British possession, as long as we stand in the position which we do to Her Majesty's throne, it will always be a matter of importance that that those honours which people prize and which Her Majesty confers upon those of Her subjects whom she regards as most deserving—I say as long as that is so, we, of course must attach due value to recognitions of this sort. I suppose we may regard the conferring of a degree of knighthood upon one of her Majesty's subjects for services, whether in public life or for other services that are regarded as important to the interest of the state, as deserved honours. For Her Majesty is not supposed to be ill-advised with regard to matters of this kind. We have a desire for distinction. It is a part of the human constitution, and a man who puts no value upon a distinction of any sort is not one who is likely to succeed in making his mark in any position, either in public or private life. We go to our schools, we attend our universities and engage in severe study in our boyhood; we acquire honours, and we attach importance to the degrees that are conferred upon us. Now, honours of this sort in public life, if I may so use the expression, are practically a graduation in the public service, and I am sure I can congratulate Mr. Speaker on the honour that has been conferred upon him. I do not know of any case in all Canada where it would be more cordially assented to that that honour has been deserved than in the case of Mr. Speaker. I had the pleasure, when Mr. Speaker was a member of an administration, to be his colleague, and a more agreeable colleague, a more pleasant companion in the public service, I do not think it would be possible to have, and I think that he would be an ill-natured man indeed, who, on any subject, would have any serious difference—I do not mean difference of opinion, but difference in feeling—with the hon. gentleman upon whom Her Majesty has conferred the degree of knighthood, and who has the honour to preside over this chamber. My hon. friend opposite says that this recognition of the services of Mr. Speaker and the honour which Her Majesty has conferred on him is a recognition of the importance of this chamber. Let me say to hon. gentlemen that I had never doubted its importance. I have never been of the opinion that it would be possible, under the English parliamentary system of government, to get on with one chamber. In my opinion, no matter how intelligent the members who

constitute the House of Commons may be, no matter how competent the electorate may be of self-government, there will always some times in the history of a country where the public excitement may lead to abuses, where, in fact, abuses will spring up, and the chamber that has no other body to consult that feels it is absolute master of public affairs, and the majority of which feel that they can do as they like, is a body that some time or other will make mistakes and commit abuses.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. MILLS—And those abuses will threaten the existence of representative institutions. That has been the history of the world, and so I will not say with my hon. friend that in conferring this honour that Her Majesty especially recognized the importance of this House, because this House is important—but I do say that Her Majesty has recognized the important services that the hon. gentleman who now occupies the chair in this House and presides over its deliberations has performed to the State.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. MILLS—And I say again, a more deserved honour has not been conferred on any public man in my time than that which has recently been conferred by Her Majesty upon my hon. friend who occupies the chair. (Applause.)

Hon. Mr. BELLEROSE—Hailing from the same province as the hon. speaker of this House, whom this House is now congratulating on the great honour that Her Majesty the Queen has been pleased to confer upon him, I cannot allow this occasion to pass without adding my voice to those of the hon. gentlemen who have spoken before me. I will not repeat what has been said of the good qualities of that hon. gentleman. They are well known. For my part, after associating as a parliamentarian, for 35 years with that hon. gentleman, either in the other chamber or in this House, I have always found him the same as he has been described by the hon. gentleman from Halifax. I therefore could not help congratulating the hon. gentleman on the great and deserved honour done to him in the year of Her Majesty's Jubilee. I also congratulate the Senate on the honour done to them in the present instance. The honour done to their Speaker is reflected on the whole House. No doubt Her Majesty, in doing so, thought that it would be grateful to this House, and would intensify those loyal feelings which we all in Canada have for our most Gracious Queen.

Hon. Mr. ROSS (in French)—I desire to join the hon. members who have preceded me, in offering to the hon. Speaker of the Senate my most cordial and my warmest congratulations on the occasion of the signal and so well merited honour which has been conferred upon him by our Gracious Sovereign. I hope that this hon. House will also permit me to sincerely congratulate it on its share in the honour which has been conferred upon its Speaker.

The SPEAKER—Hon. gentlemen, I have already received from you many proofs of your kindness and courtesy towards me since I have had the honour to preside over your hon. House, and to-day I feel exceedingly grateful for your cordial congratulations on the honour which has been conferred upon me. But, hon. gentlemen, I do not claim that honour entirely for myself. I humbly admit that personally I do not deserve such an honour, and that the honour which has been conferred upon me is certainly intended for the whole Senate. Her Majesty undoubtedly desiring to acknowledge the loyalty and the devotion of this Canadian Senate to her and not being able to give to every one of you the consideration that you all deserve, thought that the most appropriate way of recognizing this loyalty and devotion and to show her regards for the Senate, was by granting to your president the honour of wearing for you on his breast one of Her Majesty's most honourable decorations. Although unworthy of such an honour, I shall endeavour, by my loyalty to my Queen and by my renewed endeavours to merit and deserve your esteem and consideration, to show that I appreciate the honour which has been conferred on me and the obligation on my part to maintain the dignity of my position to the best of my ability. I most sincerely and cordially thank you for the honour you have done me in speaking in such flattering terms of me. I accept it with the greatest pleasure. I have always

tried to be as impartial as possible in presiding over a body like this, and I hope I shall continue to deserve your esteem. I feel quite happy that this honour is so well received by the House, and I am pleased to see that you all agree with me that this honour is not for me personally but for the whole Senate.

PACIFIC AND YUKON RAILWAY, NAVIGATION AND MINING COMPANY'S BILL.

THIRD READING.

Hon. Sir MACKENZIE BOWELL—In the absence of Mr. Lougheed, I desire to move concurrence in the amendments which were made by the Commons to Bill (F) "An Act to incorporate the Pacific and Yukon Railway, Navigation and Mining Company." They are somewhat important in their character, to one or two of them I shall call the attention of the Senate. The first amendment provides an additional subsection, to the following effect: That the construction of the railway authorized by this section shall not be begun until the consent of the Governor in Council has been given thereto, which consent shall be given forthwith on the happening of either of the following events: if the territory at the head of the inlet, known as Lynn Canal, has been legally declared to be within Canada, or if the United States of America will make a provision satisfactory to the Governor in Council for the bonding of goods in transit across the territory at the head of said inlet and now occupied by the United States of America and Canada. There are a number of verbal amendments which are of little consequence, and do not affect the principle of the bill. Another amendment is made that all the directors of the company shall be British subjects. Another important amendment is in reference to the telegraph charges. The bill gives power to the company to construct certain telegraph lines, but, as originally introduced, it made no provision for the regulating of the rates. The general law was made applicable to this, which gives power to the Governor in Council, when the telegraph lines are put in operation, to regulate rates. Then an addition is made giving power to obtain the right of way, the erection of poles, and so on, in the municipalities through which it might pass, or in which it might be constructed.

Hon. Mr. KIRCHHOFFER—I would just point out one little error which I think was made in the committee. In the enacting clause they added the word "trading" to the title, but it has not been added in the title of the Bill. The error should be corrected.

Hon. Sir MACKENZIE BOWELL—I fancy that is a clerical error and with the consent of the House I would move that the word "trading" be added to the title.

Hon. Mr. FERGUSON—That is included in the amendments.

Hon. Mr. KIRCHHOFFER—But it is not included in the title of the Bill.

Hon. Mr. BOULTON—Before the amendments are adopted, I would like to make a few remarks about that word "trading." I do not know that it is a wise provision to put in a bill of this kind. This is a mining and a railway company, and by adding this word it will become a trading company as well. We know that a great deal of evil has occurred in the United States by mining companies having power to carry on their operations by what is called the truck system, and a great deal of abuse has arisen in consequence of it to the labourers engaged in mining, and it is not a wise provision for us to put in this bill. The operations of this company are sufficiently large without giving them this other privilege. The original bill did not include the word "trading" and it has been suggested at the last moment. I move in amendment to the motion of the hon. leader of the opposition that the amendment which refers to the word "trading" be not concurred in.

Hon. Mr. MILLS—My hon. friend will see that the bill actually provides for it and this is nothing more than making the title correspond to the body of the bill.

Hon. Mr. POWER—As I understand the hon. gentleman from Shell River (Mr. Boulton) he wishes that that part of the amendments made in committee which says "after the word 'navigation' insert 'trading,'" be not concurred in.

Hon. Mr. SCOTT—It does not affect the powers of the company, because I see they have the power to establish their stores and so on.

Hon. Mr. BOULTON—I think it has been an oversight in the committee in allowing a clause of that kind to go in, but I do not press the amendment under the circumstances which have been pointed out by the hon. Secretary of State.

The motion that the amendments made in committee be concurred in was agreed to.

The bill was then read a third time and passed.

GOVERNMENT OF YUKON DISTRICT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (P) "An Act to provide for the government of the Yukon district." He said: I dare say a few years ago if any one had suggested it would be necessary to provide for a government in that distant portion of Canada, it would have been thought an extremely improbable occurrence. However, the discovery of gold in that region has led to the influx of a very considerable population, and it is necessary to make some provision for the maintenance of law and order, and for the administration of justice in that country. The government, in doing so, have undertaken to introduce a very concise measure, which looks rather to the administration of the law as it at present exists than to the making of new local laws for the better government of the people of that country. So far it is probable that nine out of every ten of those who have gone into that country are aliens, who could not under any circumstances take an active part in the constitution of the government or in the administration of public affairs. As they are within our territory—it may be temporarily—they owe obedience to the law and allegiance to Her Majesty. The government of the country, under these circumstances, must be in the hands mainly of the government here, and in so far as local government exists at all, that local government is one which, in the very nature of things, must be representative only, if representative at all, of a very small section of the population. The settlement of the Yukon country differs in a large degree from the settlements of other portions of the Dominion. Very few, perhaps none, have gone into that country with the expectation of becoming permanently domiciled there. They go there for the purpose of acquiring a fortune at as early a period as possible, and withdrawing from the country as soon as that fortune is acquired, and so it was necessary to keep in view that fact in the constitution of a government for the country. We have endeavoured to provide as simple a system of government as it was possible to provide. We, of course, provide the measure not so much as one of a permanent nature as a tentative measure necessary to meet the exigencies of the case at the present moment and until the government and parliament can acquire further information, and we may be in a better position, at no distant day, to alter or amend it, or to provide a system of government suitable to the circumstances of the country than we are at the present moment. So, what we propose to do is to adopt a certain district, which is marked out in the proclamation as the Yukon district, within which and over the inhabitants of which this measure is to operate. We provide, besides the constitution of the district, for the appointment of a commissioner. As we wish to make the system of government as simple as possible, we do not wish to convey any erroneous impression by the adoption for the chief executive officer of a high sounding title that might have the effect of misleading him with regard to the nature of the duties with which he was intrusted. This commissioner is to administer the government of the territory under instructions from time to time issued by the Governor in Council, or by the Minister of the Interior. We are dealing with this territory in much the same way as the North-west Territory was dealt with at an earlier period. We are constituting there a government. We are making that territorial government to some extent responsible, under the jurisdiction and direction of some minister of the Crown. The minister selected in this bill is the same minister indicated in the bill for the government of the North-west Territory—the Minister of the Interior—and he stands towards the territory in much the same position as the Secretary of State does towards a colony that is just struggling into existence. Then we have a provision for the constitution of the Council. Section 5 provides:

The Governor in Council by warrant under his privy seal may constitute and appoint such and so many persons from time to time not exceeding in the

whole six persons, as may be deemed desirable to be a Council to aid the Commissioner in the administration of the territory, and such persons so appointed to the Council shall before entering upon the duties of their offices take and subscribe before the Commissioner such oaths of allegiance and office as the Governor in Council may prescribe.

Hon. Sir MACKENZIE BOWELL—If that is the case you are reading from a different copy of the bill to the one that I have. In my copy clause 5 provides for the administration of the government of the territories by Order in Council and the Commissioner.

Hon. Mr. MILLS—I have a copy of the Senate bill (P) "An Act to provide for the government of the Yukon."

Hon. Sir MACKENZIE BOWELL—They are different copies. The one I hold is probably an advance copy.

Hon. Mr. MILLS—Quite likely. It is marked "confidential" if it is.

Hon. Mr. MACDONALD (B.C.)—The members of the council have no property qualification, I suppose.

Hon. Mr. MILLS—No. There could not very well be one in that country at the present time.

Hon. Mr. MACDONALD (B.C.)—They could qualify on the gold mines.

Hon. Mr. MILLS—The hon. gentleman will see that the government must select the persons, being British subjects, whom they regard as being most competent to form a council to assist the commissioner in the discharge of his duties. Section 6 confers on the commissioner and his council the power to make ordinances—a power that, under the British colonial system, was long conferred on persons standing in this relation. They are the council of the Crown, or the representatives for the purpose of discharging certain duties. Those ordinances are subject to disallowance by the Governor General in Council, the same as the ordinances of the government of the North-west Territories, and the same as Her Majesty has over the laws of the various provinces.

Hon. Mr. MACDONALD (B.C.)—Can those commissioners fix the regulations with regard to mines? Would that be part of their duty?

Hon. Mr. MILLS—I think not—at all events not at the present time. These commissioners will have whatever powers the Governor General in Council may confer on them from time to time. The extent of their authority is a matter yet to be determined, as it was in the case of the government of the North-west Territories at the outset, and there is this limitation, that those powers can never exceed the power possessed by the provinces, but may fall far short of that, and the territories being under the jurisdiction of the Governor General and his advisers, and of the parliament of Canada, we take the power to confer by Order in Council certain authority upon the administrators and the council of the Yukon country. The extent of the powers conferred on them it will be impossible to say.

Hon. Mr. BOULTON—Is it not defined in the bill?

Hon. Mr. MILLS—No, it is not the intention to try and define it. That will depend upon the efficiency of the council it is possible to constitute, and with regard to all questions depending upon mere matters of fact, the parties who are on the ground will be consulted.

Hon. Mr. ALLAN—It is in a great measure tentative.

Hon. Mr. MILLS—It is a tentative measure really, because we cannot at the present time be supposed to possess that amount of knowledge and that intimacy with the country which would enable us to legislate in the ordinary way, and in fact my hon. friends will remember that exactly the same provisions were in the North-west Territories bill when it was first introduced with regard to the extent of their jurisdiction in the government of the country entrusted to them that there is in this bill. Clause 8 of this bill reads:

Subject to the provisions of this Act, the Governor in Council may make laws for the peace, order and good government of the territory and Her Majesty's subjects and others therein, but no law made by the Governor in Council or the Commissioner in Council shall,

(*a.*) impose any tax or any duty of customs or excise or any penalty exceeding one hundred dollars, or

(*b.*) alter or repeal the punishment provided in any Act of the Parliament of Canada in force in the territory for any offence, or

(*c.*) appropriate any public money, lands or property of Canada without authority of Parliament;

Provided that this section shall not apply to any law extending or applying or declared applicable to the territory by any Act of the Parliament of Canada. K. Act, s. 7, subs. 3.

We do not undertake to claim any dispensing power. We administer the law as we find it, with the power to make those subordinate regulations through the commissioner and council which may be necessary for the maintenance of law and order and for meeting the local requirements of the population.

Hon. Mr. PERLEY—Will this council appointed to assist the commissioner have anything to do with advising as to or controlling the expenditure of public money granted by the federal parliament?

Hon. Mr. MILLS—It is quite possible that they may. That will depend on the regulations from time to time made. This is a tentative measure. We do not wish to tie our own hands, or tie the hands of the commissioner and council, in advance of information.

Hon. Mr. PERLEY—I might say, in connection with this matter, that in the early days of the North-west Territories I had the honour of a seat in the Council before we had our present form of government, when all the public moneys granted by the Federal government to aid in the schools and public works of that country were expended by the lieutenant-governor at his own will and discretion, notwithstanding that there were some five or six appointed members and members elected by the people. Nevertheless, all the money granted by the Federal Parliament was under the control and management of the lieutenant-governor who was acting in the same capacity as the commissioner is intended to act under this bill I suppose. That system was unpopular all over the country. It was termed "one man-power." I think the hon. minister is familiar with that term. The people took exception to the lieutenant-governor having the power to dispose of the money as he had a mind to. Then there was another matter found to be unpopular also. The persons appointed by the government were mostly judges, stipendiary magistrates since made judges. They had the power of making ordinances which they afterwards administered. That was also found objectionable on the part of the people, that those men who made the laws administered them, and they often differed in their interpretation from the other members of the council.

Hon. Mr. MILLS—I am much obliged to my hon. friend. I am pleased to get his statement as to the administration of the law in the North-west Territories which is valuable to us from one point of view in the preparation of a measure for the government of that country. There is one difference between the condition of things in the North-west Territories and the condition of things in the Yukon country. In the North-west Territories a large portion of those who went there to settle were British subjects, and were entitled, as of right, to take part in the government of the country and in the making of ordinances by which they were to be governed. The condition of things is very different in the Yukon country. As I have said, at least nine out of every ten of the population are foreigners, to whom the duty of legislating and administring could not be entrusted. Then, with regard to the few who are British subjects, they are not permanent residents; they have not gone there for the purposes of being domiciled. They have gone there for the purpose of becoming wealthy as soon as possible, and as soon as they have acquired the amount of wealth that they desire, they will then withdraw from that territory, and any permanent legislation that would take part in establishing would be legislation by which they were not to be governed, and would remain in force in all probability long after they withdrew from the territory. So that the condition of things in the Yukon country is somewhat unique, as it seems to the government at the present time, at all events, while everything is in an unsettled condition and when we are legislating without possessing all the information which it is important that we should possess, that we should retain as far as possible the power of legislation and of jurisdiction under the control of this parliament. Further steps in the way of decentralization may take place when a more complete information is obtained. Then I may say with regard to the administration of justice, we take the power to establish one or more judges who are to be judges of the superior court of record. The jurisdiction will be a general jurisdiction. It will include judicial proceedings in relation to matters of impor-

tance, as well as matters of minor consequence, at the present time at all events, and we have taken the power to appoint more than one judge, because we do not know exactly how widely the population may be scattered abroad and what may be the difficulties of reaching the various centres of population that may be established in that territory, and so it may be a matter not only of very great convenience, but of real necessity, that more than one judge should be appointed. At all events, with a limited jurisdiction, including matters from those proceedings which are had before an ordinary Division court with us in Ontario to matters of the greatest moment, with a population which, at the present time, so far as we know, is about 40,000, and which, if it should increase, would be a population very much larger than should be placed under one judge where the jurisdiction is limited, it seemed important we should take the power in the constitution of the court to appoint more than one judge if it was found necessary. These are the principal provisions of the measure, and my hon. friends will have an opportunity of examining it in detail and considering each of its provisions when we go into committee on the bill.

Hon. Sir MACKENZIE BOWELL—Before the bill is read the second time, I desire to call the attention of the Minister of Justice to one or two clauses and to ask an explanation as to their real meaning, and as to the power which is given to the Governor in Council, and also to the council of that territoy. In the 4th clause provision is made for the administration of the government of the territory under instructions from time to time given him by the Governor in Council or the Minister of Interior. To what extent is power conferred upon the Minister of Interior in giving instructions? From the reading of the words it seems to me that the same power is vested in the Minister of the Interior, that is vested in the Governor in Council. It strikes me that that is too much power to place in the hands of any one minister. He may act independent of the council and independent of his colleagues at any time, and he may, under certain circumstances, carry that power altogether too far.

Hon. Mr. MILLS—I think the provision is the same in the North-west Territories Act and the Keewatin Act.

Hon. Sir MACKENZIE BOWELL—It may be in the Keewatin Act, but is it in the North-west Territories Act?

Hon. Mr. SCOTT—Oh yes, it is.

Hon. Sir MACKENZIE BOWELL—Then it is a question whether it should be continued — whether the absolute power which the clause gives to the minister should be continued. It may have been in the old Act, but in that case you could reach the administrator or the governor, as he might be called, in a very short time, but in the present case there should be more care taken in placing power to too great an extent in the hands of a minister, where he could use it contrary or in opposition to the wish and will of the council, if the council had been considered before action was taken. I can well understand that, however objectionable, an order might be made by a minister, it would be a somewhat difficult and delicate task on the part of the government to rescind it; while they might secretly find fault with him, they would scarcely condemn him publicly; otherwise he would have to leave the Cabinet. I call my hon. friend's attention to that point, to see whether he could not so frame the clause as to prevent conferring upon any one minister, independent of the Governor in Council, absolute power, as it seems to me this clause gives him. If my construction of the clause be correct, it is taking extraordinary power from the Governor in Council and conferring it upon the commissioner. Another clause reads:

> Subject to the provisions of this Act, the Governor in Council may make laws for the peace, order and good government of the territory and of Her Majesty's subjects and others therein, but no law made by the Governor in Council or the Commissioner in Council shall,
>
> (*a.*) impose any tax or any duty of customs or excise or any penalty exceeding one hundred dollars.

Does this mean that the Governor in Council has the power to impose a tax, or duty of customs, or excise, or a penalty in any case not exceeding a certain sum? It does not seem to me that that was the intention of the clause; but certainly, in reading it, it can bear no other construction, because it says: "To impose any tax not exceeding $100," and "any duty of customs

or excise, or any penalty not exceeding $100." The intention of the law might be made clear, if the hon. minister would make it read this way :

The Governor in Council or the commissioner should not have power to impose any tax or any duty of customs or excise.

That I take it for granted was the intention of the government. Then if the hon. minister would make it read "nor to impose any penalty exceeding a certain sum," I think it would effect the purpose intended. I may be wrong in my construction of the English language, but it seems to me that "or" applies to the one disability as well as the other one, and if I am correct in that interpretation, then it would give the Governor in Council, or the Commissioner in that territory, the power to impose a tax or excise or custom duty, provided it did not exceed the $100. These are the two points that struck me in reading the clause very hastily. As a whole, I think the bill is unexceptional, under the circumstances, other than those two points. Every one recognizes the force of the reasoning given by the Minister of Justice for the adoption of a bill of this kind, under the peculiar circumstances and the distance of that country from the capital of the country.

Hon. Mr. SCOTT—In reference to the North-west Territories Act, I find that clause four is an exact copy of section two. It reads :

The Lieutenant-Governor shall administer the government under instructions from time to time given him by the Governor in Council, or by the Secretary of State of Canada.

The Minister of the Interior is substituted here as he has had more to do with the administration of that country. Then, referring to clause eight, that clause is a restriction of the powers conferred under section 13 of the original Act, which is much wider.

Hon. Mr. MILLS—I would say to my hon. friend that in practice the distinction between the duties of the Governor in Council and the instruction they give and the instructions given by the minister is pretty well drawn. One deals with very much larger and more permanent questions than the other. As minister, he deals simply with the question of administration of the law as it is. Then with regard to section 8, which my hon. friend referred to, of course the word "law" is objectionable as it stands there. It ought to be the word "ordinance," because the distinction is well settled in English law that an ordinance is a title given to a measure that has the effect of law but which is carried by other than a parliamentary body, and so where there are rules of the government made by a Governor in Council they are always called ordinances and never called laws, and we never call a rule or regulation made for the government of the community by a parliament an ordinance. We always designate it as a "law." I thought that change could be made in committee. Then my hon. friend suggests that clause "A" is ambiguous as it stands; that is that no law made (no ordinance made) by the Governor in Council or the commissioner in Council "shall impose a tax"—that is one negative or exclusive provision —"or any duty of customs"—another—"or excise"—a third—"or any penalty exceeding $100"—that is a fourth. It seems to me that that is clear enough as it stands, but when we go into committee if any additional words are required to make it still more clear I do not in the slightest degree object to adopting them.

Hon. Mr. PERLEY—It is very difficult to discuss this bill in detail, because we do not know a good many points about it, such as the number of councillors, or the pay they will get, or where they will be selected from; but I might say that a great deal of the success of the government of that country will depend upon the commissioner that is appointed, and also upon these councillors, because if a commissioner having the power —as I suppose he will have the power—that the lieutenant-governor in the North-west Territories in the early days had, it will be of a very arbitrary character, and if he is a man of that kind, he may administer them in an arbitrary manner. Then, with reference to the council—and I am speaking now of my experience in the North-west—if the members of the council are appointed from the east here, having no particular knowledge of the country and not accustomed to it, they will be very unpopular. Judging from the experience of the past, my opinion is that a portion of this council which is to assist the commissioner in administration should be practical men from that country, and in that way there will be a connection of sympathy and intelligence between the government

here, who virtually administer the country through the officers, and the people up there. I know that in the North-west Territories there was great fault found often without much cause, because the people there had no say in the matter, and that the ordinances which these men made the people had to abide by; they felt they were capable of taking part in the making of the laws, and if they had been permitted to take some part they would have been much better satisfied. That can be very easily understood. Men living in the country, who have had large experience in the country, would know how to make mining laws suitable to that particular district, and it would be wise to select good accountable men in the country—and I think they can be found up there—to help in the administration. They would then not feel that they were being governed from abroad. I think the government will find that a very good principle to act upon. Then I would suggest that in place of one minister two or three ministers should be appointed, because no one man possesses all the knowledge or experience necessary, and if you had two or three ministers to co-operate—

Hon. Mr. MACDONALD (B.C.)—The bill says the Governor in Council.

Hon. Mr. PERLEY—I know what I am speaking about. The Minister of the Interior, as I understand, is to be the head of the Yukon Government here, and if you had a couple of ministers to assist him they would be able, by their combined experience and knowledge, to discharge the duty much better than a single minister. The great point is to have the people satisfied that they are being well governed and have something to say in it themselves—and I presume that no men going to that country will be sent up there for the sole purpose of acting as councillors excepting those who may be judges; I quite understand how important it is to send good men from the east—and if you have five or six councillors it would be better, in that case, to have some men selected from the miners—surely competent men can be found among them—rather than to have them all come from here. I think the bill will likely work very well. That is my opinion anyway. I realize how difficult it is to frame a bill to give the people such powers as probably many of them would like, but still, under the circumstances, there is no doubt this bill will provide the necessary government for the time being and it will be amended, no doubt, as circumstances may indicate or require.

Hon. Mr. FERGUSON—I should like to ask the hon. leader of the House whether this bill is intended to confer on the commissioner in council the power to make mining regulations in the form of ordinances; will this power to make ordinances confer the right to make mining regulations?

Hon. Mr. MILLS—Not unless the government were to confer that power upon them; and I do not think it is contemplated at the present moment to confer power to make mining regulations. We are getting information from those parties, and that is one of the matters that I apprehend would pertain to the administration of the public domain. My hon. friend of course knows that we have never handed over to the North-west Territories Government, for instance, the administration of public lands or mining regulations. All these are still made here by Order in Council, under the authority of the Dominion Lands Act, and in the same way with regard to the mining regulations in that country, they still will be mining regulations made by the Governor in Council, and it is with special reference to matters of that sort that the power to make ordinances is conferred upon the Governor General in Council and upon the Commissioner in Council in the Yukon. Experience will show what powers can be best conferred upon a body there, and what should be retained under the control of the Governor General and his advisers here. That must in a large degree be settled in future by experience; but there are certain classes of questions that you may, with a fair degree of accuracy, say are always likely to remain here, so that this parliament can hold directly responsible the ministers of the day for the discharge of these duties, rather than confer upon them the power to shift those responsibilities upon some other body.

Hon. Sir MACKENZIE BOWELL—As I understand it, this Act only gives to that commissioner in council the power that was conferred, under certain circumstances, on the government of the North-

west Territories when they were first organized.

Hon. Mr. MILLS—Very much the same.

Hon. Sir MACKENZIE BOWELL—They never had the power, and they have not to this day the power to formulate mining regulations.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Neither with respect to the lands or mining regulations, for the reason that the land and the mines belong to the Dominion.

Hon. Mr. MILLS—Quite so.

The motion was agreed to and the bill was read the second time.

LOAN COMPANIES BILL.

SECOND READING.

The Order of the Day being called:

Second reading Bill (Q) "An Act respecting Loan Companies."

Hon. Mr. MILLS said: I suppose hon. gentlemen have not had time to consider this bill, and therefore I would move that the order of the day be discharged and placed on the orders for Monday next.

Hon. Sir MACKENZIE BOWELL—I myself have not had time to read the bill, but those interested in it, I understand from my hon. friend on my left (Hon. Mr. Allan), do not take exception to it.

Hon. Mr. MILLS—Very well, then, I move the second reading.

The motion was agreed to, and the bill was read the second time.

Hon. Mr. MILLS—In introducing this Bill I said that I would ask that it be referred to the Committee on Banking and Commerce and I now make a motion to that effect.

Hon. Mr. POWER—With respect to the bill which it is proposed to refer to the Committee on Banking and Commerce, the hon. minister must bear in mind that if it is to be dealt with as a private bill it cannot go to the Committee on Banking and Commerce for a week, as notice has to be posted up for that length of time.

Hon. Mr. MILLS—This is still a government measure, but there were parties who desired the opportunity of discussing it before the committee, and they could not do so here in a committee of the whole House; and I thought it was better that it should go to the Committee on Banking and Commerce. We have dealt with other measures in that way. We dealt so with the Insolvency Act some years ago, and it occurred to me that it was a proper proceeding in connection with a measure of this sort in which a large number of influential corporations are interested.

Hon. Mr. McKAY—I should like to ask if the bill is intended to be in the interest of the loan companies or the public, because I notice the gentlemen who are pushing it forward so fast are generally connected with loan companies.

Hon. Mr. MILLS—My impression, after a good deal of consideration of the bill, is that it is in the interest of both.

Hon. Mr. POWER—In order to remove any doubt, I move that rule 60 be suspended with regard to this bill.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—If the hon. leader of the House would spend ten or fifteen minutes in explaining its provisions it would place the House, and particularly the members of the committee, in a better position to discuss it and judge of its merits when it comes before the committee, and it will be, I know, very gratifying to my hon. friend from Truro (McKay) to learn that it is in the interest, not only of the loan companies, but of the public generally. I trust there are provisions in it to protect the lenders as well as those who borrow.

Hon. Mr. MILLS—This bill is for the incorporation of new loan companies by charter, and such charter may be granted to any five persons who are applicants. If it should become law it will serve the following purposes. It may be for the incorporation of a new company of shareholders of an existing company which has been incorporated otherwise by an Act of provincial legislature—that is, corporations which may be corporations of the different provinces. The parties interested in them may become applicants for letters patent under the pro-

visions of this bill, should it become law, and may create a new corporation that will absorb or take over, upon the conditions provided for in the bill, such existing local corporation. Another object is for bringing within the provisions of the Act any company which has been incorporated by or under the authority of an Act of the Parliament of Canada. There are certain general rules and regulations—certain provisions contained in this bill that would apply to them that might enlarge their powers, as compared with what they had been before, or might restrict them in certain directions. Then it may be for the amalgamation of two or more companies about which there is no little difficulty at the present time by the creation of a new corporation, which would take over two or more existing corporations and make one corporation, assuming the responsibility of existing corporations. It also provides that certain clauses of the Joint Stock Companies Clauses Act shall be made applicable to these loan companies. There will be principles of uniformity in the constitution of these companies introduced which will be of no little consequence, and which the various loan companies of the country, or the vast majority of them, after careful consideration are disposed to favour, as tending to give to the public greater security against possible financial failure of such corporations than exists at the present moment. There is very little in principle that is new in the provisions of the bill. There is a novel application of recognized principles, and almost every provision of the bill may be found in some existing charter, or some existing statutes. Some of its provisions are taken from some provincial statutes. Some of its provisions are contained in acts of incorporation which have been carried through this House. All those I think have been proved by experience to be wise and prudent provisions. I need not enter into any detailed description of them, but if the bill goes before committee, I shall be able to give the members of the committee and to the House full consideration of them.

The motion was agreed to and the bill was read a second time.

ALIEN LABOUR BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (O) "An Act to amend Chapter 11 of the Statutes of 1897 intituled 'An Act to restrict the importation and employment of Aliens.'" He said: This bill is an amendment of the Act for the purpose of furnishing an easy and rational method of proving what the laws of other countries are upon this subject. It is easy to see that, under the law as it now stands, if any one were to object to the enforcement of the Alien Labour law in Canada, on the ground that there was no such law in force, say in the neighbouring republic, there might be very great difficulty in showing what the law of the neighbouring republic was on the subject. They might have to send to the United States for an expert, or to Washington for a properly certified copy of the statutes on the subject. This bill is to make proof easy and inexpensive, and without this provision it would be well high impossible to enforce the law. I might say to the hon. gentleman that the policy of the department has been—because the hon. gentleman will know the bill last year to provide this law was not to be enforced without the consent of the Minister of Justice—the policy has been to treat our legislation on the subject as purely defensive legislation. We do not make the legislation, as they have done in the United States, apply to all countries without regard to what their laws have been toward us. The aim of the legislation has been reciprocal, to deal with the inhabitants of other countries in precisely the same way they deal with us. So if there is a country which has not legislated against the employment of Canadian labour, to that country the measure of last session does not apply. If there be a country that has legislated against Canada, or legislated in a way that operates against us, then we treat them on a footing of reciprocity. We deal with them as they have dealt with us. Regarding, as I do, and as I think most members of both Houses do, legislation of this sort as well nigh barbarous and only to be justified on the ground of self defence, we have adopted the rule that where we are let alone we do not undertake to enforce the law, and along the whole frontier, from the Pacific to the Atlantic, we have not undertaken to enforce this law at any point where our own people across the border have been undisturbed; but where our labouring people have gone to the United States and been employed there, and have been stopped in their work

and sent back again, we have undertaken to deal on our side of the border with our neighbours in precisely the same way that they have dealt with us. On the Niagara frontier, and at other points where United States officers have been active in sending Canadians back, we have undertaken to deal with their people in the same way. How far we may be successful in this, of course is a question about which we are hardly in a position, up to this moment, to express an opinion. Whether we have the right to legislate extraterritorially is a question about which perhaps there may be a difference of opinion. At all events we have taken the risk of allowing parties to raise the question before the courts, whether we can declare that a Canadian has committed an offence that is punishable in Canada by going across the border and entering into a contract there for the employment of labour—whether that can be punished in Canada, I say, is the question about which there may be a difference of opinion. I am expressing an opinion on the subject at this moment. Sufficient unto the day is the evil thereof. We shall undertake to enforce the law w herever it is necessary on the lines I have mentioned—the lines called for by reciprocity until we are hindered by judicial decisions.

Hon. Mr. BOULTON—Is this question of the Alien Labour law to be discussed at Washington ?

Hon. Mr. MILLS—Certainly if questions in controversy between Canada and the United States are made the subject of discussion before any constituted authority for the purpose of settling difficulties between the two countries, the alien labour law will unquestionably be one of the subjects for consideration. It is not a measure that we desire. It is a measure that we have adopted in self defence, and we do not wish to continue it an hour longer than self defence calls for.

Hon. Sir MACKENZIE BOWELL—There is this difficulty in the way : Our representatives will find in negotiations between the United States commissioners and our government on questions of this character, the Secretary of State, who is generally the head of a commission of that kind, may inform the Canadian commissioners that they have no power, as a government, to interfere with a law of that character, and that all that they can possibly do is to recommend to congress the propriety of repealing legislation of that kind They have no authority as an executive or as a government. I know the answer that was made to the commissioners who visited Washington, during the existence of the late administration, when they urged strongly on the United States authorities the barbarous character of their law. They said that they had no power or authority, as a government, to interfere with or even to direct the legislation of Congress. All they could do was to recommend by message the repeal of a measure of the kind, and then it would rest with the people's representatives to say if they would repeal it or not. It would be the act of Congress and not of the government. In dealing with other great questions, the fisheries or the boundary between any portion of Canada and the United States, they stand in a somewhat different position, although any agreement on such subjects, if in the nature of a treaty, would have to go to the Senate to be ratified.

Hon. Mr. MILLS—My hon. friend is labouring to some extent under error. Regarding the treaty rights of the United States, the provision of the constitutional law is that the constitution and treaties made in pursuance thereof, and Acts of Congress constitute the supreme law of the land—that is, they are a law superior in their sphere to the laws made by state legislatures.

Hon. Sir MACKENZIE BOWELL—Yes, but they have to be approved by the Senate.

Hon. Mr. MILLS—But not by Congress. An Act does not stand in the way of a treaty. If an Act of Congress forbids the employment of Canadian labour, and you have subsequent to that Act of Congress a treaty which provides that there shall be no such restrictions, and that treaty is properly ratified by the required majority of the Senate, then it becomes a part of the supreme law, and to that extent repeals the Act of Congress. A treaty in the United States is a part of the law. It is not a compact, as it is with us, that may require legislation to enforce it. It operates as law as effectually as if enacted by Congress. So that, if we were to make with the United States a

treaty, then that treaty would supersede legislation of this kind. What my hon. friend has in view in speaking of inability on the part of the United States government to settle such matters, has reference to state legislation. Congress cannot, it is said, pass an Act, nor can the executive of the United States make a treaty, according to their contention, which would encroach upon the authority of a state legislature. They have over and over again undertaken to protect themselves against the demands of various states by declaring their inability. For instance, some years ago the state of South Carolina had a state law that a coloured man, a free man, was not at liberty to come into the state, and if he did, he was committed to jail, and if not taken away within so many days, he could be sold and become the property of the purchaser. A British vessel ran into Charleston, and the coloured cook of the vessel went into the city and was arrested, under the statute. The British authorities complained, but the United States said it was an Act wholly within the jurisdiction of the state of South Carolina, and they could not interfere. Then my hon. friend will recollect the case of the Italians who were being tried in New Orleans a few years ago for some offence, and who were taken out of prison and put to death by a mob. The Italian government complained to the United States government, and the federal government pleaded their want of jurisdiction, but the Italian government made the same answer to them that the United States did to Lord John Russell when he said that the government had no power to stop a vessel sailing out of a British port to prey upon United States commerce. Adams said: "I have nothing to do with what you are able or unable to do. I say your duty to us is so and so, and you have no right to adopt a constitution for your government which will disqualify you or render you unable to discharge your duties." That was the nature of the answers of the Italian government to the United States. They said: "You must indemnify us, because you have no right to frame your your constitution in such a way as to prevent you from doing what is right." If the state of New York had passed an Alien Labour law there might be very great difficulty, but when Congress has legislated in this way, then I apprehend any treaty we may make with them, is we can get them up to the line of agreeing that people may be contracted with and freely employed on opposite sides of the border, will be effective notwithstanding any Act of Congress which may have previously been passed.

Hon. Sir MACKENZIE BOWELL—It is quite clear I did not make myself understood by the hon. gentleman. I thought I drew a distinction between an Act of Congress and a treaty entered into between the United States and a foreign country, which, I said, must receive the sanction of a majority of the Senate before it became the law of the land. I drew a distinction between the provisions of a treaty and an Act of Congress which imposes certain penalties on foreigners coming into the country, and the position taken by the Secretary of State at Washington was that that not being a treaty, but within the power of Congress to legislate, they as a government could not interfere further than to make a recommendation to Congress. That is what I intended to say, and I am very sorry I did not make myself sufficiently clear.

Hon. Mr. BOULTON—The gist of the remarks made by the Minister of Justice, as I understand it, is this: even if the alien labour law was removed from the statute book of the United States it could be put on the statute books of the several states. When the treaty of Washington was negotiated in 1871, in return for the free navigation of our canals it provided that we should have the free navigation of the canals of the United States, but the federal government only granted that in so far as they could use their influence with the states to get them to grant that concession. They did not assume that they had the power, and we never got the privilege in the Erie or Champlain canals.

Hon. Mr. MILLS—In that case the United States said they would recommend the state of New York to grant the free use of the canals. The state of New York when we came to make inquiry, said there is nothing in our laws making an impediment, and when we made inquiries we discovered it was because of federal regulations, and when Mr. Fish was pressed he was unwilling to make any amendment in that particular.

Hon. Mr. DANDURAND—The question of the Alien Labour Law is one of the

most difficult to settle at Washington. There are questions which affect only Canada and the United States while the Alien Labour Law is a general law affecting all foreign countries. In fact, the Alien Labour Law was not directed against Canadian labour when it was enacted; it was against European labour, and I quite understand the difficulty there would be in the way of asking the United States to repeal an Act which affects the whole world and which affects only incidentally Canada. Nevertheless, both countries could agree not to enforce the Alien Labour law as against each other.

The motion was agreed to and the bill was read a second time.

ANCIENT ORDER OF FORESTERS BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved second reading of Bill (113): "An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada." He said: The object of this bill is to enable the society to establish an insurance fund and a benefit fund for the members of association. It is fully explained in subsection "E," which reads:

(e.) To establish a benefit fund, from which, on satisfactory evidence of the death of a member of the society who has complied with all its lawful requirements, a sum not exceeding three thousand dollars shall be paid to the widow, orphans, dependents, or other beneficiary whom the member has designated, or to the personal representative of the member as laid down in the said lawe;

There is an objection to this form of insurance, as I am aware, and it is doubtful in the minds of some as to whether it would ultimately prove of a sufficiently permanent character to justify their incorporation. The bill which I have in my hand is of a somewhat similar character to that which incorporated the Independent Order of Foresters, but there are furthers restrictions than are contained in the bill to which I have referred. It enforces upon the society the keeping of certain reserve funds in order to meet the demands it may be called upon to pay. So that in fact there are safeguards in this bill that are not contained in the Acts which have been passed incorporating other benefit societies of the character of this Ancient Order of Foresters. I may frankly state that I have moved the second reading and have taken charge of this bill for the simple reason that Acts of a similar character have been given to other societies which have not so many safeguards as this one. Had we to begin *de novo*, I should be inclined to be opposed to incorporations of this character, for reasons which I might advance, but which are unnecessary, having been discussed so often, not only in the committee of the House of Common and in the Senate, but also in the incorporation of the Foresters some years ago. But these concessions having been made to these benefit societies, I can see no reason why parliament should withhold them from this society, particularly as there are greater safeguards to the insurer in this bill than in any of the others which have been passed.

The motion was agreed to and the bill was read the second time.

BILLS INTRODUCED.

Bill (16) "An Act to repeal the Electoral Franchise Act and to further amend the Dominion Election Act."—(Hon. Mr. Mills.)

Bill (97) "An Act to incorporate the North Shore Electric Railway Company."—(Hon. Mr. Owen.)

Bill (81) "An Act respecting the Montreal and Southern Counties Railway Company."—(Hon. Mr. Owens.)

Bill (128) "An Act further to amend the General Inspection Act."—(Hon. Mr. Scott.)

Bill (140) "An Act further to amend the Militia Act."—(Hon. Mr. Scott.)

IDENTIFICATION OF CRIMINALS BILL.

FIRST READING.

Hon. Mr MILLS introduced Bill (R) "An Act respecting the Identification of Criminals."

The bill was read the first time.

Hon. Mr. MILLS moved that the bill be read a second time on Friday next. He said:

This bill is for the purpose of authorizing certain measurements of criminals with a view to their identification. It is known as the Bertillon system and was introduced in Belgium and known to be a most effective thing.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 26th May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

QUESTIONS OF ORDER.

MOTION.

Hon. Mr. VIDAL having been called to occupy the Speaker's Chair.

Hon. Mr. LANDRY moved :

That an entry be made in the Journals of the Senate of any ruling of the Chair on questions of order, and that the following special ruling given on Monday, the 9th instant, be put upon record, so as it may read as follows, immediately after the word "Debated," in the 44th line of page 386 :—

"And a question of order being raised, the Honourable the Speaker ruled :—

"The SPEAKER—When a minister is asked a question and when he declares to the House that he has answered it, and professes to have answered it fully, I know of no rule by which the Speaker could coerce a minister to answer any more questions, and I believe that all other questions which follow that are entirely out of order."

Hon. Mr. SULLIVAN—What is the meaning of the motion ?

The SPEAKER—The intention of this motion is very plain to every hon. member The object is to have one of my decisions as Speaker overruled by this House, and I hope I may be permitted to say a few words in defence of my own opinion and to lay my views before the Senate. On the 9th of May the hon. gentleman from Stadacona made an inquiry of one of the ministers of the Crown, and not receiving a reply to suit his purpose, he insisted for a little while on an answer and then a long discussion ensued, and finally a question of order was raised and I was obliged to give my ruling as Speaker. The ruling I gave was the one which is referred to in the motion of to-day and reads :

The SPEAKER—When a minister is asked a question and when he declares to the House that he has answered it, and professes to have answered it fully, I know of no rule by which the Speaker could coerce a minister to answer any more questions, and I believe that all other questions which follow that are entirely out of order.

The hon. gentleman for Stadacona, not being satisfied with the ruling—and of course he had a perfect right to object to it and I am not complaining of that—on the 11th of May called the attention of the House to the fact that the ruling I had given on the 9th of May had not been inserted in the proceedings of the House, and he cited some precedents in addressing the House in support of his contention that the ruling should be recorded in the minutes. I was obliged to give another ruling, contending that it was not necessary that the ruling I had given on the 9th May should be entered in the Minutes. The reason I gave was this :

I am of opinion that the cases cited by the hon. gentlemen have no analogy whatever to the case on which I ruled the other day. All the cases which he has just cited were necessarily entered in the Minutes.

I may say in advance that he had mentioned some cases in which the clerk of the House had recorded the reason of the ruling. In all those cases it was on motions presented to the House for second readings or third readings of bills, or on presenting petitions which were opposed on the question of order, and then the ruling of the Speaker was entered in the Minutes, as I believe it should be. Because every time there is a motion, or a petition, or a proceeding before the House, if it is not proceeded with there must be some entry in the Minutes to show why it did not proceed further, but I was of the opinion that when the ruling on a general discussion of a public question, or of an inquiry or question to a minister, that the ruling that may be given then in the course of discussion could not possibly, as I will try to show, be put in the Minutes. I will continue to read what I said before on the subject :

It was necessary for the clerk to mention in the Minutes for what reason the petition or the bill had not been proceeded with ; but in the case where a point of order is raised in the course of a discussion on a public question, or on any inquiry or question put to a minister of the Crown, I have no knowledge of any instance in which the ruling of the Speaker is entered in the Minutes. The ruling of the Speaker appears in the debates because it is necessary always that the discussions be reported at length. But I do not consider now that any decision given by the Speaker on such rulings should be entered in the Minutes and the reasons given for it. I believe the reporting of the ruling in the debates is all that is required. At all events I am entirely at the hands of the House. If the House decides that ruling on all questions in the House should be entered in the Minutes of course it will be done.

Then the hon. gentleman for Stadacona asked : "Then am I to understand that nothing will be done ?" And I answered :

"I believe it should not be done." The hon. gentleman then said: "I shall take the means to have it done." And now, by his motion to-day, he is trying to take the means to have that ruling printed in the Minutes, which would be overruling the decision I gave on the 11th of May. Of course the ruling I made the other day may be overruled, by the House to-day, but I may point out to the House what the result of it would be. I do not think it has ever been done in this House before, or in the House of Commons, or the Commons in England. If such ruling, given by me, was to be entered in the Minutes, it would have to be drawn up by the Clerk at the table, which it is not his duty at all to do, and surely the House would not impose on me the responsibility of the way it would be drawn, as I could not see it until the day after, when it would be printed in the Minutes. If we were to wait till it was corrected or revised, to be sent to be printed in the Minutes we would not have the Minutes until late the day after, and I do not believe the House would stand that. But, besides that, I think I am safe in saying that the ruling I gave on the 9th inst. and the ruling I gave on the 11th were correct, and approved by gentleman who have had more experience than I, and I believe they will support me on that. I can safely appeal to the hon. gentleman who were my predecessors in the chair, that it has never been pretended that the point of order, or the ruling in the course of a discussion on a public question should be entered in the Minutes. To be sure that I was not alone in that opinion, I took the precaution to see the gentleman who is generally admitted to be an authority in the House of Commons and the Senate and I asked him to give me a statement of what was done in the Commons or what had been done in England, and perhaps the House will allow me to read the opinion of Mr. Bourinot, who examined the two rulings I gave to the House. It is as follows:

When the Speaker's decision on questions of Order are formally entered in the Journals of the Senate or the House of Commons.

My attention has been directed to the following notice of motion in the Minutes of Proceedings of the Senate, and I have been asked to state my opinion, whether the change suggested in the proposed motion would be in accordance with the rules and usages that govern the making of the Journals of the two Houses:

"FOR THURSDAY, 19TH MAY, 1898.

"By the Honourable Mr. Landry:—

"May 17—That he will move that an entry be made in the Journals of the Senate of any ruling of the Chair on questions of order, and that the following special ruling given on Monday, the 9th inst., be put upon record, so as it may read as follows, immediately after the word "Debated," in the 44th line of page 386:—

"And a question of order being raised, the Honourable the Speaker ruled:—

"The SPEAKER—When a minister is asked a question, and when he declares to the House that he has answered it, and professes to have answered it fully, I know of no rule by which the Speaker could coerce a minister to answer any more questions, and I believe that all other questions which follow that are entirely out of order."

Before considering the suggestion of entering all decisions of Mr. Speaker in the Journals, I may say that the ruling of the Speaker, as cited, is entirely in accordance with rulings in analogous cases in the English House of Commons. For instance, Mr. Speaker Brandt decided (see Blackmore's "Speakers' Decisions," pp. 272, 280), that "an answer cannot be forced from a member;" that "an hon. member can put a question, but he has no right to insist upon an answer;" that "a minister is entitled to decline on public grounds;" that "when an hon. member has put a question and received such an answer, as a minister acting on his responsibility thinks proper to give, he cannot renew the question." In the Lords, when a series of questions have been deemed objectionable, a noble lord has formally moved that "the question be not put," and the motion has been carried; and, as in the case of all such matters, the words of the question do not appear in the Lord's Journals. Neither do the questions or Mr. Brandt's decisions thereon, as given above, appear in the Commons Journals, but only in the *Hansard* Debates.

The reason why such entries are not made in the Journals of either House is this: only *res gestæ* or proceedings-motions or bills or petitions or returns or other formal matters requiring the action of the House—are ever entered. If, when an order is read, or a petition presented, or a bill moved (in which cases an entry is necessarily made by the clerk at the table,) a question of order is raised as to the regularity of procedure, and it is ruled that such order or petition or bill is irregularly before the House, the clerk also enters the decision in the Journals to show why no further action is taken in the matter in question. For instance, in the Senate, during 1887, the order of the day being read for the third reading of a private bill, an hon. senator proposed an amendment, but it was ruled out of order because no notice had been given of the same under the rules (Sen. Jan. 1887, p. 185). In 1889, a member proposed that the House should adjourn over until a certain day (Sen. Jour. 1889, p. 52), but it was ruled out of order because the motion was special and requested a day's previous notice. In the Canadian Commons Journals, during 1891, four decisions were entered because, in each case the ruling prevented further action in a proceeding duly entered on the Journals in accordance with the ordinary usage of the House. (See pp. 312 345, 411, 526 Canadian Commons Journals, 1891).

I find also the following entry in the English *Commons' Journal* of 1882: "The House, according to order, resumed further proceedings on consideration of the Prevention of Crime (Ireland Bill) as amended in the committee." An amendment was then proposed, and the following entry is made; "And it

appearing that the proposed amendment would throw an increased charge on persons liable to the rate, Mr. Speaker declared the proposed amendment out of order."

In all the cases recorded in the English or Canadian Journals—and in some years there are no decisions at all entered—the entry is made to show how no further progress is made in a proceeding. All the Speaker's decisions arising out of debate must be sought in the Hansard or regular reports of debates, and not in the Journals which are simply records of proceedings (see Bourinot and May where the notes for the most part refer to Hansard). If it should be attempted to record questions or debates, and points of order arising thereon, then the fundamental rules governing the making of the Journals would be broken, and grave inconvenience would arise on account of the disputes that would naturally occur from time to time as to the accuracy of the record. The duty of the clerk, responsible for the Journals, is stated in these words by Hatsell, May and all other authorities. (See Bourinot citing Hatsell, &c., 2, ed. p. 216): "He takes notes of the proceedings, of the *res gestæ*, of the Commons; he is to make true entries, remembrances, and journals of the things done and passed in the House, but it is without warrant that he should make minutes of particular men's speeches." It is clear if decisions on all matters are to be given then the speeches relating thereto would have to be entered, if such decisions are to be made intelligible.

The conclusion to which I come after further study of the whole question—a question on which I have had never a doubt—is that the honourable the Speaker of the Senate decided in accordance with correct usage that the Speaker's ruling cannot be properly entered in the Minutes "in the case where a point of order is raised in the course of a discussion on a public question or on any inquiry or question put to a minister of the Crown." (See Senate Debates, p. 815, 1898.)

JNO. GEO. BOURINOT.

House of Commons,
Ottawa, 21st May, 1898.

I cite this authority, hon. gentlemen, to show that my own opinion was correct. It is now in the hands of the Senate to say if it is of the opinion given by Mr. Bourinot as to the usage which has always been followed, as I think my predecessors in office can agree with me, that it has never been pretended that those rulings on public questions were entered in the Minutes. The hon. gentleman from Stadacona desires that any ruling of the Speaker should be entered in the Minutes. It would be an innovation that would not be a desirable reform in the Senate in my humble opinion. There are some reforms which are certainly more needed than this one, but at all events I leave to hon. gentlemen to decide if the motion is to be carried, and I repeat that, in my humble opinion, instead of improving the rules and usages of this Senate, it would certainly cause great inconveniences.

Hon. Mr. LANDRY—I think the hon. member from Grandville, or Mr. Speaker I must call him since he has resumed his seat, does not look at the question as I view it. He thinks I am seeking to overrule his decision. It cannot be overruled by the motion I make. I do not want to question for the moment the correctness of the decision. I am willing to accept it as correct, but I want it to be entered in the Journals of the House. If it is such a good decision, there can be no objection to placing it on record for our future guidance. Mr. Bourinot's opinion has no bearing whatsoever on the question. He might express an opinion as to whether it is advisable to have those decisions put on our Journals or not, but this is a matter which the Senate can decide for itself, without depending on any outside opinion and I don't see what Mr.. Bourinot has to say in the present instance. It is a matter of discretion with us whether the Speaker's decisions should or should not appear in our journals. If we do not want to put such decisions on record we will not—we will do what we consider proper or convenient, irrespective of Mr. Bourinot's opinion. Since the Speaker discusses his own opinion, I must say that the decision he gave and which is the subject of my motion seems to me very strange. I always thought that when I put a question, that question *in se* is either in order or out of order; and it is not the answer of the minister which determines if my question is in order or not. If the Speaker's view is correct, then it rests with the minister to say whether any question I may put is in order or out of order; he has only to say that he has answered it, even though he has not done so, and his answer will put my question out of order. It would be the decision, not of the Speaker, but of the minister himself; the moment the minister says that he has answered me, my question becomes out of order. That is the way I take the decision. What I want is to have that decision recorded in the Journals, and there is no power to prevent me getting it on the Minutes. Should my motion be lost, such a fact must enter our Journals. Carried or lost, in either case it will be recorded in the Minutes with the decision it recites, and that is what I want.

Hon. Mr. SCOTT—The hon. gentleman assumes that a minister is bound to answer questions. Now he is not. I read the authority the other day, not from Bourinot but from Todd, in which it is pointed out

very clearly that questions stand on an entirely different plan from motions. A motion is a matter the House votes on, but a minister is not bound to answer questions as a rule.

Hon. Mr. LANDRY—No, I understand that.

Hon. Mr. SCOTT—And he may decline. The hon. gentleman may bring it up as a motion of want of confidence in the government, or in the individual, or a reflection on the minister because he did not answer the question. That is laid down perfectly clearly in all the authorities, and there are a number of authorities cited in Todd. Todd says:

> Numerous precedents can be cited where ministers of the Crown and other members have declined to give any answer to questions which they considered to be unnecessary, inexpedient, unusual, impertinent or as involving matter of too much gravity to be dealt with by way of reply to a question.

Hon. Mr. McCALLUM—The hon. gentleman is out of order.

Hon. Mr. SCOTT—This is a matter which the hon. gentleman from Stadacona brought before the House.

Hon. Mr. McCALLUM—The hon. minister is out of order.

Hon. Mr. SCOTT—What is the point of order?

Hon. Mr. McCALLUM—It has no bearing on the questions. We all agree to the Speaker's ruling. The question before the House is, Shall it be entered on the Minutes? That is the question, and the hon. gentleman is out of order in bringing up another question, of what answer he should give. It is not before the House at all.

Hon. Mr. SCOTT—Questions stand on an entirely different plane from motions.

Hon. Mr. McCALLUM—This is a motion before the House, whether we shall put this ruling on record or not, as I understand it.

Hon. Mr. POWER—As I understand the proposal made by the hon. gentleman for Stadacona, it is that we shall alter the rules of the House and that we shall have as a rule of the House that an entry be made in the Journals of the Senate of any ruling of the Chair on questions of order.

Hon. Mr. McCALLUM—Have you any rule of the House that it should not be done now?

Hon. Mr. POWER—If the hon. gentleman shall allow me, I will try and make the matter clear. The hon. gentleman who has introduced this resolution said that we were a law unto ourselves, that what Bourinot, who is regarded as an authority on parliamentary procedure, said did not concern us, and that this House could make its rules to suit itself. Of course, hon. gentlemen, in one sense that is true, but on the other hand, this House is like other houses of parliament, and it must be guided by precedent and parliamentary principles. There is no House in England or in any English-speaking colony, as far as I know, where any such rule exists as the one which the hon. gentleman proposes should be adopted here. If he was of opinion that it was desirable to alter the rules, I submit that this is not the best way to have it done. The uniform practice of this House in the past, where it was thought desirable that a rule should be altered, has been to refer the question to a select committee to consider and report on the matter, and if the hon. gentleman from Stadacona was able to make out even a *prima facie* case in favour of adding this rule to the rules which we already have, I think the proper course for him to adopt would be to move that the matter be referred to a committee. However, there is no reason why we should alter our rules. The hon. gentleman has complained that the rules do not appear in the Minutes and that, therefore, we have not the record to refer to. But the references do appear in the Hansard, which is an official record of the debates of the House, and any hon. gentleman could refer to the debates and find the Speaker's ruling there, and as a matter of fact, it is more convenient to refer to the debates than to the Minutes, so that really no one suffers any inconvenience and there is no harm done. The ruling of the Speaker goes on record in the debates and if that were not the case the hon. gentleman would not have been able to bring this matter before the House. He has been able to give us the very language used on the occasion. The language is reported by the official shorthand writers of the Senate and appears in our debates. That is so far as regards the

general theory of the matter. His Honour the Speaker has referred to the authorities cited by Bourinot. I have looked into some of the authorities, and found that they bear out Bourinot's opinion. I shall not undertake to cite the authorities which his Honour quoted. I just refer to the 10th edition of May, which is quite as good an authority as Bourinot. At page 196, speaking of the Journals of the House, May says:

> These records are confined to the Votes and Proceedings of the House.
> Without any reference to the debates.

This question arose during a debate and it had really nothing to do with the proceedings of the House, and May goes on to say:

> The earlier volumes of the Journals contain short notes of speeches which the clerk has had made without the authority of the House, but all the later volumes record nothing but the *res gesta*.

It can be understood that in the days when there were no shorthand writers and no official reports, it was convenient that the clerk should make minutes of the debates, but since the introduction of shorthand reporting, that is never done at all. I have looked at the cases in the Commons Journals in 1891, and I find that they are all of the character indicated by Bourinot. They are cases of amendments to motions before the House being ruled out of order, because no notice was given. There were amendments to bills, and the rule of the House required that notice should be given, and no notice had been given, and those amendments were ruled out of order; and that was necessary, otherwise the Journals would not show what had become of the amendment. The amendment is moved and appears in the Journal. It is the duty of the clerk to take it down and the vote on that amendment must appear, and if it is ruled out on the ground that it is out of order that must appear in order that the Journal may be a record of the proceedings of the House on the bill, or petition, or whatever it may be. Then, in Bourinot's second edition, page 216, the same principle is laid down as is laid down in May. Supposing that the authorities were not as they are, and that the practice was not as it had been, looking at the thing as though there had been no question or practice before hand, I think every hon. gentleman must see how impracticable it would be to do what the hon. gentleman from Stadacona wishes to have done. As it is now, the clerks at the table are engaged with their own duties. They have charge of the bills, they have charge of the motions which are made in the House and they have charge of the petitions, and are busy with those. If the rule suggested by the hon. member were to become a rule of the House, it would be the duty of the clerks to listen to the debates and to be prepared at any moment to take down the exact words used by an hon. gentleman who gave rise to a question of order. That would be necessary in order to make the Speaker's decision intelligible; and then it would be the duty of the clerk to try to take down verbatim the Speaker's decision. I think every hon. gentleman must realize that that would be quite impracticable and exceedingly inconvenient. In fact, we should have another clerk at the table for the express purpose of dealing with questions of order when they arose. It is quite unnecessary, because the shorthand reporters take the exact language used, and it is convenient for reference, and I trust the House will not introduce such a startling innovation as would be caused by the adoption of this rule. The hon. gentleman from Stadacona having, as he says, gained his end, and brought his question before the House and got it on the Minutes, I trust that he will not press the matter any further, and will not ask the House to vote upon the question.

The motion was declared lost on a division.

TRAVELLING EXPENSES OF MEMBERS OF THE GOVERNMENT.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. How much did each of the voyages cost which were undertaken in 1897 by various members of the present administration to Europe, to the United States or elsewhere?
2. Are these travelling expenses the expenses incurred by each of the members of the administration individually, or do they comprise the expenses of a private secretary or of any other persons composing the following of each such member of the administration?
3. Who are the members of the administration who were accompanied by their private secretaries?
4. Who are the members of the administration who had in their service other persons than a private secretary, and in what quality were those persons employed?

Hon. Mr. SCOTT—I sent the hon. gentleman's inquiry to the several members of the government who had left Canada last year, and whose names I gave him on a former occasion, and I will now advise him of the answers I received from them. From Sir Wilfrid Laurier I received a reply that he could not at the moment give the exact figures, but the amount could be had from the Auditor's General's report when it was published. To the second question, the premier replied that he was accompanied by his secretary to Washington and London, and the accounts of the secretary will no doubt appear in the Auditor General's report. Mr. Dobell answered that he went to England on fast line business, and his expenses were $350. Sir Richard Cartwright sent an answer to say that he had his secretary with him to Washington, and the cost was $443.68—the joint cost. Sir Louis Davies was in England for some time and had a secretary with him. He was there attending to the Belgian and German treaties when the matter was argued with the Colonial Office, and also the argument on the fisheries and the questions arising out of the dispute over the Behring Sea, and his expenses were $1,211.81, private secretary's expenses $460.69. Those are the only answers I have got. One or two gentlemen said they were unable to give any answer and the accounts would appear in the Auditor General's report at the proper time.

Hon. Mr. LANDRY—The premier did not give any figures at all ?

Hon. Mr. SCOTT—No, he could not recall them.

Hon. Mr. LANDRY—And Mr. Fitzpatrick ?

Hon. Mr. SCOTT—I have no memo. from him.

Hon. Mr. LANDRY—You forgot him.

Hon. Mr. SCOTT—I sent him a communication and he gave me no answer.

Hon. Mr. LANDRY—Well, he forgot.

BEAVER LINE MAIL COMPANY'S CONTRACT.

MOTION.

Hon. Mr. LANDRY moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the Senate, a copy of the contract between the government and the Beaver Line Company for the carriage of the mails across the Atlantic, together with all memorials, letters, correspondence whatsoever connected with the said contract or its execution, or bearing upon the refusal of the company to allow its boats to stop at Quebec.

Hon. Mr. MILLS—There is no objection.

The motion was agreed to.

THE EQUIPMENT OF THE MILITIA.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. Did the Minister of Militia, when in England, cable authority to adopt the Oliver equipment ? If such is the case, what is the wording of the cable ?
2. It being reported that the Oliver equipment, as adopted, is materially different from the model sets sent for testing purposes, and further, that such an equipment is not the same as that reported upon by Major General Gascoigne, to what extent, in what particulars and on whose authority and recommendation has such a change been made ?
3. Does the price of $5,000 given for the rights of Deputy Surgeon General Oliver's equipment include a full settlement, or will he, in addition, receive a royalty on each set made ?
4. What is the name of the firm who are to manufacture the equipment ? What is the price per set ? What are the names of the shareholders in the company or companies who are to manufacture the equipment ?
5. When were the ten sets of the Lewis equipment delivered to the militia authorities ? When were they sent by them to the regimental depots of Royal Regiment of Canadian Infantry ? If there was a delay of three months in the distribution of those sets, why was this delay permitted to take place, and was General Gasgoine aware of this fact ?
6. Was any letter sent to the Honourable Minister of Militia by Captain Ernest F. Wurtele ? If so, why such letter or letters have not been produced in the return ordered by this House in connection with the equipment of the militia force ? Will they be produced ?

Hon. Mr. SCOTT—I was under the impression that it had been sent from the Militia Department to the Department of Justice, but I find that it has not been. I will make further inquiry on the subject.

The motion was allowed to stand.

TAXATION OF CANADIAN PACIFIC RAILWAY LANDS IN THE NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. BOULTON inquired of the leader of the Senate :

If notice has been given to the Canadian Pacific Railway Company to select their land grant before the expiration of the term of twenty years exemption of taxation, under the statutes incorporating the company ?

Hon. Mr. MILLS—No such notice has been given. The subject is under consideration of the government and no doubt will be attended to immediately after the House rises.

COMPANIES ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. SCOTT introduced Bill (S) "An Act to amend the Companies Act." He said: The object of the bill is to enable joint stock companies that are chartered, either in Great Britain or in other countries outside of Canada, and which are authorized by their charters to carry on the business of mining, on filing a certified copy of their charter with the Secretary of State, to obtain a license to carry on mining operations in the Yukon district. The question was put in the other House, and a suggestion was made to the Minister of the Interior that it would be convenient, as there were already mining companies that had charters in existence, that on their filing certified copies of their charters and satisfying the government that they were properly incorporated they might be allowed to come under the regulations affecting free miners in the Yukon district. It is simply to allow them to take out a free miner's license.

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time to-morrow.

Hon. Sir MACKENZIE BOWELL—Should not the same principle apply to other portions of the Dominion as well as to the Yukon? If a company regularly incorporated in England wishes to take out a miner's license in the North-west Territories, for instance, should it not be allowed to do so?

Hon. Mr. SCOTT—In British Columbia we would have no control. We can only control the licenses in the territories belonging to the Dominion. It was not considered desirable to widen it to any part of the territories beyond the Yukon. In the regulations issued by the Department of the Interior, the statement appeared that incorporated companies might take out miners' licenses in their own names. This bill is to carry out that purpose, to enable them to take out a free miner's license on paying the regular fee, which will be fixed by the Governor in Council.

Hon. Sir MACKENZIE BOWELL—The provisions of this bill might be extended to all portions of Canada where the Dominion controls the mining. There is nothing, I understand, in the existing laws to prevent a regularly incorporated company, organized anywhere in the British Empire, coming here and carrying on mining operations, as a company, in the same manner as individuals are doing; but if there is any advantage in this legislation to outside companies who desire to mine in Canada, I would suggest that it might be extended to the North-west Territories.

Hon. Mr. SCOTT—My objection to that is that it would affect the fees of the department. We are receiving a good deal in fees, and if companies could be organized on the other side for ten or fifteen dollars to mine in Canada, it would not be desirable to give them the same rights that are accorded the companies which are organized in Canada. It was rather because the statement in the regulations to which I have referred had been scattered broadcast through the world that this legislation has been introduced, and the government have no desire to widen it.

The motion was agreed to.

SOULANGES CANAL CONTRACT.

INQUIRY.

Hon. Mr. KIRCHHOFFER—On behalf of the hon. member from Calgary (Mr. Lougheed), who is absent, I have been asked to inquire if a certain return with reference to the Soulanges Canal, for which an order of the House was made some time ago, has been brought down—if not, whether the Secretary of State will take steps to bring it down as soon as possible?

Hon. Mr. SCOTT—The Department of Railways and Canals was written to and requested to furnish them. I will make inquiries on the subject.

SECOND READINGS.

Bill (97) "An Act to incorporate the North Shore Electric Railway Company."—(Hon. Mr. Owens.)

Bill (81) "An Act respecting the Montreal and Southern Counties Railway Company."—(Hon. Mr. Owens.)

GENERAL INSPECTION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (128) "An Act further to amend the General Inspection Act." He said: This is practically a bill now of only one clause, and the effect of it is that where an article is inspected it shall be so branded that it becomes perfectly plain that it is of Canada make, and the letters V.R. are inscribed on it. The bill originally embraced a number of clauses making the inspection of certain articles compulsory, but they were all struck out in the House of Commons and of a very long bill this is the only clause that was left. It simply makes the inspection permissive, and wherever the inspection is made, it must be made by a proper officer and the letters "V.R." and "Canada inspection" must be inscribed on the article itself to show its origin.

Hon. Sir MACKENZIE BOWELL—I have not looked at the bill with its amendments, and therefore ask the Secretary of State whether this inspection applies to all articles which are to be inspected.?

Hon. Mr. SCOTT—Any article that the producer or owner desires to have inspected he may have inspected. It is only permissive. If he desires to have it inspected it must be inspected by an official who has the authority to inspect.

Hon. Sir MACKENZIE BOWELL—And this evidence of inspection put upon it?

Hon. Mr. SCOTT—Yes, and no one else is permitted to inscribe the letters "V. R." or "Canada inspection."

The motion was agreed to, and the bill was read the second time.

MILITIA ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (140) "An Act further to amend the Militia Act." He said: It has been ascertained from high authority that in order to secure an officer of high standing for the position of major general in the militia, it is necessary to increase the amount that has been allotted to him, and the clause does so to the extent of giving him allowances not exceeding $2,000 per annum, as may be determined by the Governor in Council. The words of the clause are similar to section 37 of the Militia Act down to the words "per annum," and then those words are added, "and in addition thereto, in lieu of allowances such sum, not exceeding $2,000 per annum, as is determined by the Governor in Council." As it was before, it was $4,000 per annum in full of all pay and allowances. That is the change at the present moment. We have been advised that in order to secure an officer of such standing as head of the militia force, it would be absolutely necessary to give him this allowance.

The motion was agreed to, and the bill was read the second time.

BILL INTRODUCED.

Bill (121) "An Act respecting the prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors."—(Hon. Mr. Scott.)

DELAYED RETURNS,

INQUIRY.

Hon. Sir MACKENZIE BOWELL—Before the adjournment is put I should like to ask—and I do not like to be considered a scold—when I am to have the balance of the returns relating to dismissals? The Printing Committee have had certain returns under consideration, and they wish to adopt, as I understand it, the principle which has prevailed for some time past in referring voluminous returns of that kind to a special committee, of two or three, in order to eliminate all which might be considered unnecessary in the printing; for instance, in the same returns there are some thirty or forty or fifty commissions—one copy of those may be sufficient. It might be referred to, I understand, as a sample of the whole; but it is impossible even to compile it in small parts until all the returns are brought down. If there are departments in which there were no commissions, or no dismissals took place, all that would be necessary would be to say there are none; but in the Public Works we know there have been several commissions for the investigation of alleged improper conduct of officers and officials, and

many dismissals have taken place. I do not wish to be continually calling the hon. gentleman's attention to this, but I should like very much, if we are ever to have them, to have them soon.

Hon. Mr. SCOTT—I was under the impression that the return had been completed. It was my deputy who was looking after it. I had spoken from time to time to him about it, and he assured me that we had obtained the returns from the Department of Railways and Canals. I asked him about the others, and he said that there were no commissions.

Hon. Sir MACKENZIE BOWELL—If there were none in the Public Works Department, we might dispense with a return, but we know there have been a number of dismissals.

Hon. Mr. SCOTT—I will have an inquiry made immediately and will be able to advise the hon. gentleman to-morrow.

Hon. Sir MACKENZIE BOWELL—Of course the hon. gentleman understands me, that if there were no dismissals in a department, the official can simply put in the returns that there were none, and that can form part of the record.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 27th May, 1898.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

CANADA EASTERN RAILWAY COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BAKER, from the Committee on Railways, Telegraphs and Harbours, reported Bill (94) "An Act to authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Manufacturing Company," with amendments.

Hon. Mr. POWER moved concurrence in the amendments. He said:—The first amendment is merely verbal, correcting a date. The citation in the preamble of the Bill refers to the statute of New Brunswick of 1897, and it should be 1898. The other is an amendment to the first clause, and is intended chiefly to protect the rights of parties, who have had dealings with the Alexander Gibson Manufacturing Company in the past. There is nothing objectionable in the amendments.

Hon. Mr. WOOD—I understand from the gentleman who has charge of the bill that there is no objection to it, and I move that the 70th rule be suspended, so that we can take the third reading of the bill to-day. I may say, in explanation, that the solicitor of this company is in the city waiting for the bill to pass the House. He has seen the Minister of Railways, who has promised to facilitate its passage in the other House. He is anxious to have the bill put through, as he desires to make some financial arrangements as soon as it becomes law.

Hon. Mr. POWER—I have no objection.

The motion was agreed to.

Hon. Mr. WOOD moved the third reading of the bill.

The motion was agreed to, and the bill was read a third time and passed.

ANGLO-FRENCH TELEGRAPH COMPANY'S PETITION.

REPORT FROM COMMITTEE ON STANDING ORDERS.

Hon. Mr. MACDONALD (B.C.) presented the report of the Committee on Standing Orders relative to the petition of the Anglo-French Telegraph Company. He said: This report referred to a very important matter; it is for the laying of an electric cable from Vancouver to Dawson City in the Klondike country. I therefore move that the 50th rule of this House be suspended with regard to this petition.

The motion was agreed to and the report was adopted.

THIRD READING.

Bill (117) An Act to incorporate the Klondike and Dawson City Bank.—(Hon. Mr. Clemow.)

IDENTIFICATION OF CRIMINALS BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (R): "An Act respecting the Identification of Criminals."

He said: This bill is for the identification of criminals by certain measurements according to the Bertillon system. It has been found by those engaged in the supervision of criminals to be the most perfect system yet adopted for the identification of criminals, and we think it is important to introduce the system in Canada, and to see that it is properly applied in the case of all persons who have been convicted of crime. We hope under this system that we will be enabled to trace parties who have been confined in prisons and penitentiaries after they are discharged, and have no difficulty in identifying them notwithstanding any change of name which they may adopt. It has been found to work very satisfactorily in other countries where it has been adopted, and I see no reason why we should be behind other countries in this regard.

The motion was agreed to and the bill was read the second time.

GOVERNMENT OF YUKON DISTRICT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (P) "An Act to provide for the Government of the Yukon District."

In the Committee.

Hon. Mr. PERLEY—Does this Yukon District include any part of the territory of Athabasca?

Hon. Mr. MILLS—No; my hon. friend will see that it lies to the north of British Columbia. The boundary of it does not extend any further south than the northern boundary of British Columbia. It does not embrace any portion of Athabasca. There is no territory left intervening between the Yukon District and British Columbia. It extends westward to the 141st parallel and northward to the Arctic Ocean. The eastern boundary runs in a south-easterly direction until it touches the boundary of Athabasca.

Hon. Mr. BOULTON—Does it take in the Mackenzie River?

Hon. Mr. MILLS—No; it touches the western boundary of the mouth of the Mackenzie River.

On the third clause.

Hon. Mr. PERLEY—What salary will the commissioner receive?

Hon. Mr. MILLS—We have not fixed the salary—in the bill at all events. There will be an appropriation made in the estimates for the salary.

Hon. Mr. PERLEY—Will this commissioner be supposed to devote his whole time to his office, or will he engage in any other business?

Hon. Mr. MILLS—No, we do not expect him to engage in any other business. We expect him to devote himself to the duties of his office. They will be quite sufficient to occupy his time.

The clause was adopted.

On the 4th clause.

Hon. Sir MACKENZIE BOWELL—I called attention at the second reading of this bill, to what I considered the extraordinary power given to the Minister of the Interior in this clause. If I read it correctly, he has just as much power as the Governor in Council. It strikes me that he should only exercise that power which is given to him by the Governor in Council. In order to make the clause plain, I suggest that there should be added, after the word "Interior," the following, "acting under them," or "acting under the Governor in Council," as you please. I quite concur in the views and intentions of the one who drafted the bill, as explained by the hon. minister the other day—that is, that the Minister of the Interior should only act as instructed by the Governor in Council, but any one reading this clause will see that it says "the commissioner shall administer the government of the territory under instructions from time to time from the Governor in Council or the Minister of the Interior," giving just as much power to the Minister of the Interior as it gives to the Governor in Council.

Hon. Mr. MACDONALD (B.C.)—Strike out those words "or the Minister of the Interior."

Hon. Sir MACKENZIE BOWELL—You could do that, or you could say "acting under the Governor in Council."

Hon. Mr. MILLS—My hon. friend will readily apprehend the difference between the two. The functions of the Governor in Council, under the provisions of this bill, will be determined by the nature of our system of government, and the same way with regard to the functions of the minister. It is a matter which my hon. friend knows has been settled, and although it would be very difficult in a statute to undertake to define the line and say what functions belong to the Minister of Interior and to the Governor in Council, the principle on which the division of authority is made is fairly well understood. There are a great many things the minister can do without going to the Governor in Council at all. He does them under the authority of the patent which he received from the Crown. Take the matter of the administration of the public domain in that country; the Minister of Interior may find it convenient to give instructions to the commissioner with regard to the issuing of licenses with respect to mining and so on. The Governor in Council, having already determined, for instance, the question of royalty and the area that shall be included within the grant made to any party for the purpose of carrying on operations, the minister may give instructions to the commissioner to see that that law is administered. He may require him to do certain things in connection with the administration of the law which he would be permitted to do in the North-west Territories. He would not refer the question to the Governor in Council at all, nor would he seek to obtain instructions from them. My hon. friend knows the line of distinction which exists between the functions that devolve on the Minister of the Interior in the instructions which he gives to the Lieutenant Governor, and the instructions which the Governor in Council may give, and we simply undertake to preserve that freedom which has always existed in this matter. The same provisions will be found in the North-west Territories Act and in the Keewatin Act, and it seems to me that if the Minister of the Interior would be inclined to undertake the discharge of any of those duties which, under the practice, are held to belong to the Governor in Council, his colleagues would see that that was not done. But it would be a very inconvenient thing if he had to refer every little matter to the Governor in Council. I am inclined to think that there are a great many things that, in the course of long years, have been done by the Governor in Council which could be better done departmentally, and I would not like to interfere with the freedom which is found very convenient in the distribution of authority between the minister acting authoritatively and the Governor in Council acting in a somewhat larger and different capacity.

Hon. Mr. SCOTT—The language is, word for word, the same as in the North-west Territories Act:

> The lieutenant-governor shall administer the government under instructions from time to time given him by the Governor in Council or by the Secretary of State.

The only change is the substitution of the Minister of Interior for the Secretary of State.

Hon. Sir MACKENZIE BOWELL—My objection to that, is, that the governing of the North west Territories and the governing of the Yukon district are altogether dissimilar in character, and for that reason I do not think the Minister of Interior should have the unlimited power which this clause gives him. If my hon. friend will take the trouble to read the patent obtained from the governor in appointing a Minister of Justice, he will find there is no provision such as he has indicated. All that he is asked to do by that commission is to perform the duties of his office. And in the obligation which he takes, it is simply to perform his duties to the best of his ability, pertaining to that office, and nothing more. The Minister of Interior, under the present law, so far as it affects the North-west Territories or Manitoba, has no power to deal with the Dominion domain or with the regulations other than those powers which are given to him by the statutes and by the Lands Act. He has no authority to divert or change the provisions of the laws, to which I have referred, in the slightest degree. There is power, however, given under certain circumstances to remit or to grant patents that would not otherwise be granted if the law or the regulations were strictly adhered to. In such cases he has to report to the council and

get the approval of the Governor in Council, before he can give the patents for the land in question. I am sorry to say that the government are adopting the policy of allowing the head of each department to be almost supreme, and consequently, coming in conflict with each other continually, a fact of which we have had evidence in this House when questions have been asked, and discussions have taken place upon the acts of the different heads of departments; we have found one minister taking one view and another minister taking the other, and we have constant conflicts not only of opinion, but in declaration of what has been done, even by the gentlemen opposite, since the opening of this House.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—A shake of the head does not alter the fact. What I want to press upon the mind of my honourable friend is this: I do not desire to minimize the power of the minister, but my experience has taught me that it is one of the greatest safeguards to the head of any department, when an extraordinary case arises which requires his attention, that he should not act off his own bat, but that he should have the approval of the thirteen gentlemen with whom he is associated, before he attempts to carry out any individual views he may have, or give instructions to carry them out. What I ask my hon. friend and the House is this: does not this clause give to the Minister of the Interior just as much power and just as much authority in the government of that country as it does to the Governor in Council? If it does not, then my contention amounts to nothing. I know that my hon. friend says this: "the intention of the law is that the minister, in carrying out the details of his office as affects the government of that country, should not be interfered with." I agree with him that that should be the intention of the law, and no doubt is, but the question is, does the law confine him to that, or does not the clause give him full, absolute power and authority under the constitution—if I may so term this bill—as it gives to the Governor in Council? If it does not, my argument amounts to nothing; but in reading the clause, I think it does; and with all due deference, I differ in toto from the Minister of Justice as to the functions of heads of departments, and I predict this, that if the government continue the system which they are carrying out at present, before five years roll along they will have got themselves into a mess that they would rather not have to explain to the country. I would suggest that the clause should make the Minister of Interior act under the instructions of the Governor in Council. If I were the Minister of Interior, I would much rather have it that way than to have to undertake all that by myself. Therefore I move that the words "acting under them" be added after the word "Interior" in the 4th line of the 4th clause.

Hon. Mr. MILLS—My hon. friend is certainly labouring under some mistake. In the first place, my hon. friend has read from a statute of the North-west Territories, but it is just precisely the same as this. The Secretary of State performed those duties under that statute. The Minister of the Interior performs them under this. It is just the substitution of one minister for another. In every other respect the clauses are exactly the same. Now, as I said before, the functions of the Governor General in Council, with reference to the instructions which they give, are different from the functions of the Minister of the Interior with reference to the instructions which he gives. The Minister of the Interior has no prerogative rights at all. His powers are powers that are derived from the statute creating the office, defining its functions—derived from some Order in Council where the power of prerogative is conferred upon him by the Crown. Now my hon. friend will see that there are, as I have pointed out, in the discharge of his official duties, certain functions which he has to perform for which he does not require any Order in Council. Some of these functions are statutory. Where they are statutory the Order in Council could not override the statute and could not minimize the authority which the statute confers upon him. That is perfectly clear; and so the only form in which this can stand in order to prevent friction and difficulty is the form in which it is now. This form has had the approval of a good many ministers; it is copied from expressions which have been in use for I suppose a period of twenty years, something over that, and neither Mr. Blake, Sir John A. Macdonald nor Sir John Thompson, all

thoroughly competent men, suggested any change in this particular. Now, you do not want, if you had the power, to make it necessary that the Minister of the Interior should go to the Governor in Council for everything it is necessary he should do in the administration of his office. While he is within the law he ought to be at liberty to give the instructions which the law permits him to give, and if he is outside the law his colleagues will not be long in discovering it, and seeing that when he undertakes to discharge duties entrusted to the government at large, his mistakes in that respect will be at once corrected. I think the clause is right as it is. It is in the same form as the law has been, at all events, since 1871—twenty-four years—and it is not in the public interest in this regard that it should be changed, and I hope my hon. friend opposite will not insist upon any amendment.

Hon. Mr. MACDONALD (B.C.)—I would point out that in the case of the Yukon District it is an unorganized district. In this case the minister would be a law unto himself, and he could pass his own laws and do what he would like, whereas in the North-west Territories, which has been referred to, he works within certain Acts of parliament and his work is prescribed, but here he would have a free hand in governing the territory as he likes.

Hon. Mr. MILLS—My hon. friend knows, so far as that territory is concerned, it has been nominally under the control of the North-west Territories.

Hon. Mr. MACDONALD (B.C.)—This bill will cut this off from the North-west Territories and there is no law.

Hon. Mr. MILLS—My hon. friend is wrong in saying there is no law; the laws of Canada and the North-west will extend there as they do at present. If an offence should be committed there, that offence would be tried according to the laws of Canada and the North-west Territories, as they exist at the present moment, and the Yukon government, when created, will take over that country with the law that exists at this moment, and the law which exists at this moment will continue to be the law until there is some legislation here by statute or there by ordinance.

Hon. Mr. SCOTT—If the hon. member would read the subsequent clauses of the bill he would see that the Minister of the Interior has no power such as he says. Section 6 declares:

> The commissioner in council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the North-west Territories, acting by and with the advice and consent of the Legislative Assembly thereof to make ordinances for the government of the North-west Territories, except as such powers may be limited by order of the Governor in Council.

The Minister of the Interior cannot override that in any particular. Then again in clause 7:

> A copy of every such ordinance made by the commissioner in council shall be despatched by mail to the Governor in Council within ten days after the passing thereof, and shall be laid before both Houses of parliament.

It will be seen, therefore, that the power is centered in the commissioner in council. Then the next clause:

> Subject to the provisions of this Act the Governor in Council may make laws for the peace, order, and good government.

Then again, section 9:

> Subject to the provisions of this Act, the laws relating to civil and criminal matters as the same exist in the North-west Territories at the time of the passing of this A t, shall be and remain in force in the said Yukon Territory in so far as the same are applicable there until amended or repealed by the Parliament of Canada or by any law or ordinance of the Governor in Council or the Commissioner in Council made under the provisions of this Act.

Hon. Sir MACKENZIE BOWELL—Then if the hon. gentleman's contention is right, there is no necessity for this provision.

Hon. Mr. MILLS—Because he requires to give instructions to all officers who are acting under him.

Hon. Sir MACKENZIE BOWELL—That can be done under order in council as well as on the minister's own responsibility.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Yes. Take the Customs department for instance; there are thousands of letters written to the different officers, and so it is with every department, but that power is conferred on the minister, and confined to instruction, as to administration.

Hon. Mr. BOULTON—I do not think that this is analogous to the appointment of the Secretary of State. The Secretary of State is the secretary of the government, and he has nothing whatever to do with the territory at all, and is, so to speak, a correspondent in regard to any matters pertaining to it. Now, the Minister of the Interior is the minister who has charge of the whole of that department, the administration of all the lands and the administration of all the mining, and everything else. This clause gives power to the Minister of the Interior to instruct the commissioner what he shall do. Now, if there is one complaint more pronounced than another coming down from the west, it is this: If you want to get a mining license or anything of that kind, go down to Ottawa; there is no use applying for them out west on the lands where they are; all that kind of thing is done down here. Now, if people come down from the mining regions, the Minister of the Interior has the power to instruct in his department what the commissioner shall do in regard to such and such things, the distribution of mining licenses or anything else. I do not think that the position is at all similar to the appointment of the Secretary of State, and it would be far safer if the Secretary of State were put in the place of the Minister of the Interior.

Hon. Mr. MILLS—My hon. friend is mistaken. The functions are the same. The Secretary of State held, when he was the officer, towards the government of the territories pretty much the same relation, or a relation analogous to that, which the Colonial Secretary holds to the colonies. In this country these functions have been devolved on the Minister of the Interior some times, and some times on the Secretary of State—it depends altogether on what the party who prepared the Act, had specially in view. The Secretary of State is the organ of communication between all the departments and the government, and he may also be made the organ—and he was when the statutes were consolidated—of communication between the government here and the Lieutenant Governor of the North-west Territories in respect to the discharge of his duties. From 1874 until, I think, 1882, the duties devolved on the Minister of the Interior; then, when the statutes were consolidated, I find that the Secretary of State was named, and subsequently the duty was again imposed upon the Minister of the Interior, specially, I suppose, because in the administration of the public domain, or the payment of the public moneys to the government of the North-west Territories for their local necessities and for other purposes, it was thought desirable by some ministers and some governments that the Secretary of State Department ought not to be made a large spending department, and so the duty was conferred on the Minister of the Interior. Whether it be on one or the other, my hon. friend from Shell River is confining his view to the ordinary functions of the Secretary of State, but in this case that is not the sole thing to be kept in view. There is the question of government as well as the question of official communication, and it was thought desirable to revert to the practice, which had existed in the first instance of making the Minister of the Interior the administrative officer. My hon. friend will see that in this there is no change whatever in the practice. There is no enlargement of the functions of the Minister of the Interior. The same words are used, and if one wants to see the nature of the instructions given by the Minister of the Interior, he must look to see the relations between that minister and the officer responsible for the discharge of the duties.

Hon. Mr. PERLEY—I have listened carefully to the discussion, and am more convinced than ever of the importance of the suggestion made by the leader of the opposition. The fact is, there is no analogy between the two countries to be governed. One is inhabited by British subjects; while the condition of things is entirely different in the Yukon district where, I understand, from the Minister of Justice himself, probably nine-tenths of the people are aliens. It is important, to my mind, that all instructions that are given that commissioner from Ottawa should be carefully considered, and we know that the Minister of the Interior is a very useful member of the government, but there are many other ministers in the government who have had more experience and who are greater statesmen than he is. And inasmuch as that is a country that is largely populated by foreigners, it is most important that the instructions should be well considered before they are issued, and I quite concur in the amend-

ment suggested, that he should not alone have that power. It would be an easy matter for him to consult with his colleagues and have the matter fully considered. No harm would be done, and it would be in the best interests of the government themselves.

Hon. Mr. POWER—At first I was disposed to concur in the view of the leader of the opposition and the hon. gentleman who has just spoken, but after hearing the discussion, I have come to the conclusion that it would be a mistake to strike out these words, as is proposed by the amendment.

Hon. Sir MACKENZIE BOWELL—There is no proposition to strike anything out.

Hon Mr. POWER—Practically the proposal is to strike out the words "Minister of the Interior."

Hon. Mr. BOULTON—No.

Hon. Mr. POWER—The hon. gentleman says no, but practically it comes to the same thing. If you say he shall not do so and so except by the direction of the Governor in Council, then there must be instructions of the Governor in Council and the neater way would be to strike out the words "Minister of the Interior." However, that is a mere matter of form. I find it is not proposed to make any change in the law at all. This Yukon country comes under the jurisdiction of the Minister of the Interior, and under the law as it stands now, the minister has exactly the same power which he is given by the fourth clause of this bill. I turn to chapter 22 of the Revised Statutes, an Act respecting the Department of the Interior, and I find that the third section of that Act reads as follows:

> The Minister of the Interior shall have the control and management of the affairs of the North-west Territories.

The proposal is simply to provide that the commissioner shall administer the government of the territory under instructions from time to time given him by the Governor in Council. You might insert the words "in matters to which the minister's jurisdiction extends." In the general administration of the government, the commissioner is controlled by statute law and by the instructions given by the Governor in Council, but in matters merely of administration the minister is allowed to administer his own department. That is done in the case of every department. Every minister has a right to direct his subordinate officers, and I think it would be an awkward and inconvenient thing to provide that, with respect to this particular piece of territory, the minister should not have the same rights which he has with respect to the other portions of the North-west Territories. The practical inconvenience would be very considerable, and I find that in the 6th section of chap. 22 of the Revised Statutes it is stated that the Minister of the Interior shall annually lay before parliament, within fifteen days after the meeting thereof, a report of the proceedings and transactions and affairs of the department during the year next preceding. If anything the minister has done has escaped the notice of his colleagues, it will come before parliament when his report is submitted; and I take it there is no danger of any one-man power being exercised.

Hon. Sir MACKENZIE BOWELL—That is like locking the stable after the horse is stolen.

Hon. Mr. KIRCHHOFFER—I should like to ask my hon. friend whether, under the powers granted by this bill, the Minister of the Interior would have the power to build the Yukon Railway and make no announcement till next session?

Hon. Mr. SCOTT—Oh, no, he would not.

Hon. Mr. KIRCHHOFFER—If I receive an assurance to that effect, it will ease my mind very much.

Hon. Mr. PRIMROSE—Does the hon. leader of the opposition withdraw the amendment?

Hon. Sir MACKENZIE BOWELL—Yes. I will let them take the responsibility.

The clause was adopted.

On clause 5.

Hon. Mr. POWER—I think it would be desirable to have some statement as to the intention of the government with reference to this council. I think there was a great deal of force in the observations of the hon. gentleman from Wolseley the other day to the effect that it was desirable that on this council there should be some person familiar with the wants of the people in the Yukon

district, and that some members of the council should be selected in some way from the people living there and identified with the mining population. We know how often it happens that when mere government officials, men who are sent from Ottawa, go into a region of that kind, they do not enter into the feelings of the people of the district.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. POWER—We have had a melancholy instance of a like kind in the case of Ireland. Ireland is not very far from London, but still for many years Ireland suffered a great deal from the fact that the administration was carried on by people who were not in sympathy with the population of the island, and I trust the government will intimate their intention to select one or two at any rate of these commissioners who shall fairly represent the mining population in that district.

Hon. Mr. MILLS—My hon. friend has made a statement that is all right theoretically and, so far as possible, may be acted upon, but the whole population in that territory are a population that have not gone there to domicile. They have gone there to mine, and they do not expect to remain there for their lives. They are not expecting to become a permanent population, leaving their children in the country to occupy it after they are gone. They take no wives or families with them.

Hon. Mr. MACDONALD (B.C.)—The commissioner will not live there during his lifetime either.

Hon. Mr. MILLS—When the North-west Council was organized, the government took the chief of the Mounted Police, a gentleman who was a lawyer by profession but was not practising his profession, Mr. McLeod, and other persons prominently connected with the supervision and maintenance of order in the country. They also took a Mr. Baillairgé, who resided at the Forks of the Saskatchewan, a prominent man, a chief, a man of great influence amongst the Half-breed population, so as to secure the confidence of that population and convince them that the administration of affairs of the country would not be unfair to them. The population, of course, was necessarily different from that which goes into the Yukon. The government, in the selection of the commissioner, may or may not take a person who resides in the territory. The nature of his functions will not depend upon whether he has been a long time in the country or not. They will depend upon his character and capacity, and his knowledge of public affairs. Then, in all probability, another party of prominence and of influence will be the judge who administers the law in the district. That was done in the North-west Territories. It no doubt will be done in that country also. That judge has been there for some considerable period of time, nearly as long as anybody else who has been in the country, and we believed, on account of his legal attainments and his knowledge of public affairs and in the framing of ordinances for the local administration and government of the population, that his knowledge of law and his experience would be of very considerable value. At the present time it would be very difficult to say who else would be selected. There is the chief officer of police, but he may be there for a year or two years, and it may be necessary to recall him and appoint another in his place, and whether he would be a suitable officer to be made a member of the council or not, whether it would be in the public interest or not, is a matter upon which I might not be disposed to express any opinion at this moment, nor could I speak for my colleagues in respect to a question that has not been fully discussed. I am sure any opinion which the House may express upon the subject would be very carefully considered, but I am also quite sure that the House would never think of undertaking to instruct the government in the matter of administration, to remove the responsibility from their shoulders to their own and to say to them who should or should not be selected where the population becomes large, and even for a temporary purpose, to a certain extent a fixed population, it would not be desirable to go outside for the purpose of selecting a council. There is no doubt about that, and I think that in the selection of that council the matter can be left fairly in the hands of the government.

Hon. Mr. PERLEY—Who is the head of the Mounted Police in that country?

Hon. Sir MACKENZIE BOWELL—Major Walsh is the head.

Hon. Mr. MILLS—Yes, but the active officer is Constantine.

Hon. Mr. PERLEY—What position does Major Walsh occupy?

Hon. Mr. MILLS—Acting commissioner at the present time.

Hon. Mr. PERLEY—Will there be another commissioner under this Act in addition to Walsh?

Hon. Mr. MILLS—Certainly not: only one. If he withdraws, another one will be appointed in his place.

Hon. Mr. PERLEY—He is commissioner at this moment.

Hon. Mr. MILLS—Yes, and he will remain commissioner.

Hon. Mr. CLEMOW—It is highly desirable that this council should be selected from the people in that country. Surely there must be six parties qualified to discharge these duties. There must be a considerable number of gentlemen who have resided in that country for some time who would be qualified to discharge the duties of councillors. We all know that people do not like the idea of having foreigners brought into their midst and appointed to positions in authority over them. I think it will be well for the government to consider this question and to endeavour to avoid the possibility of having strangers or interlopers interfering with the legitimate operations of parties who have taken the trouble to settle themselves in that country. I merely throw that out as a suggestion. I know it is extremely difficult to convince people that they are not interfered with by sending strangers in among them. Even in Ontario we would not like it.

Hon. Mr. MILLS—Would the hon. gentleman apply that rule to the policemen, the judge and other officials?

Hon. Mr. CLEMOW—No, I merely apply it to these six men if they are competent men. You can state what qualification they must possess—that they shall be residents in the country for a certain length of time, or any other qualification you wish. It is in the interest of the government to select, if possible, parties who are there.

Hon. Mr. POWER—I do not wish to be understood as going as far as the hon. gentleman from Rideau goes. The officers indicated by the Minister of Justice would almost necessarily be members of the council, but what I ventured to suggest was that in making the appointments the government should, if practicable, take pains to appoint some one or two persons residing in the district and whose interests were identified with the interests of the mining population. That was my point, and I do not think that the argument of the Minister of Justice overturned the argument which I ventured to use. It is true that people are not going in there to spend their lives, as a rule, but the officers that the government send in there are not going to spend their lives in the district either. They are going there to govern the country in the interest of the population who are in there, as well as in the interest of Canada at large. My contention is that it is desirable, in order not only that the administration may be in the interests of the Yukon district, but that it shall be felt by the people in that district that it is in their interests. No matter how well half a dozen gentlemen sent from Ottawa or some other portion of eastern Canada might govern that country, the feeling would be in the minds of the miners there that they were not being properly governed, and that if they only had men of their own, the government would be more in their interest. It is in the interest of the government here, in order to prevent dissatisfaction, in order to prevent any danger of outbreak of the foreign population, which is so numerous in that district, that there should be one or two commissioners who would be looked upon as fairly representing the mining population. We have been governing that country from Ottawa; and we had a deputation from the Yukon this session asking that certain modifications should be made in the mining regulations. The mining population ought to be represented in the council, so that their views could be put before the government of the country without having to come to Ottawa to represent the case of the miners to the government here; and I am glad to gather, from what the hon. Minister of Justice says, that in all probability that course may be adopted.

I trust, if any other gentleman entertains the same views that I do, that he will not hesitate to express them here now, because the hon. leader of the House has said that the expression of opinion in the House would have a great deal of weight with the government.

Hon. Sir MACKENZIE BOWELL—I must express my surprise at the want of confidence that the hon. gentleman from Halifax has displayed in the government in the selection of this council. Had his remarks come as earnestly and forcibly from hon. gentlemen on this side of the House, they might be excusable, but for an outside pillar of the party now in power, it seems to be a reflection upon the government.

Hon. Mr. POWER—Not at all.

Hon. Sir MACKENZIE BOWELL—A reflection on the government in the line of the selection of this council. I cannot go so far as the hon. member from Halifax. These appointments must of necessity, be in the hands of the government of the day, and if they do not appoint men who are well versed in the wants of that section of the Dominion, then they will be held accountable by parliament and the people. The views taken by my hon. friend from Wolseley (Mr. Perley) are those that are entertained by gentlemen who are interested in mining in that country, and have been put about as forcibly as the hon. gentleman from Rideau puts them. I sent a copy of this bill to a gentleman who has been in that country and is interested in mining there, and he advances this argument in a memo. on the bill—"These appointments will likely be political and will be made in Ottawa and do not provide that the miners in the country shall be in any way represented." What suggested itself to me, after listening to the Minister of Justice, was this: if these appointments are to be made from Ottawa and not made, partially at least, from among the residents of that country, then who is to pay them and what positions are they to hold as officials? I can understand the appointment under the commissioner of a judge—Judge McGuire, for instance—that would be carrying out the same policy that was followed by the late government in the council of the North-west Territories. The commissioner of that country was one of the judges and Mr. McLeod, who was a lawyer by profession, but who had been living in that country for a long time and understood the wants, wishes and peculiarities of the half-breeds, was also put on that council, and an admirable officer, one of the best in the whole territory, he proved to be. Mr. Constantine, who has been in charge of the Mounted Police and who has proved himself, I think I can safely say, a very efficient officer in more respects than one, not only in managing and governing the police force, but in administering the laws so far as he is vested with power in that country, and if I were to express an individual opinion I would say infinitely superior to the gentleman who has been appointed commissioner over his head—should be appointed. These appointments must be in the hands of the government, and it lies with them to say whether they will select men in that section of the country to hold positions in that government, or will they take men who are interested in mining. I take it for granted that the council of six will not be a paid council, that the officials of the government will probably constitute some of them, and then the others should be prominent men—men of character and reputation, who understand the wants and the requirements of the people. If not, you will have difficulties that will not be easily surmounted in the future. This is the view which I take of the responsibility which must rest upon the government, and they must, if they desire to be successful, act upon the suggestions which have been made by the hon. gentleman from Halifax, and also so forcibly put by the hon. gentleman from Rideau.

Hon. Mr. SCOTT—In drafting this bill it was supposed that, if we followed the example of the hon. gentlemen opposite during the nineteen years of their experience, we certainly should not be exposed to such sharp criticism as we are met with on the present occasion.

Hon. Sir MACKENZIE BOWELL—You would be perfectly safe if you would follow the example of the late government.

Hon. Mr. SCOTT—The North-west Territories Act provides for appointments in the same way. We are doing exactly what was done by the late government, acting on the principle which prevailed with them for over twenty years.

Hon. Mr. PERLEY—That is what I complain of, you should profit by experience.

Hon. Mr. SCOTT—We propose to avoid any mistakes that they made. I do not know why any one has a right to assume that persons of standing and position in that country will not be placed on the council. You must recollect that no one of any position or standing, has been in that country yet, for twelve months. Dawson City was founded only about a year ago. Many who go into that country leave it before the end of the year. Many who go there are unfortunate and leave it disheartened; others who are successful leave it with what they have made, never to return. It must be remembered that the mines are in the neigbourhood of the western boundary of the district and if there was a strike made on the west side of the 141st meridian, there would be a stampede in that direction, now that Canadians have a right to mine in Alaska. It must be remembered also that about ninety per cent of the population are foreigners.

Hon. Mr. MACDONALD (B.C.)—There are in that country now respectable merchants and professional men who would make excellent councillors.

Hon. Mr. SCOTT—Then we shall have an opportunity to make a choice. We are anxious to govern the country on the soundest principles. We are anxious that the men who are to assist the commissioners shall be men who will be acting in the interests of that country. It is scarcely fair to the government to anticipate that they will appoint what the hon. gentleman would perhaps call "heelers," from Ottawa.

Hon. Mr. MACDONALD (B.C.)—That is the danger.

Hon. Mr. SCOTT—It is not intended to do anything of the kind. I do not know whether the members of the council will get any remuneration. If they will, the amount will be very small, not sufficient to tempt any man to go to Dawson. That is perfectly clear. The government necessarily would be guided, in the selection of those men, by the best that they could find. The principal number would be taken, of course, from their own officials, for the present at all events, until men of position and standing have establishments out there. Where a population is so migratory it would be difficult to select men suitable for the position.

Hon. Mr. MACDONALD (B.C.)—One of the best features of the bill is that its object is to give local control. I agree with the hon. member from Halifax (Mr. Power) that the Yukon district ought to be governed by people who are interested in its future and in harmony with public sentiment in that country. This bill is a step in the right direction. I hope it will carry, because we want that country to be governed, not from Ottawa, which would be impossible, but in the country itself. The commissioner and judge and some of the merchants of the place, if selected, would be a good council, and I hope that the government will not consider for a moment the sending of men from here to act in that country, men who would not be in harmony with the people of the country and would not know what they were doing. I am strongly in favour of the bill and hope it will be made a very good measure before it leaves the Senate. What will become of the gold commissioner when this bill passes?

Hon. Mr. SCOTT—The commissioner in charge of the mines will be an officer under the commissioner.

Hon. Mr. MACDONALD (B.C.)—Is it the intention to pay those six members of the council?

Hon. Mr. SCOTT—That has not been considered. It is not likely that they will be paid a sum which would be an inducement for them to go there and take the office.

The clause was adopted.

On clause 6.

Hon. Mr. MACDONALD (B.C.)—With regard to this clause is there no power given to this council to levy taxation?

Hon. Mr. MILLS—No. I would say to my hon. friend that it would be an unheard of proceeding, under the British parliamentary system, to give to a nominated council power to tax. It has never been done. When the council was created under the Quebec Act of 1774, the power of taxation was not given to them. If they create municipal bodies, those bodies will have power to tax.

Hon. Mr. MACDONALD (B.C.)—Take the sanitary question, who is to pay for the expenditure for sewage? Unless they have power to levy a rate how will the money be obtained, and the question of sewage in a city like Dawson is a matter of importance.

Hon. Mr. MILLS—My hon. friend will see that:

> The Commissioner in Council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the North-west Territories, acting by and with the advice and consent of the Legislative Assembly thereof to make ordinances for the government of the North-west Territories, except as such powers may be limited by order of the Governor in Council.

There are no powers of taxation; but if this council, in the exercise of their powers, create or authorize the establishment of a municipal council for Dawson, that body would have the power, if elected by the people there, to impose taxes and to make improvements. This council will not have any such power, as it would be wholly contrary to our notion that taxes are a gift or grant on the part of the population out of their own moneys, and as this council is not a body created by election, but nominated by the Crown, it has not the power of taxation.

Hon. Mr. MACDONALD (B.C.)—I would ask the government then that they should lose no time in moving towards having local taxation in that country. Mr. Livernash, at a public meeting in the theatre here, said that the United States trading companies, who carry all the gold of the country, pay no taxation at all, and if royalty is to be charged on gold mined in the territory, the banks and those companies ought to pay the royalty.

Hon. Mr. SCOTT—I notice the question of draining has been brought up at Dawson at a public meeting, and it was conceded that there was no power to impose taxation, but an appeal was made to the people, and they all responded to it and agreed to improve the sanitary arrangements by mutual consent, recognizing that there was no power in the country to tax unless they were organized.

The clause was adopted.

On clause 8.

Hon. Sir MACKENZIE BOWELL—I call the attention of the hon. gentleman to the reading of subsection A, which is ambiguous, and I would suggest to him that it be made to read shall not have power "to impose any tax or any duties of customs or duties of excise or impose any penalty exceeding $100."

Hon. Mr. MILLS—Yes, it means that; and I would say that we would require to make certain amendments in this, as mentioned the other day, by inserting the word "ordinances" instead of the word "laws" in the second line, I move that "ordinance" be substituted for "laws" in that line, and also in the line 14, and also that subsection A be made to read "impose any tax or any duty of customs or excise or any penalty exceeding $100."

The motion was agreed to, and the clause, as amended, was adopted.

On section 9.

Hon. Mr. POWER—In line 31, strike out the words "any law or."

Hon. Mr. MILLS—Yes, and add the words after "civil and criminal matters" the words "and the ordinances" and I move that this amendment be inserted.

Hon. Sir MACKENZIE BOWELL—I find in memos I have here from a miner, speaking of penalties, says, that a penalty of $100 is often a very small fine in that country, that it is similar to about $10 in this country; the question is whether it would not be advisable to increase that penalty. There the pay of a labouring man is $10 a day, and what this miner points out is that for the commission of some offences, $100 is often a small fine.

Hon. Mr. MILLS—They would still be liable to the provisions of the statutes of Canada.

The motion was agreed to, and the clause as amended was adopted.

On clause 10.

Hon. Mr. POWER—In the third line of clause ten we are told this court "shall be called a territorial court." Should it not be called "the territorial court"?

Hon. Mr. MILLS—I do not object to the definite article there.

Hon. Mr. FERGUSON—I think this clause is objectionable, in this respect, that it permits the appointment of "one or more judges."

Hon. Mr. MILLS—Yes, it is impossible to say whether one judge is sufficient or not.

Hon. Mr. FERGUSON—There should be some limit. The Governor in Council might appoint a very large number.

Hon. Mr. MILLS—This is the restriction, we cannot appoint a judge without providing the salary; we have no legal power to make an appointment without salary, and when the Crown exercises the power of appointing a salaried officer it must come first to parliament and ask for the salary. We shall probably ask this session for two judges, but we do not know that we will require to appoint more than one, but we shall certainly have to ask parliament for the necessary appropriation.

Hon. Mr. CLEMOW—If you find it necessary to have more, cannot you amend this next year?

Hon. Mr. MILLS—I think we had better not have more impediment in our way than necessary. This district will extend over a length of, say, perhaps from here to the Detroit River, and it would be utterly impossible for one man to administer justice over that extent of country, so if we find it necessary to appoint two we may appoint two; but if it were necessary to appoint more than two, then we could not do that without coming down to parliament again and asking for an additional salary, and we would need to change this clause, and so I think it is more advantageous that it should be left in its present form.

Hon. Sir MACKENZIE BOWELL—I take it you have no power to appoint either a second judge; you have one there for whom the salary is provided by law, but you could not appoint any other till the law had been passed providing his salary.

Hon. Mr. MILLS—My hon. friend will see there is a bill before the House of Commons for that very purpose now.

Hon. Sir MACKENZIE BOWELL—For this territory?

Hon. Mr. MILLS—Including this country—yes.

Hon. Sir MACKENZIE BOWELL—I did not know that.

Hon. Mr. CLEMOW—This clause, as I understand it, does not preclude the commissioner from practising on his own account. It says the judge shall not hold any other office of emolument in the service of Canada.

Hon. Mr. MILLS—I would like to ask the hon. gentleman before whom he would practise.

Hon. Sir MACKENZIE BOWELL—Before the second judge.

The clause was adopted.

On clause 13.

Hon. Mr. PERLEY—Will the commissioner have the power to appoint sheriffs?

Hon. Mr. MILLS—That would depend upon the regulations made The Governor in Council may appoint such officers of the court as may be deemed necessary, and may define and specify the duties. The words "and emoluments" are not supposed to be in the bill in this House.

Hon. Sir MACKENZIE BOWELL—That will be added in the other House.

The clause was adopted.

On clause 15.

Hon. Mr. POWER—Clause 10 says that the court shall be the Territorial Court, and I think that is the name we should preserve, instead of calling it the Superior Court.

Hon. Mr. MILLS—Yes, certainly. The words "Supreme Court" should be struck out in that clause, leaving it "Territorial Court."

Hon. Sir MACKENZIE BOWELL—Is that the name of the court in the Northwest Territories, the Supreme Court?

Hon. Mr. MILLS—Yes, I think so.

The clause was adopted.

On clause 20.

Hon. Mr. DEBOUCHERVILLE—Supposing the commissioner were to die suddenly,

communications are not very easy with the Yukon country and the government should provide another officer to replace him until the government named another commissioner.

Hon. Mr. CLEMOW—We are getting a telegraph line in there.

Hon. Mr. MILLS—I think it would be perhaps as well not to make any special provision. We have no such provision in any of the provinces or the North-west Territories.

Hon. Mr. DEBOUCHERVILLE—Supposing the commissioner dies suddenly, there would be no commissioner in authority there.

Hon. Mr. MILLS—We expect to have telegraph communication at a very early day.

Hon. Mr. DEBOUCHERVILLE—It is a country where the people are much more troublesome than in our own provinces.

Hon. Mr. POWER—There might be a provision that the senior judge, for the time being, should act as commissioner in case of the death of the commissioner.

Hon. Mr. ALLAN—Just as they do in the case of absence from the province of a Lieutenant Governor.

Hon. Sir MACKENZIE BOWELL—If a Lieutenant-Governor dies, the information is received by the government immediately, and they can appoint an administrator.

Hon. Mr. CLEMOW—The senior member of the council would do.

Hon. Mr. MILLS—We can provide in the 21st clause that in case of the death of the commissioner ——

Hon. Mr. CLEMOW—Or absence.

Hon. Mr. MILLS—My hon. friend will see that the resignation or absence of the commissioner could only be with the knowledge of the government, and I propose to confine it to the case of the death of the commissioner. In that case the senior member of council shall act until his successor is appointed. I move that the clause be amended accordingly.

The motion was agreed to.

Hon. Mr. PERLEY—Will the commissioner, after this becomes law, have the right to issue permits for the sale of liquor in the Yukon district?

Hon. Mr. MILLS—He will have the power that the Governor in Council may confer upon him. This bill confers no power, but it gives the right to the Governor in Council to confer powers on the commissioner.

Hon. Mr. PERLEY—Under the North-west Territories Act, the Lieutenant Governor had power to grant permission to bring liquor into the Territories, but not to sell it.

Hon. Mr. SCOTT—That was by statute.

Hon. Mr. PERLEY—Will the same apply to the commissioner of the Yukon district?

Hon. Mr. MILLS—This bill confers no definite power of any kind. We take the power to confer upon the commissioner, in his administrative capacity, by Order in Council, such power as we may think necessary, and that will depend wholly upon the action of the Governor in Council. If the Governor in Council bestow power to issue permits or withhold it, they can do so.

Hon. Sir MACKENZIE BOWELL—But the minister will see that he has given, by the 6th clause, the same powers to the Commissioner in Council that are now exercised by the Lieutenant Governor of the North-west Territories, acting with the advice and consent of his council. Now, the council of the North-west Territories have the power to permit liquor to be sold in the Territories.

Hon. Mr. MILLS—My hon. friend will see that the concluding words are "except such powers shall be limited by the Governor in Council."

Hon. Sir MACKENZIE BOWELL—You can certainly limit them.

Hon. Mr. PERLEY—Then, the fact is he has the power, but you can limit it if you wish. I understand that the council of the North-west Territories have no power to issue permits for the sale of liquor except for mechanical and other such purposes. Will it be the same in this case?

Hon. Mr. MILLS—If I remember rightly, in the North-west Territories the Lieutenant Governor acted in that matter without the advice of his council.

Hon. Mr. PERLEY—Yes.

Hon. Mr. MILLS—Under this bill the Commissioner in Council will have power: the commissioner cannot act alone.

Hon. Mr. PERLEY—But the Lieutenant Governor of the North-west Territories never issued a permit for the sale of liquor, and liquor could not be sold in the North-west Territories under permit from the government until such time as the council of the North-west Territories had power to regulate the same by license.

The clause was adopted as amended.

Hon. Mr. KING, from the committee, reported the bill with amendments, which were concurred in.

The bill was then read the third time, and passed under a suspension of the rules.

COMPANIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (S) "An Act to amend the Companies Act." He said: As I explained yesterday, this bill is to allow mining companies incorporated outside of Canada to do business in the Yukon district by filing with the government a certified copy of their charter and obtaining a license.

Hon. Mr. POWER—We are not supposed to commit ourselves to the principle of this bill by reading it the second time to-day, but I wish to call the attention of the government to the fact that those charters which are granted in England, under the Companies Act, some times contain very objectionable provisions, and I have grave doubts as to the wisdom of allowing a company, which is composed largely of Canadians and which is to operate in Canada, to act under charters granted under the Companies Act in England. I happen to be aware of the case of one company, whose operations are chiefly in the city of Halifax, who were refused a charter by this parliament and who went over to England and got a charter giving them powers that no parliament or legislature in Canada would dream of giving them. There might be no danger in the case of companies that are proposed to be dealt with by the measure that is now before the House, but I do not think it goes without saying that we should, as a matter of course, accept the charters granted in England. The powers given under the charter to which I refer were most extraordinary and unreasonable, and unfair to the shareholders living in Canada.

Hon. Mr. SCOTT—This bill does not authorize them to exercise the powers granted under their charters. It simply enables the government to give them a license to mine, and the privilege is restricted to that only, and they would have no powers outside of those conferred by the license other than now exist under the law.

Hon. Sir MACKENZIE BOWELL—It does not seem to me that this bill would give any of the extraordinary powers referred to by the hon. member for Halifax. It only enables the government to grant a company that has been organized under the law of the parliament of the United Kingdom the right to carry on mining operations. That is all.

Hon. Mr. SCOTT—That is all. It was drawn carefully with that object in view.

Hon. Sir MACKENZIE BOWELL—They could not exercise the powers given to them by their Act of incorporation. My suggestion the other day was that I could see no reason why similar privileges should not be given to such companies to mine in the Saskatchewan and throughout the North-west Territories. My hon. friend said that it might interfere with the revenues of the country, that is, they impose a license upon all parties who asked permission to mine on the Saskatchewan. So they do in the Yukon territory. No man can get out a license there for the exercising of the functions of a mining company, or engaging in a mining operation; why should not a company be permitted to take out a license in the North-west Territories to carry on operations? These companies are wealthy, and as wealthy companies they would be apt to spend more money in the North-west Territories than any individual who might take out a license.

Hon. Mr. SCOTT—The reason for the bill is this, that the mining regulations that were issued in January last read as follows :

> Free miner shall mean a male or female over the age of eighteen, but not under that age, or joint stock company, named in, and lawfully possessed of a valid existing free miners' certificate, and no other.

As the Minister of the Interior had in the regulations provided that a joint stock company, if registered in Canada, could take out a free miner's license, it became necessary to adopt this bill. I desire to restrict it as much as possible, because I felt it was interfering considerably with the revenue of the Secretary of State's Department. The revenues have recently increased nearly one-half. It would only become necessary for things of this kind to get abroad over the country, and then we could not make a change very well, and so we restricted it.

Hon. Mr. POWER—It does not take very long for a company to get a charter.

Hon. Mr. SCOTT—Two months.

Hon. Mr. POWER—I did not think it took so long. Then, the Secretary of State's Department should accelerate their mode of action. I do not speak against the Secretary of State, but I think some change ought to be made whereby a charter could be obtained in a much shorter time. It is altogether unreasonable that it should take two months to get a charter for a joint stock company. I am not so much troubled about the revenue, although, of course, I should like to see the revenue of the Secretary of State's office as large as possible, but I think this practice would be liable to very serious abuse, and the cause which I referred to illustrates that point. Those gentlemen can get a charter from the government here at a very reasonable figure, and in a reasonable time, and I have grave doubts as to the policy of allowing them to come here and operate under charters granted in the old country. I do not think that a company incorporated under our Joint Stock Companies Act would be allowed to operate in England, and I am very doubtful about the policy of the measure, because, as I say, the case which came under my notice was a most glaring one, and I can see that the same objection might arise in the case of a mining company as in the case of a manufacturing company. The hon. Secretary of State says that it only authorizes them to take out a license to mine. If you recognize the English joint stock companies here, you have to recognize them for all purposes. You have to allow them to trade and make contracts and do other acts. They will not be satisfied to be recognized merely for the purpose of taking out a license. Having taken out the license, they go and mine and make contracts with the people in mining regions, and so on, and I hope the government will think over this point before they go into committee with the bill.

Hon. Mr. FERGUSON—Perhaps my hon. friend, the leader of the House, will be able to tell me whether a Canadian company can take out a miner's license in the name of the corporation, or must it be in the name of one of their officers?

Hon. Mr. SCOTT—Yes, a Canadian company can do it.

Hon. Mr. FERGUSON—I was under the impression that they might have to take out the miner's license in the name of one of their officers.

Hon. Mr. SCOTT—I will just read from the regulations: "Joint stock companies shall mean any company incorporated for mining purposes under a Canadian charter or licensed by the government of Canada."

Hon. Mr. BOULTON—The hon. member for Halifax seems to raise rather a large question.

Hon. Mr. SCOTT—This bill does not touch it at all.

Hon. Mr. BOULTON—The point that the hon. gentleman makes is that a joint stock company chartered in England, should not have powers in Canada. We have introduced a bill here called the Loan Companies Act, which proposes to allow companies formed in the provinces to come under Dominion legislation. The same objection might be raised against that if the principle laid down by my hon. friend from Halifax should prevail. I think till some very glaring thing should occur to cause us to amend the law, it would be advisable for us not to do so.

The motion was agreed to, and the bill was read the second time.

GENERAL INSPECTION ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (128) "An Act further to amend the General Inspection Act."

(In the Committee.)

Hon. Mr. SCOTT—This bill consists of but one clause, which provides that where any package has been inspected, the letters "V. R." shall be stamped on it and the words "Canada Inspection." It is merely permissive and provides also that no one, except the legally appointed inspector, can inscribe those marks on a package under penalty.

Hon. Mr. DEVER, from the committee, reported the bill without amendment.

MILITIA ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (140) "An Act further to amend the Militia Act."

(In the Committee.)

Hon. Mr. SCOTT—This is also a bill of one clause. The object of it is really to authorize an addition of $2,000 to the allowance of the officer who is placed at the head of the Canadian militia. It has been intimated that if we are to expect an officer of high standing and large experience, the salary at present is not sufficient, and this simply authorizes the allowance up to the figure I have named.

Hon. Sir MACKENZIE BOWELL—I suppose you will guarantee that we will have a major general with whom we will have no difficulty in the future?

Hon. Mr. SCOTT—We will try.

Hon. Sir MACKENZIE BOWELL—Will you guarantee that?

Hon. Mr. SCOTT—I am afraid I could not give any guarantee.

Hon. Mr. VIDAL, from the committee, reported the bill without amendment.

BILLS INTRODUCED.

Bill (144) "An Act further to amend the Indian Act."—(Hon. Mr. Scott.)

Bill (131) "An Act to amend the Acts respecting the North-west Territories"—(Hon. Mr. Mills.)

LAND TITLES ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (132) "An Act further to amend the Land Titles Act, 1894."

The bill was read the first time.

Hon. Mr. SCOTT—I move that the bill be read the second time on Monday next.

Hon. Sir MACKENZIE BOWELL—As we have very little time at our disposal before prorogation, I think it would be advisable if the hon. gentleman would inform the Senate what the contents of the bill are. And while I am on my feet, I would urge the absolute necessity for having these bills promptly printed and laid before us. Unfortunately, at the close of the session, we generally have the most important bills before us, and to-day we passed the second reading of a bill without knowing what it was.

Hon. Mr. SCOTT—That bill was very simple. This is more complex, and I would suggest that we take the several stages at the next meeting. It is a longer bill.

Hon. Mr. BOULTON—It is the Torrens Title, I suppose?

Hon. Mr. SCOTT—Yes, I think it is.

Hon. Mr. ALLAN—Well is it the Torrens Title?

Hon. Mr. SCOTT—Yes, all that territory is under the Torrens Title.

The motion was agreed to.

GRANT OF LAND TO NORTH-WEST MILITIA FORCE BILL.

FIRST READING.

A message was received from the House of Commons with Bill (133) "An Act to make further provision respecting grants of

land to members of the militia force on active service in the North-west."

The bill was read the first time.

Hon. Mr. MILLS—I move that the bill be read the second time on Monday next. The title of the bill is indicative of its provisions. There is only one clause, which reads as follows :

1. Notwithstanding any limits of time prescribed in chapter 73 of the statutes of 1885, or in chapter 29 of the statutes of 1886, or in chapter 13 of the statutes of 1891, or in chapter 6 of the statutes of 1892, or in chapter 3 of the statutes of 1893, or in chapter 24 of the statutes of 1894, the Governor in Council may grant a free homestead or scrip, as therein provided, to any person who is entitled thereto under the said Acts, or any of them, but has not already been granted such homestead or scrip; Provided that such person complies within two years after the first day of January, one thousand eight hundred and ninety-eight, with the conditions required by the said Acts or any of them, to be complied with on or before the first day of August, one thousand eight hundred and eighty-six ; Provided, also, that the provisions of the said Acts shall, as far as applicable, apply to grants of land or scrip under the authority of this Act.

Hon. Sir MACKENZIE BOWELL—It is just an extension of time, is it ?

Hon. Mr. MILLS—Yes. The parties who have not availed themselves of the rights they might possibly have had under the statutes referred to, will be given an opportunity.

The motion was agreed to.

DOMINION LANDS ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (130) "An Act further to amend the Dominion Lands Act."

The bill was read the first time.

Hon. Mr. SCOTT—I move that the bill be read the second time on Monday next. The first clause relates to the cases of co-operative farming associations, the next is to regulate the second homestead entries, and the next is a provision relating to land surveyors, penalty for illegally having possession of land marks ; a homesteader may select part of quarter section ; exchange of Crown lands between Manitoba and Canada ; disposal of arid lands ; disposal of lands when sale has been cancelled ; ejectment of persons wrongfully in possession of Dominion lands.

The motion was agreed to.

RAILWAY ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (145) "An Act further to amend the Railway Act.

The bill was read the first time.

Hon. Mr. SCOTT—I move that the bill be read the second time on Monday next. The attention of the minister has recently been called to the fact that where transportation of goods is partly by rail and partly by vessel, they lose the control of any regulation over the rates, and it is to provide, if the transportation of the article is by water and rail, that they may still exercise the supervision.

The motion was agreed to.

POST OFFICE ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (110) "An Act further to amend the Post Office Act."

The bill was read the first time.

Hon. Mr. MILLS—I move that the bill be read the second time on Tuesday next. Hon. gentlemen know pretty well what the provisions are. It is to abolish the free transportation of newspapers and it makes some other regulations which would require time to explain to the House. I promise to give the House a full explanation of the bill and the reasons for adopting the provisions, when we meet again on Tuesday next.

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman inform me whether the clause providing for an area of ten miles has been retained ?

Hon. Mr. SCOTT—It is twenty miles now.

Hon. Sir MACKENZIE BOWELL—It was ten miles each way before—ten miles from the centre.

Hon. Mr. MILLS—Yes, and it was applied to all papers, and subsequently I think it was reconsidered and it applied only to weekly papers. Since then I think the bill has been further considered in the House of Commons. I cannot tell my hon. friend ex-

actly how it stands at the present moment, but I shall be able to tell him at the second reading.

Hon. Sir MACKENZIE BOWELL—I may say, however, that I think it is a mistake. I do not see why any exemption should be made at all—that is, if it is to be abolished. However, we will discuss that by and by.

The motion was agreed to.

DELAYED RETURNS.

INQUIRY.

Hon. Sir MACKENZIE BOWELL—I desire to know from the Secretary of State whether he has made any inquiry about the balance of those returns for which I moved last year. I may inform him that the Printing Committee have appointed a sub-committee to deal with this question, and they cannot move until they get the papers.

Hon. Mr. SCOTT—I thought all the information had been furnished, and I explained that there were no more to be brought in. However, I sent over specially to all the departments and got this return. There have been returns from the following departments: Indian Department, Post Office, Interior, Justice, Railways and Marine and Fisheries. There are here letters from the Deputy Ministers stating that there were no commissions issued in the cases of the Departments of Inland Revenue, Public Works, Agriculture and Militia.

Hon. Sir MACKENZIE BOWELL—And no dismissals?

Hon. Mr. SCOTT—Your inquiry had reference to those cases only where the dismissals were the result of commissions, the number of commissions and so on. I think we brought down the other returns.

Hon. Mr. SCOTT—There were no dismissals in the Geological Department, or the Governor General's office, or the Privy Council, nor were there any in my own office, nor in the Queen's Printer's.

Hon. Sir MACKENZIE BOWELL—And the Board of Works?

Hon. Mr. SCOTT—There is a letter from the Deputy Minister that there were no commissions. If they dismissed officials they did not go through the form of appointing commissions.

Hon. Mr. LANDRY—Has the hon. gentleman any returns in response to my motion, the one I asked for last year, as to the dismissals in the county of Montmagny?

Hon. Mr. SCOTT—I will look it up and inform the hon. gentleman on Monday. I am constantly appealing to the other departments to furnish returns, and I must say they are greatly remiss.

Hon Mr. LANDRY—I will follow the hon. gentleman's example, and appeal constantly to the hon. Secretary of State.

Hon. Mr. FERGUSON—I would like to call the attention of the government to the fact that a return moved for by myself in the early part of the session, with reference to a report from the officers of the steamer "Petrel," regarding the observations made last year in regard to the winter crossing between Prince Edward Island and the mainland, has not been submitted. I want to know whether that return is ready to be brought down.

Hon. Mr. SCOTT—I will make inquiry and let the hon. gentleman know on Monday.

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 30th May, 1898.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

DOMINION ELECTIONS ACT AMENDMENT BILL.

NOTICE OF MOTION.

Hon. Mr. MILLER—I desire to give notice that when the House resolves itself into a Committee of the Whole on Bill (16) "An Act to repeal the Electoral Franchise Act and to further amend the Dominion Elections Act," I will move certain amendments. Perhaps it will not be necessary for me to read the proposed amendments to the House at length, but I will state in a few words what the meaning of the amendments

is. It is well known that in the province of Ontario there is an appeal to the county court judge from the decision of the revising officer in framing the electoral franchise lists. There is also a similar appeal to the superior court judge, as I understand, in the province of Quebec—an appeal from the revising officers to the judiciary. There is likewise, I am informed, a similar appeal to the judiciary in the province of British Columbia. The object of my amendments is to give an appeal in the provinces of Nova Scotia, New Brunswick, and Manitoba, to the county courts of these provinces similar to that possessed by the other three provinces which I have named. The phraseology to accomplish that is lengthy and perhaps the House will dispense with my reading it. I am not strictly obliged to give this notice, but I put it on the paper in order that hon. members may have an opportunity of reading and studying it, and making themselves acquainted with it before they are called upon to vote on it. In that way I dare say the House will be very glad that I gave this notice of motion.

REPATRIATION OF THE 100TH REGIMENT.

INQUIRY.

Hon. Mr. BOULTON rose to—

Draw the attention of the government to the question of the repatriation of the 100th Royal Canadian Regiment of the Imperial Service, and asked if any steps are being taken to secure the establishment of its headquarters at the city of Ottawa or elsewhere?

He said: Hon. gentlemen are acquainted with the question that I have put on the notice paper, as it has been before this House on another occasion. I had the honour of moving in this matter a month or six weeks ago, in order to give force to the petition that was circulated so freely in Canada and signed so very largely from one end of the Dominion to the other, that the 100th Regiment, which was raised in 1858 and had since been merged into the Imperial service under the name of the Leinster Regiment, might be restored to Canada under its original designation and in its recruiting power in order that it might be identified in the British service as a distinct Canadian regiment, and in the same way that Scotch and other regiments are designated, and in which capacity they serve and form part of territorial districts in the war. The war has been caused by the want of preparation in the United States and the weakness of Spain, together with a defective policy governing her colonies, especially that portion of them in the West India Islands. I do not think that we can have better evidence for the justification of any stand that we may think it necessary to take in Canada in order to strengthen our forces, than the position which the British government to-day occupies among the nations of the earth. If there is anything that is preventing the present war from extending its bounds it is the fact that the British government is strong to insist that the war shall be confined to the two nations engaged in it and let them fight it out on their merits. If this war is not extended to a great war throughout the world, it is due to the preparedness and strength of the British government all over the world and the force of its arms, its navy and its broad and liberal policy. To strengthen that policy and their arms is the privilege of the people of Canada, and where any responsibility attaches to our action in this matter we should not shrink from it in any degree, upon any general question as to the part we might play in making warlike preparations. Fortunately for us we have only to fall into the ranks, and by that means give strength to British arms and British policy. The time will no doubt come when international law will have the same force in the government of the nations of the world, as national law has in the government of a single nation. In the government of a nation laws must be wisely enacted and forcibly carried out or anarchy will result. On a larger scale the same principle affects nations, and peace or war result. British policy is to control the force that disturbs civilized nations, and subdue the uncivilized nations of the earth. We in Canada have shown great capacity not only in mastering the principles of government, but we illustrated it in the strength with which we enforced our laws in the rebellion which arose in 1885. There we had, in a distant part of this large country, some two thousand five hundred or three thousand miles away, removed from any railway base two hundred and fifty miles, in the midst of an Indian population that knew no power to suppress them except the power of force—we, with the

United Kingdom. It may be called hon. gentlemen, a forward policy in our relations with the central power of the British Empire. As you are all aware, the response to that petition has of late been given effect to, and that the first battalion and the second battalion of the Leinster Regiment have been moved to Halifax. The first battalion of the Leinster Regiment is the Royal Canadian Regiment that was raised in 1858. It is linked with the second battalion of the Leinster Regiment which originally was the 109th Regiment. Now the object that we petitioners, and the people of Canada generally, have had in view is the return of this regiment to Canada when not on service abroad, and the transfer of its headquarters from Birr, in Ireland, to Ottawa, in Canada, in order that the commencement of its identification through recruiting here might commence. I am very happy to see that so far the Imperial authorities have given effect to the prayer of the petitioners, and to the wish of Canada, and I may say of this parliament, because the petition was signed by nearly every member of the last parliament and every senator in this House. I might premise my remarks by saying that there are some think that we should have nothing whatever to do with anything in the shape of warlike preparations—who think that peace is the great object to be gained. Now, peace is only to be secured by strength. We never can be assured of peace through weakness. We have a most remarkable instance of that before us, at the present moment, in the war that is now going on between the United States and Spain. No one will deny that had the United States been prepared with her military forces, ready to put forth her military strength to enforce any policy she might think it advisable to give effect to, either in the interest of her own country or in the interest of the peace of the world, there would have been no war. Spain would have respected her at any rate sufficiently to realize that the force of the United States was so great that it would be impossible for a nation like Spain to combat it in her possessions so adjacent to the American coast. On the other hand, if Spain had applied the right principles of government to her outlying dependencies and had sufficient force to give effect to her policy there would have been no cause for utmost promptness, within one hundred days from the first breaking out of that rebellion, were able to re-establish the peace of the country, and to protect the whole country from any extension of that Indian war and showed great capacity in dealing with it from a military standpoint. It is an extensive country we have to deal with, but we have a loyal and patriotic population, and a population very largely endowed with military instincts, and in consequence of the semi-civil and semi-military spirit we have developed, we were enabled to put down that rebellion and restore peace to our country and to establish it so firmly that the power of the government is now unquestioned. The accounts we have lately had from the Yukon country show the necessity of foresight in that direction by sending a contingent force there, and if it was supported by a detachment on the Peace River to prevent disturbances between the incoming miners and natives in that district, it would still be foresight, and in the extension of the British power, so far as it is to be extended to the various colonies and dependencies that have been brought into existence through a great number of years, is essential that we should bear our share in sustaining British power. One of the modes of linking our fortunes with the Imperial service and the simplest mode that presents itself at the present moment, is the question we have now to deal with, that is the repatriation of the 100th Regiment. That is a regiment we raised in Canada for the defence of the Empire—to aid Great Britain in putting down the Indian mutiny in 1857. We are not in a position to take a very prominent part in any financial assistance that might be considered commensurate at all with our duty in this matter, but we have a large recruiting ground. We have in Canada a very large number of young men who, I believe, would be glad and thankful for the opportunity that would be afforded to them by enlistment in the British army—men who very probably in their enterprise would drift away perhaps to other parts of the world or other colonies in South Africa or Australia. From an emigration standpoint any recruits that went into the British service we could not look upon as any weakness to Canada, because they are a class of men who desire to see something beyond their own neighbourhood and they take that means. The British service is very different to what it was in 1858

when I joined it, 40 years ago. The comforts that have been added to the life of a soldier are immense and are commensurate with any comfort that have been added to our civil life generally. Lord Lansdowne, Lord Wolesley and Lord Roberts have all advocated and carried out reforms of great benefit to the soldier, the latest of which is making his pay a shilling, clear, per day. It is no longer the old saying :

> When war is threatened and danger nigh,
> God and the soldier is all the cry ;
> But when war is over, and the country righted,
> God's forgot and the soldier slighted.

When I first went into the British service soldiers pay was four pence a day and liable to stoppage. It was paid daily and there were no reading rooms nor any other of the great adjuncts which have been added since that in the shape of gymnasiums and canteens, managed solely for the comforts of the men, and all those appliances which have made the life of a soldier very different to what it was formerly. The pay of a soldier in the British service is one shilling clear, or in familiar currency, seven dollars and a half a month. The outside clothing is furnished in the shape of a kit, two pairs of boots a year and all the clothing necessary. He has most comfortable meals and most comfortable accommodation, and with his food and clothing furnished him, all except his underclothing, he receives his shilling clear after two years' service, and in the British service one man out of every six receives additional remuneration to that shilling a day, which is the compensation a private receives. There are many other opportunities of increasing this remuneration, in the service as non-commissioned officers and other modes by which one man of out every six receives greater pay than a shilling a day. At the end of their service they get a pension. My Sergeant Instructor of Musketry in 1859 has enjoyed a pension of ninety cents a day since he left the service twenty years ago, and to-day is in remunerative employment with a salary of $1,500 a year. Another man writes to me from Windsor, saying, for the past twenty years he has been working as bridge foreman for the Grand Trunk Railway at Windsor. After their service, the recruits who join will return to Canada to finish their life's work, a valuable adjunct to the population. I mention these facts to show what the British army is, both in regard to its remuneration and comforts, to say nothing of being well trained, well set up, and taught obedience to authority, a most valuable characteristic. Everything is done to make the soldier's life more comfortable, and his occupation one which he can follow with respect to himself, and therefore it is by no means a disadvantage to any young man in Canada, who has a desire to see something of the world, to take the Queen's shilling in a regiment with which his own compatriots and countrymen are identified by the fact of being a Canadian regiment. Now, which is the best recruiting field ? That is one of the points we have to regard in discussing this question. Before doing so, I should like to read a couple of short references to the question I am now discussing, one from the *London Daily Mail* and one from the *Army and Navy Gazette* of the 14th of May, discussing this question. The writers say :

SHAMROCK V. MAPLE LEAF.

WILL THE WAR OFFICE DEFER TO CANADA'S WISHES?

13th May "Daily Mail" Special.

Precisely one year will have elapsed to-morrow since the reception by Lord Aberdeen, as Governor General of Canada, of a petition, or rather of 225 petitions, from different parts of the Dominion, praying the Home Government to repatriate the Leinster Regiment with an established depot in Toronto.

Nothing has been done since then, although the infantry of the British Army has been increased, and several regiments have been augmented by the addition of a third battalion. The opportunity voluntarily offered by the colony of opening up a fresh recruiting ground for the Home Army has been, as might have been expected, entirely ignored by the War Office.

The history of the 100th Foot (Prince of Wales' Royal Canadian Regiment) is rather an intricate one. It was the sixth regiment in the British Army to bear the number "100"; which was bestowed upon it when it was raised in Canada at the outbreak of the Indian Mutiny.

One of its predecessors, however—the old "100th or County of Dublin Regiment"—was intimately connected with the Dominion, having taken part in the American War between 1812-14, for which service the battle honour "Niagara" is borne upon the colour of its successor. But the Royal Canadians, in their present form, acknowledge a somewhat mixed ancestry, and exhibit strong evidences of the straits to which the military reformers were put in their efforts to bring the old organization of the Army to a fancied compliance with the necessities of

TEUTONIC TERRITORIALISM.

To form the necessary linked battalion regiment, with its accompanying militia battalions, they were forced to bring East and West together in the 100th P.W.R.C. Regiment and the 109th, formerly the 3rd Bombay European Regiment. To find a common depot and the requisite militia they were compelled to go to Ireland, where they pitched upon Birr for the one and the King's County, Queen's County, and Royal Meath Militia for the other.

They found a sufficiently unweildly title in "The Prince of Wales' Leinster Regiment (Royal Canadians)," and made an attempt to preserve the magical

"100" by making Birr the centre of the regimental district distinguished by that number.

The wish to preserve the traditions of the two parent regiments resulted in a helmet-plate bearing the Prince of Wales' plume over two maple leaves (the badge of the 100th Foot), and the words "Central India" on a scroll commemorative of the service of the old 3rd Europeans during the Mutiny. The words "Niagara" and "Central India" are also placed upon the battalion regimental colour.

To make the changes requisite, in order to grant the wishes of the loyal Canadians, by making the 1st Battalion the Leinster Regiment once more Canadian, instead of Irish, would seriously overstrain the intellect of the British War Office.

It is a far cry from Birr to Toronto. The linked battalion system would be dealt a shrewd blow by such a change. And what would become of those anomalous Irish Militiamen, the 3rd, 4th, and 5th Battalions the Prince of Wales' Leinster Regiment (Royal Canadians !)—tare an' 'ounds?

It has been decided to open the Leinster Regiment at Halifax, Nova Scotia, for local recruiting. This determination is actuated by a desire to meet the wishes of those who recently petitioned for the establishment of the headquarters of the Leinster Regiment in Canada. The Canadians have now an opportunity of showing that they were in earnest when they sent in their petition. If they can show to the satisfaction of the War Office that they can keep up the proper supply of recruits they doubtless will succeed in their object, but the War Office could scarcely consent to allow the old 100th and 109th to be drafted permanently to Canada without a proper guarantee, first, that the necessary number of recruits would be forthcoming, and secondly, that the regiment would be available for any service for which it might be required. Both Lord Lansdowne and Lord Wolseley are naturally in sympathy with the Canadian demand, for they have both of them had experience in the Dominion, and appreciate the loyalty of the Canadians. But the wretched exhibition of bad feeling—not to say bad taste—with respect to Major General Gascoigne has, it must be admitted, done great injury, following as it does so closely upon the unfortunate incidents which resulted in the withdrawal of Colonel Ivor Herbert.

No one can regret more than I do the causes that draw forth that last remark, but that is the position in which the attack on General Gascoigne is viewed by military critics who write for the *Army and Navy Gazette*. It shows that the British Government puts on us the responsibility of showing there is a justification for the placing of this regiment with the object the petitioners had in view, and that is that recruits will be forthcoming in Canada. I am quite satisfied there is no difficulty in the world in raising recruits if the right steps are taken. The regiment's headquarters should be removed farther west than it is at present, namely, Halifax. Halifax, of course, is one of the garrison towns of the world, and is maintained for imperial necessities, such as a coaling station, and the headquarters for the North Atlantic fleet, which has been shown to be so absolutely essential in the present war between Spain and the United States when international law enforces neutrality in contraband of war and the closing of neutral ports. The weakness of those two nations, which is equal in that respect, lies in the want of these garrison towns and coaling stations, in the conduct of any war and putting forth their strength. It is our western towns we must look for soldiers. As a preliminary step the British government should give the uniform of the recruiting parties the distinguishing badge of "Royal Canadians" on their shoulder straps, and the depot for training of these recruits should be established, and if it should result in the establishment of a territorial district in Canada the linking of our Canadian establishment with the British service will be initiated. Now, the question of the location of the headquarters has very largely to do with our own government. I thoroughly appreciate, and I think the home government appreciate, Rudyard Kipling's remarks in that poem which created so much criticism, "Our Lady of the Snows," where he says:

> "I am daughter in my mother's house,
> but mistress in my own."

And when it comes to promulgating a policy of this kind, by which we propose to unite our own Canadian strength with the British strength in the British service, it becomes a matter for consideration between the two governments as to carrying out of the policy that I am speaking of, and the British government also feel that it is necessary that barrack accommodation may be started here, because it would raise a controversy in the British parliament if they were to build barrack accommodation here when there is so much barrack accommodation available elsewhere. It is not easy for the British tax payer to realize the necessity of going to any further expenditure in building barrack accommodation in Canada when it is available elsewhere. Now I should like to read a communication received from Colonel Turnbull who was one of our cavalry offices of considerably long experience in the Canadian militia, and I think before he retired he was the Inspector of Canadian cavalry: He says:

SATURDAY MORNING, 21ST MAY, 1898.

DEAR SENATOR BOULTON,—Allow me to thank you for your kindness in enclosing me a copy of the Senate Debates with your valuable historical address upon

the repatriation of the 100th Regiment, and now that the efforts put forth on that behalf have been crowned with success, and the Royal Canadians are again in Canada, I am most anxious that we should lose no time in supplying them with recruits, and amalgamating if possible our Royal Regiment Canadian Infantry with them as a 2nd Batallion.

As matters stand at present the militia authorities have so reduced the strength of Permanent Schools of Infantry that their usefulness as they stand are almost nil—and their maintenance a waste of money for all esprit-de-corps is dead, and no future in sight; while on the other hand the amalgamation that I suggest would infuse not only new life but give a permanent career with a few years of foreign service and possibly war experience to all ranks of those enlisting, at no expense whatever to Canada.

The future officering, too, of the Royal Canadians might come entirely from the Royal Military College, thus making this institution more popular with the general public; and if all the infantry instruction was under regular Imperial officers the present friction between the active militia and the permanent corps would be at an end, and the jealousy and want of harmony between these two sections of the same force cease.

In the distant future a third and fourth battalion could be added in times of emergency with comparative ease, as is being done at present with the Royal Fusiliers and several other British regiments, in those territorial districts where recruits are easily obtained, we would thus, I believe, cement the British empire more solidly together.

I feel certain if you would bring this change to the notice of the Minister of Militia he would lend his powerful influence in its support.

Believe me as always, sincerely yours,

I. F. TURNBULL.

That is a letter that I am very glad to incorporate into my remarks, because I think it contains a great many valuable hints for the Minister of Militia, and also the idea of linking our Royal Regiment of Canadian Infantry with the Imperial service, is one worthy of very serious consideration. However, these are matters which our government have to deal with and which I do not propose to touch upon any further than producing this evidence on the part of an officer who, I think, everybody who knows him realizes, possesses capacity and patriotism and is sincere in his devotion to the interest of Canada. The barrack accommodation that is afforded by our government is a question that I have also embodied in my remarks. I see by the papers that the cities of Toronto, Ottawa, Kingston, London and, I think, Quebec, are all competing for the honour of having the headquarters of the Canadian regiment established in their midst, which shows additional popularity in regard to the move that has been ably started and that has met with success so far as it has gone. I think, myself, that the centre of the country is the place where the regiment ought to be stationed, and possibly the city of Ottawa, the capital of Canada, might be considered as valuable a position to place the headquarters of the regiment as anywhere else. It is the capital of the Dominion, and anything that would add lustre to the capital of Canada is worthy of consideration by everybody. I do not desire to place myself in antagonism to any of the places that are desirous of having this regiment, but it does seem to me that if a move of this kind is to be made, and is to take any definite shape and to lead to the far greater results which Col. Turnbull's letter would indicate, and which I myself feel it would lead to, the headquarters where the government is situated, is a very proper place indeed; and so far as the recruiting is concerned, it will be more extended than merely in one place. The recruits will be drawn from all parts of Canada, and it is possible that other places may be utilized for the collection of those recruits. The ultimate result of the present efforts would in all probability be the establishment of a double battalian of Royal Canadians in the Imperial service, and linked with them a double battalion of our permanent corps maintained by the Canadian government, and interchangeable for service. When the young men of Canada see "Royal Canadians" on the shoulder straps of an Imperial regiment they will be ready to follow the colours and to take their place in the service of the empire. I can assure any one who has that object in view, that seven years of service for our young men abroad is one of the very greatest advantages that any one could wish for, that any young man can come back to Canada greatly advantaged by a tour of travel through the world without any expense to himself, and then return to civil life benefited by seven years of travel. I got a letter from one of the members of the 100th Regiment the other day, in which he said he had seen seven years service, and since then had been for twenty-four years continuously in the employment of the Grand Trunk Railway Company at Windsor. That shows that men who are enlisted for a time are not lost to the country. Every man who enlists for service abroad will return to Canada when his term is up with his savings, or, after twenty-one years of service, with his pension, to be a good citizen of Canada. I am only pointing this out to show that we will

be great gainers by any effort that we may put forth in this direction, and that it is not only an advantage to the country from an Imperial standpoint, but also from the standpoint of the young men of Canada who may wish to see something of the world under the British colours. I had the honour of receiving a letter from Lord Wolseley when I enclosed him a copy of the speech which I made some time ago in regard to this matter, and which he was pleased to receive, and he wrote at the bottom of his letter, "How is it that we find so few assistant surgeons from Canada in the army?" There is an opening for the medical profession. I am sure that when our medical men learn that there is an opening of this kind, and that there will be a welcome for our young medical men in the army, many of them will feel that there is a great advantage in leaving the crowded ranks of the profession in Canada and turning their attention in that direction. I conclude by putting the question to the government on the notice paper at the same time expressing the hope that the question will receive their consideration.

Hon. Mr. SCOTT—I am quite sure that we all share in the gratification expressed by the hon. gentleman from Marquette, in the matter, that the appeal made by Canada to the mother country to send the Royal Canadian Regiment to this country has been acceded to. I scarcely can agree with him in the very rosy picture that he draws of the readiness with which result will be obtained in Canada. I am afraid the Queen's shilling will not prove as tempting in Canada as in the mother country. In reply to this question, he has referred himself to a number of Canadian cities which have applied to be made headquarters for this regiment. The government have not considered the subject and therefore no action has been taken upon it.

Hon. Mr. BELLEROSE—I do not rise to add anything to what has been so well said by the hon. gentleman from Shell River. I do not think any Canadian would be found to oppose such a measure. I am sure the whole people of Canada would be delighted should Her Gracious Majesty be pleased to allow this regiment which was originally raised in Canada, to be quartered in the Dominion. No doubt the greater number of its members having been recruited abroad, are not Canadians, but it will, in a few years, consist entirely of Canadians if stationed in Canada. I rise to reply to one remark made by the hon. gentleman who has brought this question before the Senate; he said it was a pity that the United States were not prepared for war, because if they had been so prepared, Spain would not have fought. Such is not my opinion. I entirely differ from the hon. gentleman. I am sure that even if the United States had been fully prepared for war and had possessed a navy as powerful as that of Britain, Spain would not have submitted to injustice. No nation, I should think, however weak it may be, would submit under such circumstances before being crushed by superior force. This is not the first occasion on which a weak nation has gone to war with a powerful country, knowing that they would be defeated and perhaps ruined in the end; but there is one thing remaining after defeat, and that is honour, and I am sure that the sense of dignity and right in the Spanish people would have led them under any circumstances to resist the aggression of the United States, who have gone to war so contrary to international law and the principles of justice. No doubt the war will go on, and Spain will be crushed in the end, but Spain will be honoured for having done her duty while the United States will always have a stain upon its record and be regarded with distrust. It is well known that the Monroe doctrine is not yet dead, that the United States want the whole of America for the Americans. We are not going to submit to that, and as our turn will probably come to defend our rights if things go on, then I say it is only proper, though the mother country sympathizes with the United States, that we should give expression to our views and honour those who deserve honour and criticize those who deserve criticism for the criminal course they follow.

THE MILITIA EQUIPMENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Did the Minister of Militia, when in England, cable authority to adopt the Oliver equipment? If such is the case, what is the wording of the cable?

2. It being reported that the Oliver equipment, as adopted, is materially different from the model sets sent for testing purposes, and further, that such an

equipment is not the same as that reported upon by Major General Gascoigne, to what extent, in what particulars and on whose authority and recommendation has such a change been made?

3. Does the price of $5,000 given for the rights of Deputy Surgeon General Oliver's equipment include a full settlement, or will he, in addition, receive a royalty on each set made?

4. What is the name of the firm who are to manufacture the equipment? What is the price per set? What are the names of the shareholders in the company or companies who are to manufacture the equipment?

5. When were the ten sets of the Lewis equipment delivered to the militia authorities? When were they sent by them to the regimental depots of Royal Regiment of Canadian Infantry? If there was a delay of three months in the distribution of those sets, why was this delay permitted to take place, and was General Gascoigne aware of this fact?

6. Was any letter sent to the Honourable Minister of Militia by Captain Ernest F. Wurtele? If so, why such letter or letters have not been produced in the Return ordered by this House in connection with the equipment of the militia force? Will they be produced.

Hon. Mr. MILLS.—The following are the replies to the hon. gentleman's questions:—

(1.) I am not aware of any such telegram. (2). I am not aware that any change has been made from the pattern equipment of Deputy Surgeon General Oliver. (3). Full settlement. (4*a*.) The following are the names of the firms actually manufacturing the Oliver equipment: Adams Bros., Toronto, and Knight & Munro, Halifax. (*b*.) Price per set $6.45 without the valise. A certain number of valises are now being made by Adams Bros at $2.50 each, there being no money sufficient to order the whole quantity. (*c*.) The department has no knowledge who are the shareholders of said company,

5. When were the ten sets of the Lewis equipment delievered to the militia authorities?

On the 11th of September, 1897, Captain Wurtele was written to and asked to send us the ten sets of equipment to be tested. His answer dated the 13th of the same month was that there were in the militia stores at Quebec. They were deposited there on the 14th June, 1897. On the 27th Sept., instructions were issued by the general officer commanding to have them tested at the regimental depots to which the equipment was sent on the 1st October next.

(*b*.) If there was a delay of three months in the distribution of those sets, why was the delay permitted to take place?

The delay which took place is partly due to the fact that the ten sets of the Lewis equipment were not forwarded direct to headquarters, but left in stores at Quebec. However, this fact did not interfere in any way with a full and fair test being made of that equipment.

(*a*.) Was General Gascoigne aware of this fact? No.

(6.) Was any letter sent to the Honourable the Minister of Militia by Captain Wurtele (Ernest F.) If so, why such letter or letters have not been produced in the Return ordered by this House in connection with the equipment of the militia force?

They have been produced in a supplementary return on the 25th instant.

STEAMSHIP LINE TO FRANCE.

INQUIRY.

Hon. Mr. POIRIER inquired:

1. In what state the negotiations are between the government of Canada and that of the French Republic regarding a line of Transatlantic steamers intended to give a service between the two countries?

2. Whether it is the intention of the government to grant $80,000 for this service, as has been announced for some months?

Hon. Mr. MILLS—In reply to the two ques ions which the hon. gentleman has put, I may say the subject is before the government and is under consideration, but has not been finally disposed of, and so I am unable to give him any further answer at the present time.

MINISTERS' TRAVELLING EXPENSES.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. How much did cost the voyages which were undertaken in 1897 by the Right Honourable the Prime Minister and the Honourable the Solicitor General, to Europe, to the United States or elsewhere?

2. Are these travelling expenses the expenses incurred by each of these two members of the administration individually, or do they comprise the expenses of a private secretary or of any other persons composing the following of each such member of the administration?

3. Were these members of the administration accompanied by their private secretaries?

4. Had these two members of the administration in their service other persons than a private secretary? Who were such persons and in what quality were they employed?

Hon. Mr. SCOTT—When the hon. gentleman placed on the paper questions of a similar character, as I explained to him in giving the answer, the premier gave his reply, which I communicated to the hon. gentleman. So far as the premier is concerned, the answers I gave on that occasion

would be the answers to-day. I can give him no other. In regard to the Solicitor General, he has up to the present omitted to send me any information on the subject. I sent him the memorandum, but he has not forwarded any answer to me.

Hon. Mr. LANDRY—Then I might be permitted to let the inquiry stand.

Hon. Mr. SCOTT—I do not think it would be of any use. I think it would not be answered.

Hon. Mr. LANDRY—You think it will not be answered?

Hon. Mr. SCOTT—No.

Hon. Mr. LANDRY—The hon. minister the other day spoke of impertinent questions. I think, perhaps, that word might be properly applied to the answer given by the premier. The answer was that if I would wait for one year I might find the information in the Auditor General's report. The House has a right to some better answer than that. We are entitled to have some of the details of the public expenditure, and the House is not being treated as they should be when the minister tells us that the information can be obtained in the Auditor General's report. I am asking for further information to-day and what am I told? That I will not get any answer. The hon. minister says there is no use in leaving the question on the order paper, because I cannot get any answer—because the Solicitor General will not give an answer. That is the answer we get to-day. I put those questions before the public and I want the public to know how this government are prepared to give the information we are asking for. That is the way we are treated by the government. They are afraid to give the information. They dare not answer because they know the facts would condemn them and would show the people of the Dominion what course they are following to-day and that is why they do not want the public to know how they are acting. But I will ask the question again.

THIRD READINGS.

Bill (O) "An Act to amend Chapter 11 of the Statutes of 1897, intituled: 'An Act to restrict the importation and employment of Aliens.'"—(Hon. Mr. Mills.)

Bill (104) "An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company, as amended."—(Hon. Mr. Clemow.)

Bill (119) "An Act to incorporate the Dawson City and Victoria Telegraph Company, as amended."—(Hon. Mr. Clemow.)

Bill (128) "An Act further to amend the General Inspection Act."—(Hon. Mr. Scott.)

Bill (140) "An Act further to amend the Militia Act."—(Hon. Mr. Scott.)

FRANCHISE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act." He said: This bill is one of considerable consequence, as it affects to some extent the constitution of the House of Commons. The provisions of this bill are not novel to the Senate. At the time the Federal Union was adopted, necessarily the qualifications of voters for the return of members to the House of Commons was the same as the qualifications which, prior to the union, had existed in the election of members to the legislatures of the different provinces that were united; and so, in our first election, both for the House of Commons and for the different provinces, the qualification of voters for the election of members from each province to represent that province in this parliament was necessarily the same as the qualification for the election of members to the provincial assembly. Although we had on more than one occasion proposals made in the House for an elective franchise, peculiar to the House of Commons and distinct from that of the provinces, no such measure was seriously pressed forward and carried through the House of Commons prior to 1885; so that from the beginning of the existence of this Federation in 1867 until 1885 or, practically, 1886, there was no difference between the voters' lists of the different provinces and the voters' list of the Dominion. The elective franchise for the return of members of the House of Commons was exactly the same as the elective franchises in the same province for the return of members to the legislative assembly. No

complaint was made of any injustice or any inconvenience arising from the adherence to that policy. It was found in many respects advantageous, and it certainly was inexpensive. A very considerable sum has been required to prepare new voters' lists since the Act of 1885 came into operation, which was not required prior to that period. I am not undertaking to maintain that there is any great principle at issue between the law as it stands and the law as it was, and as we again propose to make it. The question is rather a question of convenience. It was found that under the law from 1867 to 1885 the convenience of adhering to the electoral franchises of the province was very great. Under the United States constitution, from the beginning, they adopted this principle, and their constitution expressly provides that whatever may be the qualification of an elector for the return of a member to the most popular branch of the state legislature shall also be the qualification of an elector for the election of a member of the House of Representatives. That, I say, was the law practically which we adopted from 1867 to 1885, and that is the law which, if this bill comes into operation, will again be enforced. Now, objections are sometimes made to this proposal. It is urged that you are practically divesting yourself of the authority to say what the voters' list shall be, what the qualification of the elector shall be. That is a mistake. If this law comes into operation, and the party who is a voter in the province also becomes a voter for the purpose of electing a member of the House of Commons, it is by virtue and force of this statute that that is the case. It is by our act that that becomes law, and so far as the legislation is concerned, there will be no departure from the principle which exists whether you follow the one system or the other.

Hon. Mr. McCALLUM—Then we are not going to have a private ballot in the province of Ontario?

Hon. Mr. MILLS—My hon. friend speaks about a private ballot in the province of Ontario? We have nothing to do with the question of the ballot; we have nothing to do in this bill with the question of the manner in which the election shall be conducted; we are dealing in this bill with the qualification of the voter who is, when an election occurs, entitled to vote at the Dominion election; and we say that if he is a voter for the election of a member to the House of assembly in any province, he shall also be an elector for the return of a member to the House of Commons.

Hon. Mr. McCALLUM—With a numbered ballot?

Hon. Mr. MILLS—The ballot has nothing to do with it. We have nothing to do with their system of election. Let me say, further, that while this country is a unit, it is composed of different provinces. These provinces have each an autonomy of its own; each is sovereign within its own sphere to the extent of its authority. That has been held over and over again by the courts, and that view has been affirmed by the Judicial Committee of the Privy Council. The province, within its own sphere, is sovereign; beyond that it has no authority, and we are sovereign to the extent of the authority conferred on us by the British North America Act. Now the constitutional distribution of power between the provinces and the Dominion is also a matter of convenience, and the principle of confederation is an important principle. But the object of the British North America Act was to make what were before distinct provinces one Dominion. For certain purposes we are one people; for all national purposes we are one people, and whether you look at the constitution of the provincial legislatures or whether you look at the constitution of the federal parliament, there is an assumption in both cases, and what I think is a reasonable assumption, that the people of this country are qualified for self-government. You do not undertake to say that the power that is entrusted to the one or to the other cannot be exercised because it is liable to be abused. You assume that it will not be abused. You assume that the force of public opinion, being a healthy public opinion, if mistakes are made or if wrong is done, will be right, and so you are for all governmental purposes a unit—power distributed for certain purposes to local bodies, power for general purposes vested here—but whether it be exercised by one body or the other, it is power legitimately exercised by those who are qualified by the constitution to discharge the duties that that constitution imposes on them. That being so, how

can it be argued that the legislature of a province is not to be trusted with saying what the qualifications of a voter should be? What power do we part with in saying that? If that becomes law for Dominion purposes, for the return of members to the House of Commons, it becomes a law by virtue of what we do, and not by virtue of what is done in the local legislature. And so the question, I say, is one of convenience. It is a question whether we have the necessary machinery to efficiently, and without undue burden imposed on some person or persons, prepare a proper voters list. The experience of the United States pointed that out early in their history, and when they came to prepare a constitution some five or six years after they had existed as a federation, they expressly provided that the qualification for the return of members to the most popular branch of the State Legislature should be the qualification for the election of members to the House of Representatives. They are one people, divided into States it is true, but for national objects one people, and so they entrust to the State Legislature that is returned by the same men who return members to the House of Representatives that represents the same people, and if they are qualified to elect the one they are qualified also to elect the other. The same public opinion which would govern or control the election of members to the local legislature, in saying what the qualification of an elector should be, would control the House of Commons in the election of a member.

Hon. Mr. McMILLAN—From a different standpoint.

Hon. Mr. MILLS—No from the same standpoint.

Hon. Mr. McMILLAN—The constitution of the United States did not provide there should be a federal list, while in Canada it does.

Hon. Mr. MILLS—No, you are mistaken. The constitution does not provide there shall be a federal list. It is in the statute.

Hon. Mr. McCALLUM—That is a distinction without a difference.

Hon. Mr. MILLS—No, it is an essential difference. If my hon. friend will allow me to proceed——

Hon. Mr. McCALLUM—The hon. gentleman might answer questions.

Hon. Mr. MILLS—But the hon. gentleman is not putting questions.

Hon. Mr. McCALLUM—Does the hon. gentleman mean to say that by this bill he is going to give a numbered ballot in the province of Ontario, the same as we have now in some places, which has been used to abuse the electors of the country? If that is the case I must oppose the bill.

Hon. Mr. MILLS—This has nothing to do with the voting. It deals with the qualifications of the voter. But how the election shall be held, whether it shall be by open voting or by ballot, as under the Australian system, or whether it shall be by ballot that that is absolutely secret, as under our system, is a question which this bill does not touch, and with which this bill has nothing whatever to do.

Hon. Sir MACKENZIE BOWELL—Would the hon. gentleman look at section 19 and tell me what it means? If I understand the reading of it, the latter portion of the clause provides for the manner in which the vote shall be cast and the marking on the counterfoil of a number and then a number on the ballot.

Hon. Mr. MILLS—But there is nothing in this bill touching that question at all.

Hon. Sir MACKENZIE BOWELL—Yes, the 19th clause.

Hon. Mr. MILLS—No, there is no attempt to alter the provision of the law in that regard. I was stating, when my attention was diverted from the subject, that the question is not one of principle but one of convenience, that the electors who return members to the House of Commons, the community for whom those electors speak, is precisely the same community that elect members to the provincial assembly. There is no difference, and if our system of parliamentary government works smoothly and with accuracy, is it not obvious to ever yone that a subject upon which the public have made up their minds must find its expression in the legislature in which their representatives sit? Whether it be the local legislature or the House of Commons, the community being the same, the public opinion of that community will find its expression in both

houses, and the expression of that opinion, if it is in favour of manhood suffrage, will be equally expressed in both houses; if it is in favour of a property qualification, that will be expressed in both houses, and so whether you entrust each house with a separate power, or whether you make the one in effect speak for both, the result will be in the end the same. The only modification of which that general statement is susceptible is a modification due to the fact that the representatives of one province may interfere in the House of Commons with the opinions formed by a majority of another province, and so the collective result may be somewhat different from what the result would be, taken in detail. I think every hon. gentleman will see that that is so, and that being the case, you have a more perfect expression of the view of each province, as such, if the voters' lists are prepared by the authority of the legislative assembly in that province than you can in a House of Commons, where they are all combined, and where one may interfere with the fair expression of the opinion of the other. Now, why should we declare that the qualification of an elector for the return of members to the House of Commons, shall be the same as those in the legislative assembly of the province? Because they have the machinery for the creation of the voters' lists which we do not possess, and so that list can be created more efficiently, more completely, through the instrumentality of the municipal organizations which owe their origin to the authority of the province, and are within the provincial jurisdiction, than it is possible to produce by any machinery which we can contrive. That view impressed itself strongly upon the late Sir John Thompson when he was Prime Minister, and he introduced into the House of Commons a bill for the same purpose which we have in view in introducing this bill, of declaring that the qualification of an elector for the return of a member to the legislative assembly should be the qualification of an elector for the return of a member to the House of Commons. When you look at our constitution, as it was originally prepared and given to the delegates who went to England for the purpose of having it moulded into an Imperial statute, you will see that in that original draft it was not proposed to give to the federal parliament power to deal with the subject of the qualification of voters, or with the electoral lists at all, that the return of representatives to the House of Commons was to be in proportion to the population of that province, and it was the original scheme to leave to each province to decide what the electoral division should be, what the qualification of voters should be and everything relating to the constitution of the House that represented the different provinces in the popular assembly of this parliament. When the representatives were in England they changed that system. They conferred upon the central legislature the power to provide for the distribution of seats and also as to the qualification of voters, but in the first instance the qualification was to be that which existed in each province prior to the union, and that law was to continue until this parliament saw proper to alter it. That law continued until 1885. It worked so satisfactorily that for eighteen years it remained in force—that is, the principle: the law as it originally stood did not, because the provinces altered and amended the law, and we did not adhere to the law as it originally stood, but accepted the alterations and amendments which had been made by the provinces down to 1885. Now, I would venture to say that any hon. gentleman who sits in this House, and was formerly a member of the House of Commons, and was returned to that House prior to the alterations of the law in 1885, will remember right well that during the whole of the continuance of that period he had little or no trouble in respect to the voters' lists; he was put to very little expense. The publication, where the lists were published, was under municipal control; the preparation of the lists originally was a preparation by the municipal councils in the different townships in which, in almost every instance, both parties had representatives, and that list was so complete, was made so satisfactory in its original preparation that in scarcely an instance—that is in the province of Ontario—was it found necessary to appeal to the county judge, either to add or to strike off names, or in any way to modify the lists as they came from the court of revision. That was a very satisfactory condition of things. The men who prepared the lists were men who knew the people, men who were qualified by their personal knowledge, because each municipality, each village, each township deter-

mined who were the electors within the municipality; and as they were personally known to the gentlemen who constituted the court of revision, very little alteration in the list, as it was prepared, was ever called for. Now, that is a condition of things that cannot exist under the independent list prepared by the authority of this House. We have no municipal organizations, and when we undertook to appoint a party to prepare the list, as we did, we called him under, our statute as it is still in force, a revising officer; but he was not in any proper sense a revising officer. He created the list. The list was his production, and if he did any revising, it was the list that he himself had prepared that he revised.

Hon. Mr. McMILLAN—From where did he get it?

Hon. Mr. MILLS—From the source where he was authorized to look for it.

Hon. Mr. McMILLAN—Was it not really the assessor's?

Hon. Mr. MILLS—Possibly.

Hon. Mr. McMILLAN—That is the same as the others.

Hon. Mr. MILLS—No, the court of revision may put on names that assessors omit, because the parties' names are known, It is the personal knowledge and acquaintance that is of very great value. The county judge, or whoever may be the revising officer, is not a party who can possess the knowledge. His personal knowledge must be confined to a few people and a very limited area, and so he stands in a wholly different position from that which the court of revision occupies in every village and in every township. Why, you take an ordinary electoral district in which there are say ten municipalities, and most of them will average more than that: How many are employed in the province of Ontario in the preparation of that list? You have the clerk and the five councillors and the assessor, seven persons in each of the ten municipalities; you have seventy persons whereas, under the Dominion system, you have one. Is there any comparison between the possibility of making a complete list under the one system as it stands compared with the other? I say that there is not.

Hon. Mr. McMILLAN—That one gets the benefit of the work of the seventy.

Hon. Mr. MILLS—My hon. friend is mistaken.

Hon. Mr. McMILLAN—He can copy from their lists?

Hon. Mr. MILLS—He can copy the assessment roll; that is all. And if the assessor should leave off a man who possesses the necessary income franchise, or leaves off a farmer's son, or an owner's son, that fact is known to the court of revision in the municipality, in the village or in the township; that fact cannot be known to the county judge unless it is specially brought to his attention. I say there is no comparison between the cheapness and efficiency which practically exist under the one system as compared with the condition of things existing under the other. Take any one province of this Dominion; will any hon. gentleman name a province where, in the preparation of the voters' lists there have been the same cost or expense incurred as in the preparation of the Dominion lists? Is there any member of the local legislature that has been put to $800 or $1,000 expense in looking after the revision of the list, and perhaps another man opposed to him politically incurring the same expenditure in looking after the list on the other side. Then you have all that to add to the cost of your revising officer, and the cost of the printing and preparation of the list. But that is not all. Under the present organization or system, you have a list that is a standing list from which names may be struck off upon sufficient evidence, upon which names may be put upon sufficient evidence, but under the provincial system you have a new list made every year, and it is far more inexpensive to prepare a new list than it is to undertake to revise the list existing. Then there are scarcely two revising officers that act precisely on the same principle. Let me take an illustration. A revising officer says to those who come before him "I will not strike off the name of any tenant on his list without you bring under my notice the evidence that his tenancy is at an end. You must subpœna the proprietor, or you must subpœna the tenant, and you must show to me that the tenancy no longer exists." Well, what is the effect of the bad adoption

of that rule? The effect is that in nine cases out of ten those names stand on the list. The tenant has served his time, his tenancy is at an end; he may have moved to the United States and another tenant is in his place. You produce the assessor's roll and you show that there is another tenant's name there, and that the former tenant's name has disappeared; but the judge will tell you that it is quite possible that that tenancy may still exist, notwithstanding that a new tenant is on the property. He may have sublet it, or he may have sublet a portion of it; the result is that in many cases it would cost far more to the man who is interested in preparing a complete list to get the names of the parties removed than it would to make a new list outright for the year. Now, I am speaking of what has again and again come under my own knowledge; I am speaking of what I am conversant with practically, and I dare say every hon. gentleman who formerly sat in the House of Commons, and who is now a member here, has had experience of exactly the same kind. What difficulty can there be, then, in the adoption of the previous franchise? Surely the communities who are qualified for self-government and elect us, whether the qualification be exactly the same or not, are equally qualified to return members to the local legislature. Why cannot those representatives of the same people be entrusted to speak on this subject when they have all the machinery necessary for the purpose of preparing a list which is mutually advantageous both to them and to ourselves? We had this system for seventeen years, and no one ever complained of it; no one sitting in the House of Commons complained that it produced unsatisfactory results. No one said that the local legislatures had admitted men that were not qualified, or men that ought to be excluded from the electoral franchise, and so ought not to have the privilege of voting for members of this House. Practically, the qualifications in all the provinces are very much the same, and so no danger can flow to the constitution of the House of Commons in consequence of the adoption of this rule. Now I need not discuss the question of convenience further. I know this, every hon. gentleman knows it, that we have never had a voters' list prepared—and we ought to have one every year—at a cost of less than $300,000. In that you save an immense expenditure; you omit an immense expenditure of money made by private parties, by persons who desire to become candidates, by persons who already represent these constituencies, who are obliged to spend a great deal of time and to incur no inconsiderable amount of expenditure in order to perfect the list, so far as they can, by seeing that their own friends are put on it. Under the one system all that implies a very large expense, because there are meetings held by the judge in every township and in every group of polling divisions for the purpose of revision, and several parties are obliged to attend when that revision is made by the municipal council under municipal authority. All that waste of time and all that expenditure will be avoided, because the work is being carried on by those upon the ground who are specially conversant with the subject. Now let me call the attention of the House to the provisions of this bill. Section 5 practically brings in operation the laws of the different provinces. Subsection A provides:

> The qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that province as necessary to entitle such person to vote in the same part of the province at a provincial election;

Then subsection B provides:

> The polling divisions shall be those established by or under the laws of that province for the purposes of provincial elections within the territory comprised in the electoral district for which such election is held.

Then subsection C provides:

> The voters' lists shall be those prepared for the several polling divisions so established and which on the sixtieth day next preceding the day fixed for the nomination of candidates for such Dominion election were in force or were last in force under the laws of that province for the purposes of provincial elections.

Then subsection D provides:

> Where, for any part of the province, polling divisions are not established by or under the laws of the province, but by or under such laws places are fixed where polls shall be opened and held at provincial elections and lists of the voters entitled to vote at such places at such elections have been prepared and are or have been in force, polls shall be opened and held in that part of the province at the same places, and the voters' lists so prepared and which are or were last in force shall be the voters' lists for the purposes of such Dominion election.

Subsection E provides:

> It shall be the duty and shall be within the power of the returning officer appointed by the Governor in Council to constitute polling divisions, and to appoint and fix polling places and polling stations in all cases where, under the laws of the province, it is respectively the duty or within the power of the returning officer or any other officer or person at provincial

elections to do so; and the returning officer shall, in all cases, indicate such polling places and polling stations in the election proclamation.

In some provinces divisions are made in the way mentioned in the earlier of these subsections, but in some it is provided that the polling division shall be established by the returning officer. Where the provincial returning officer has the power to establish a polling division for provincial elections, the Dominion returning officer shall have the like power to establish polling divisions for a Dominion election. The provisions of the law of the provinces as to the places where non-residents shall vote, shall apply *mutatis mutandi* to such Dominion election, and the returning officer at such election shall have the power, and will be charged with the duties of sheriff and returning officer under these provisions. There are some of the provinces in which non-residents may vote, and so that feature of the provincial law of course remains in force in those provinces. There are some provinces where the voting is confined to the residents, and where that is the case that law will operate for a Dominion election in that province. The public opinion of the province of Ontario is very decidedly in favour of a residential vote. I know in some constituencies near the United States border that the result is that 100 and in some instances 200 or 300 persons have come from the United States, some of whom have been residents in that country for several years, some of whom have been naturalized citizens of the United States, but their names remaining upon the voters' list, for the reasons which I have already mentioned, or for other reasons, they come back and vote, and as soon as their vote is recorded, escape across the border again. That vote, in some instances, has been large enough to turn the scale of the election. I am sure that every fair-minded man, no matter what party he may belong to, will feel that a man who has cut his connection with his country, who has gone abroad, who has cast in his fortunes with another people, ought not to be permitted to come back to this country to vote. Our law has made provision against these parties being brought back at the expense of parties supplying tickets for them, and admission is practically made by these provisions of the law that it is a corrupt practice wherever such exists, but the temptation where men are opposed to each other, and where upon an examination of the voters' lists their friends find that they are persons who formerly voted with them who may be eight or ten years out of the country, but have their names still upon that list—the temptation is very great to bring these parties back again. There are corrupt practices of this kind which, no doubt, escape the supervision of the courts, which entail large expense upon the candidates and candidates' friends, and there is no way in which this abuse can be so effectively reached and put an end to as providing that the voter shall be a resident of the district in which his vote is recorded.

Hon. Mr. PERLEY—Hear, hear!

Hon. Mr. MILLS—Some of the provinces have not gone as far as Ontario has in that regard. We do not propose by this bill to interfere with their opinions as to what is right or best in the matter by undertaking to alter or modify the law, but I have no doubt whatever that, after a common system is adopted between the Dominion and the provinces, by friendly communication with the government, reasonable views with regard to this and other matters will ultimately prevail. Section 6 provides against the removal from the list or the disqualification of parties who would otherwise be qualified because of official disability imposed upon them. Section 6 reads as follows:

No person possessed of the qualifications generally required by the provincial law to entitle him to vote at a provincial election, shall be disqualified from voting at a Dominion election merely by reason of any provision of the provincial law disqualifying from having his name on the list or from voting—

(*a.*) the holder of any office, or

(*b.*) any person employed in any capacity in the public service of Canada or of the province, or

(*c.*) any person belonging to or engaged in any profession, calling, employment or occupation, or

(*d.*) any one belonging to any other class of persons who, although possessed of the qualifications generally required by the provincial law, are by such law declared to be disqualified by reason of their belonging to such class.

Hon. gentlemen will see that, under the provisions of the law, where a province has undertaken to disqualify a party because he is a Dominion office holder, if he is qualified in every other respect, that will not prevent him from being recorded as an elector and entitled to vote at an election.

Hon Mr. PERLEY—How will you get his name on the list?

Hon. Mr. MILLS—I will come to that provision later on.

Hon. Mr. DEBOUCHERVILLE—Will judges be allowed to vote under this?

Hon. Mr. MILLS—No, because they are disqualified by the Dominion Act, and not by the provincial Act. If a man is qualified under the provincial Act he shall not be disqualified. The judges being disqualified by Dominion statute are not electors by the provisions of this Act. The question put by my hon. friend from Wolsely (Mr. Perley) is answered by the next subsection, which reads:

2. Any person possessed of the qualifications so generally required, except that his name had been omitted from the list of voters by reason or on account of some such disqualifying provision, may, nevertheless, if not otherwise disqualified, vote at a Dominion election at the place where, but for such omission, he would have been entitled to vote under subsection 1 of this section on his taking or offering to take before the deputy returning officer or other officer or person in charge of the polling place, the following oath, in addition to the oath which he might have been required to take if his name had been on the list, so far as such last mentioned oath is applicable, viz.:—

I (A. B.) do swear that I am legally qualified to vote at this election, and that I verily believe that my name was omitted from the list of voters by reason of my being
at the time such list was prepared, and for no other reason.

Hon. Mr. PERLEY—This man has to swear himself on the list? He takes an oath before he can vote?

Hon. Mr. MILLS—Yes, he takes an oath that he believes he is disqualified by reason of the office which he holds, but not otherwise.

Hon. Mr. PERLEY—It is not fair to him that he should have to swear. I have known men who would not vote because they had to take an oath.

Hon. Mr. MILLS—That cannot be helped. If a man suspects that another has been bribed, or improperly influenced to vote at an election, he may ask him to be sworn. If he thinks he has taken the oath of allegiance to some other government he may ask to have him sworn; and the man must take the oath or not vote at all, and this does not place the party who is required to take the oath in any worse position than any elector whose vote is challenged.

Hon. Mr. DEBOUCHERVILLE—In the case of a Quaker, what does he do?

Hon. Mr. MILLS—He can affirm.

Hon. Mr. DEBOUCHERVILLE—It says here "swear."

Hon. Mr. MILLS—There are certain parties who, under the general law, are entitled to affirm. Then it is declared by subsection 3 of this section that certain persons shall not be affected by this Act. Then there is a clause with reference to the disqualification of criminals, lunatics and paupers, the same as is found in every statute. Then section 7 deals with the polling places. The province of New Brunswick is in a different position from the other provinces; if I remember rightly, there is no other province just in the same position, and it is provided here that where there is a large polling division containing more than 300 votes—and I understand they have 500 and 600 in some divisions—you may divide the voters' lists and have two or three voting places in the same division, requiring from A to K to vote in one division and those from K to S to vote in another, and those from S to Z to vote in a third.

Hon. Mr. CLEMOW—Is that the law now?

Hon. Mr. MILLS—It is the law in New Brunswick.

Hon. Mr. CLEMOW—I think it is the law in Ontario.

Hon. Mr. MILLS—My hon. friend is mistaken. In the province of Ontario, if there are more than a certain number in the polling division, it must be divided and two polling divisions established, but in the province of New Brunswick in many instances there is a polling division of several hundred, and instead of dividing the polling divisions into distinct different polling divisions as we do in Ontario, we establish different polling places in the same division.

Hon. Mr. CLEMOW—The result is the same.

Hon. Mr. MILLS—Practically the same result. But in this case we meet the condition of affairs without in the slightest degree altering or amending the local law. The other subsections provide where the electors are to vote, and so on. Then there is provision made for cases where the polling division is not within the electoral district. You may have an electoral division—although that is very rarely the case—where the

electoral boundaries do not correspond with the electoral boundaries in the Dominion, and in that case you may have a polling division that is a unit for the provincial election, which might have a part of it in one electoral division and part of it in another electoral division for the Dominion. In section 8 you have provision made for that. Section 9 provides that where the electoral list is more than one year old a new list may be made in conformity with the local law and local machinery. I do not know that I can fully go into a discussion in detail of all these different clauses, because they are matters of detail that can best be considered in committee and involve no special principle.

Hon. Mr. McCALLUM—Will the hon. minister explain clause 19?

Hon. Mr. MILLS—Clause 19 reads:

Subsection 1 of section 45 of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that not more than one elector for each compartment shall at any one time enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, and in the province of Prince Edward Island his qualification also, which shall be entered or recorded by the poll clerk in the poll-book provided for that purpose, which shall be kept in the form R in the first schedule to the Dominion Elections Act; and if the name is found on the list of voters for the polling district of such polling station, or if in any polling division whereby the provincial law no list of voters is required or provided such elector is found entitled to vote, or if his name is not on the list of voters, but he claims the right to vote under subsection 2 of section 6 of this Act, and takes the oath prescribed by that subsection, he shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the counterfoil to which he has placed a number corresponding to that placed opposite the voter's name in the poll-book.

My hon. friend will see that that is a provision of our law as it now stands?

Hon. Mr. McCALLUM—Do you call that ballot secret?

Hon. Mr. MILLS—Certainly. It is not the provincial law. It is the law in force in the Dominion with regard to that particular class of cases, and my hon. friend will see that there is no departure from any rule which has not been already acted upon in the elections being held if there was no change in the law at all. So that it is not necessary for me to undertake to defend—

Hon. Mr. McCALLUM—To defend what has been done in the province of Ontario?

Hon. Mr. MILLS—No. My hon. friend has supported this very law.

Hon. Mr. McCALLUM—I will give you my opinion shortly.

Hon. Mr. MILLS—My hon. friend thinks no good can come out of Nazareth, and he is disposed to look with suspicion on anything found in a government bill.

Hon. Mr. McCALLUM—There is no doubt about that. That is true.

Hon. Mr. MILLS—And I can assure my hon. friend that in this case there is no occasion for this suspicion.

Hon. Mr. McMILLAN—Are those tendered ballots counted? They are not under the old law.

Hon. Mr. MILLS—I see no reason why they should not be. But this does not alter the law in that regard.

Hon. Mr. McKAY—If I understand this clause, the latter half of it refers entirely to Prince Edward Island.

Hon. Mr. MILLS—It applies the existing law to that particular case. My hon. friend will see that it does not alter the law as it at present stands.

Hon. Mr. SCOTT—If the hon. gentlemen will read the section of the Dominion Elections Act, they will find that it is word for word the same as this section. It will be observed in a subsequent section that the counterfoil is destroyed. It does not go in with the ballot.

Hon. Mr. McKINDSEY—The numbers are not consecutive?

Hon. Mr. SCOTT—Oh, no. It is not the local law at all.

Hon. Mr. MILLS—My hon. friend will see that in this case there is a ballot with a counterfoil and the counterfoil is preserved; in our elections they are not so. The counterfoil is destroyed and so there is nothing whatever by which to trace the ballot.

Hon. Mr. SCOTT—In section 46 the deputy returning officer is directed first to detach and destroy the counterfoil and then he shall immediately place the ballot in the ballot box.

Hon. Sir MACKENZIE BOWELL—The question is whether the substitution of this clause for the one you have just read does not apply, the latter portion of it, to Prince Edward Island, as indicated by the hon. gentleman from Truro. You repeal that clause altogether : therefore it is no longer the law of the land ; but the clause which is substituted for it becomes the law and the question asked by my hon. friend from Truro is whether, by the wording of this clause, that portion of it to which you have referred does not apply exclusively to Prince Edward Island. That is the point to which the hon. minister's attention was called. I have compared them, and while both the hon. gentlemen who have spoken have failed to point out the difference between the two, I will do it for them. The word "surname" is left out and these are the words that are added after making that alteration. It says :

And in the province of Prince Edward Island his qualification also, which shall be entered or recorded by the poll clerk in the poll-book provided for that purpose, which shall be kept in the form R in the first schedule to *The Dominion Lands Act ;* and if the name is found on the list of voters for the polling district of such polling station.

Now, these are the words which are added :

Or if in any polling division where by provincial law no list of voters is required.

As is the case in Prince Edward Island.

Or provided such elector is found entitled to vote or if his name is not on the list of voters but he claims the right to vote under subsection 2, of section 6 of this Act.

That is the Act to which my hon. friend refers.

And takes the oath prescribed by that subsection.

These are the new words, and then it says :

He shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the counterfoil to which he has placed a number corresponding to that placed opposite the voter's name in the poll-book.

That is applicable under the old law to all polling divisions ; is it so under the wording of this bill ?

Hon. Mr. MILLS—Certainly. My hon. friend will see, if he reads this a little more carefully, that it is not confined to Prince Edward Island, that it is a general provision.

Subsection 1 of section 45 of the said Act is hereby repealed and in lieu thereof it is hereby enacted that not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, and in the province of Prince Edward Island his qualification also.

Now that is the only difference between Prince Edward Island and any other place.

Hon. Mr. FERGUSON—There is a further difference.

Hon. Mr. MILLS—My hon. friend will see that it is simply providing for a series of contingencies and the position of Prince Edward Island is peculiar.

Hon. Mr. DEBOUCHERVILLE—I think there is a great improvement in the ballot ; I compliment the hon. gentleman in having accepted the Quebec ballot.

Hon. Mr. McCALLUM—I do not object to the second reading of the bill. Some improvement in the election law of this country is wanted. What I am particularly interested in is the marking of the ballots. We have had some experience of the ballot in Ontario, and we find that it is not a secret ballot, but is held as a whip by the government over their employees and the holders of licenses. The hon. gentleman says that the qualifications of voters are very much alike in all the provinces. I do not agree with him. We should have manhood suffrage all through this Dominion, because every one contributes to the revenue and every man is liable to military service in time of trouble. My hon. friend says that the qualifications of voters are the same in all the provinces ; how is it in Quebec ? In Ontario we have one man one vote ; in Quebec an elector can vote wherever he holds property.

Hon. Mr. BOLDUC—But we can only elect sixty-five members from the province.

Hon. Mr. McCALLUM—Why should not a man living in Ontario have as many votes as if he lived in Quebec ? In Quebec the qualification of a voter is possession of bricks and mortar and land ; in Ontario the qualification is the possession of brains. I do not mean to reflect on the province of Quebec ; I simply state a fact. The hon. Minister of Justice speaks of the expense of the present system. I admit that it is expensive, but what do the government propose

to do? Instead of paying it themselves, they are going to throw the charge on the municipalities.

Hon. Mr. SCOTT—This bill does not impose anything on the municipalities.

Hon. Mr. McCALLUM—As I said before, we have had such an experience of the ballot in Ontario that we are all interested in avoiding the same evil in this measure. The object of the ballot is to protect the voter, but in Ontario every vote can be traced. That is why I have questioned the minister on the subject, because I do not wish to see the Ontario system adopted here. I am glad to hear him say that it will not be, and we will hold him responsible for that We will be able to see, when we get into committee on this bill, what sort of legislation we are getting. If it has the effect of enabling the government to trace how ballots are marked in any part of Canada, I should vote against the bill if I had to vote alone. Give us either a secret ballot or open voting. That has been the case in the province of Ontario and it is no wonder I feel tender on that point of secret ballots. The ballot works well because it gives a quiet election, and there is not that excitement in voting by ballot that there used to be when we had open voting. As I said before, I am not going to detain the House in saying anything now; I may have something to say when the House is in committee on the bill.

Hon. Sir MACKENZIE BOWELL—It is not my intention to enter into a discussion of the details of this bill at this stage. If we pursued the same course which was followed by the hon. Secretary of State in 1885, when the Franchise Bill was submitted to this House, we might dispense with all discussion upon the question. At that time the hon. gentleman, supported by those by whom he was surrounded at the time, moved the six months' hoist to the Franchise Bill, thereby recognizing the right of the Senate to interfere even with the franchise which elects the members to the popular branch of parliament. I do not say that we propose to adopt that principle on the present occasion; and, speaking for myself, for this reason I think it would be a great pity if the party opposite, to which my hon. friend belongs, should be disappointed in placing at least one of the measures which they promised to the people upon the statute-book. Despite the numerous violations of their promises they are determined to carry out this one if they are permitted to do so, and I do not know that we should take the responsibility of preventing them acting at least in one particular in accordance with the many pledges and promises they have made; not only in the legislative halls of the country, but at their conventions and to the people. I congratulate them upon being honest at least in one particular. I, however, must differ to a certain extent from my hon. friend who has addressed the House, in the views which he has attributed to those who oppose the principle involved in this bill, and that is that we are divesting ourselves of power which we should exercise. Now, I readily admit that in delegating the power we have under the constitution to another body, it is a voluntary act of our own, and consequently if we divest ourselves of it we place ourselves in the same position as we do when enacting, in any case, a law which interferes with what we consider our rights or our privileges; but what we object to more than anything else is the fact that it creates a franchise for the election of members to the popular branch of the legislature upon a system which is not uniform in its character. Take the province of Quebec, to which my hon. friend from Monck referred a few moments ago. A man holding property qualification in a dozen different constituencies is enabled to record his vote for a representative to the House of Commons in each of them. That is a recognition of the right of property. In other provinces the franchise is based upon manhood suffrage to a greater or less extent. Then it gives a voter, under certain circumstances in one province, the opportunity of recording his vote in favour of a number of candidates, providing he has the qualification, while in Ontario, where I live, I might own any amount of property and, under certain circumstances, have no vote at all.

Hon. Mr. DANDURAND—But the same system exists under the Dominion Act. Under the Dominion Act I voted five times on the 23rd of June, 1896.

Hon. Sir MACKENZIE BOWELL—I know that. I was under the impression that that is what I endeavoured to point out, that

under the Dominion Act as it exists an elector can vote in each of the electoral districts in which he owns property, but under the local Franchise Act of Ontario he cannot. For instance, I was living in the city of Ottawa when I was a member of the government. I had a vote in the three ridings of the county in which I formerly lived, but in the city of Ottawa I was not upon the voters' list, and consequently under the Ontario local franchise Act I had no vote in the city in which I resided and had been living for seventeen or eighteen years, and not being a resident, under the law, in the county of Hastings I had no vote at all, while in the province of Quebec, no matter where you live, you can go and record your vote where you are on the assessment roll and represent the property you own. I commend the people of the province of Quebec for retaining that principle upon their statute-book. But that is not the case with us, hence there will be no uniformity in the future for the election of members to a legislature in which each has the same rights, the same powers, and the same privileges. Now, I am not so democratic as to believe that those who have, through industry attained a position of wealth in a country, and consequently pay the greatest amount of taxes locally and otherwise, should not have a preponderating power and a preponderating influence over those who have no status at all in the country, other than their existence. I know that is a theory that many of our friends, and more particularly my hon. friend opposite, I have no doubt, would object to.

Hon. Mr. MILLS—No; I am not combating it. I am combating the application.

Hon. Sir MACKENZIE BOWELL—I believe that universal suffrage, as applicable to the Dominion Parliament, is nearer a true principle than it is when applied to the local legislatures, and for this reason: the local legislatures have the power to deal with civil rights and property, giving power to municipalities to impose direct taxation upon every individual who has to pay in proportion to the property which he owns; while the Dominion Parliament compels you to pay to the revenue of the country, only in proportion to the consumption of dutiable and excise goods. There is the difference between the two; but that is not a question that I need argue at the present moment, nor need I occupy the time of the House in dwelling upon that principle, because it is not involved directly in this discussion; but I would like to ask, while we are divesting ourselves of the power, by the present bill, of having a uniform franchise for the Dominion, whether that law is to apply to the franchise which exists in the different provinces at the present moment, or to apply with the same force in case the provincial legislatures change, alter or amend them. I take it for granted they will: so that while we are relegating our power at the present moment to the local legislatures so far as the franchise is concerned; we know that in doing that, precisely what we are losing, but we cannot know in the future what they may do or how they may amend the law.

Hon. Mr. McMILLAN—In anticipation of an election.

Hon. Sir MACKENZIE BOWELL—Precisely, in anticipation of an election, as we know has been done in some of the maritime provinces, and as we know was done in one case in our own province. After the lists had been revised, after everything was ready to go to the election, it was determined by the Ontario government to hold an election at an earlier period than it was necessary to hold it, and they actually passed a law to have the lists of the whole province revised, and every candidate had to travel through his whole county in order to watch the revision of the voters' lists. Why do I have a distinct recollection of that? Because in a large county like my own, which is about 30 miles wide and 100 miles deep, and has 19 municipal divisions, I had to go to each poll, or employ somebody to go to each poll to see that the voters' lists were not manipulated against myself and against the party to which I belong. Now, that can be carried to any extent by the local legislatures, and we know it has been done in the maritime provinces to the extent of disqualifying a large number of voters just before an election, and I believe after the hon. gentleman came into power in one of the province they changed it (A laugh.)—An hon. gentleman opposite laughs; that may be considered a very shrewd political trick, but I doubt whether any man would consider it a moral act on the part of a politician at least, and there should be some little morality among politicians.

Hon. Mr. DANDURAND—I was not the party who laughed, but I wanted simply to state that the late Attorney General in the Conservative provincial government of Quebec, the Hon. Mr. Pelletier, as a private member in the Mercier administration disqualified the federal employees under the provincial law, and after he changed his allegiance and returned to the Conservative party in 1892, himself moved to wipe out the law that he had passed.

Hon. Sir MACKENZIE BOWELL—I am not at all surprised at the acts of the gentleman to whom he referred nor would I be surprised—

Hon. Mr. DEBOUCHERVILLE—Will the hon. gentleman allow me to say a word? The law by which the employees were disqualified was passed by the government of the Hon. Mr. Mercier, and this change was made by another government.

Hon. Sir MACKENZIE BOWELL—I was about to say that I am not at all surprised at any act which would be committed by a member of the Mercier government. That Mr. Pelletier so far forgot himself as to join that government and become a colleague of Mr. Mercier, was a sufficient reason why he resorted to trickery of that kind. The moment he found that he could no longer, as an honest man, having any regard for his own reputation, continue his connection with that government and with that leader, he reverted, as my hon. friend says, to his former allegiance, and in doing that he accepted a more honest policy and carried it out. I congratulate him on his conversion, and I congratulate him still further in trying to undo the iniquitous acts which characterized the administration of which he had been a member. My hon. friend (Mr. Mills) in his speech in moving the second reading of this bill, will not, I am sure, object when we go into committee—at least, I hope he will not object—to have such amendments made to the bill which would not interfere to any great extent with the principles which he has laid down. I know that in the other House, when it was proposed to give the right of appeal where a wrong had been committed, the reason advanced by the premier was that it would be an interference with the principle of the provincial franchise. Now, as you have departed from that in one particular instance, where you give a vote to those who had been disfranchised for political or other reasons, you surely will not object to the adoption of the other principle by which every man can secure his right before a judge of the land. Now, I can give an illustration of my own; if we had had no appeal to the judge in the county of Hastings, I should have had no vote in the east riding of the county of Hastings. The assessor assessed me, and had done so for years, for a sum sufficient to entitle me to vote. He served me with a notice paper; I paid no attention to it, but when the list was printed I found that my name was omitted and I wrote from Ottawa to my lawyer in Belleville to ascertain how that had occurred. He went and examined the records and found that the assessor, after serving me with a notice which showed upon its face that I had been assessed for a sufficient sum to give me a vote, had actually reduced it by $50, to cut me out of the vote. I appealed at once to the late Judge Sherwin to have my name restored, and upon the facts being proved to the court, my name was restored. Now, take an instance of this kind. I am very much inclined to think that this assessor is only a counterpart of a great many others in the different parts of the country and had I not fortunately for myself—

Hon. Mr. MILLER—If you had been in Nova Scotia you could not have got your name put on.

Hon. Sir MACKENZIE BOWELL—That is the point I am coming to. If it had been in Nova Scotia or Manitoba, I would have been deprived of that vote. That is one illustration. There are thousands that can be given of an equally iniquitous character. I hope my hon. friend the Minister of Justice will see the force of the statement which I have made and accept the amendment, a notice of which has been given by my hon. friend from Richmond. My hon. friend talked about the expense under the present law. I have figures in my hand to show that the registration of the voters' list in this city, a short time ago, cost two or three cents per head more than it did under the Franchise Act. I have also statements of the city of Toronto to prove the same fact. Another complaint was about the printing of

the lists for the whole Dominion in Ottawa, the most singular provision is this, that of all these voters' lists the type is to be kept standing in the printer's office. I have not consulted a printer, but I intend before the bill passes, to try and ascertain how many tons of type it will require to keep all the voters' lists of the Dominion standing. I have some little knowledge of the printing business, and I do not hesitate to tell my friends who do not know, that to take the voters' list of the city of Ottawa, or of Toronto, or of Montreal (my statement will not apply with so much force to the rural constituencies), the voters' lists of any city and change them after one or two years, it will cost less to set up and put in type the whole of the voters' list than it will to attempt to correct them.

Hon. Mr. SCOTT—They have the type set up now.

Hon. Sir MACKENZIE BOWELL—I am not talking about the law as it stands; I am talking about the law which you propose to enact. I say that in a case where the changes in the voters' list are so numerous as they are in all cities, it would be much better not to go to the expense of keeping the type standing, but to re-set it when the time came to prepare the list. I venture the prediction that you will find the expenses attending the preparation of these lists, particularly where you have a new list, to be equal to, if not greater than the old system which was in that respect objectionable. Then you must bear in mind, when we talk about the expenses attending the preparing of the last list and comparing it with the preparation of lists in the provinces, that there is no analogy between the two. I will speak of my own province and leave other members to speak of theirs. Every municipality, after the assessment is made, makes out its own voters' list, and that is printed and revised, and you can appeal to the judge. But the expense does not appear to the people of the Dominion, because that is paid by each individual municipality; but if you aggregate the total expense attending the formation of the lists of the provinces, I venture the assertion that it would be found to be much greater than the old system of preparing the voters' list for the Dominion.

Hon. Mr. MILLS—It is not duplicated.

Hon. Sir MACKENZIE BOWELL—I knew the answer my hon. friend would advance. That may be all true, but you do not have to duplicate it under that system. I do not propose to deal much further with these points. I think the bill will be found impracticable in its working, unless amended as suggested by the hon. gentleman from Richmond (Mr. Miller), and amended in other ways, which my hon. friend will see the necessity for. We will try and make it as palatable as possible, and amend only so far as it affects the great principle of uniformity which I am very partial to. My hon. friend has referred to Sir John Thompson and his proposition to adopt the local franchises for the Dominion. That statement was also made in the House of Commons. Is that correct? All that the Hon. Sir John Thompson proposed was to take the local lists upon which to form the Dominion franchise.

Hon. Mr. MILLER—Hear, hear. I quoted from Sir John Thompson's speech last session.

Hon. Sir MACKENZIE BOWELL—My hon. friend from Richmond is quite correct. Had Sir John Thompson lived and remained in power, I doubt not that we should have had a much simpler system of providing a franchise law for the Dominion than we have at present. We all learned by experience that that was his intention, and taking the different local franchises as they exist, their lists were to form a basis for a franchise for the Dominion. I merely refer to that in order to show exactly what the late premier of the country intended to do, and what, I doubt not, he would have done had he lived and remained in power for any length of time.

Hon. Mr. FERGUSON—Before the House goes into committee on this measure, I wish to offer a few observations upon it, and I wish to get the ear of my hon. friend the leader of the House while I point out to him some very serious difficulties which present themselves in the application of this bill to the little province of Prince Edward Island, from which I come. It is not necessary to discuss at any great length the general principles involved in the bill. I must say, however, that I regret exceedingly that we should

depart from that road of improvement we have been following for a long time in the way of developing the idea of union between the different provinces of Canada. The trend of legislation ever since confederation has been to bring the provinces more together, to centralize authority, as it were, and such legislation has had a very beneficial effect in doing away with local feeling and in strengthening the idea that we are one people. I regard this measure as a retrograde step in that view. We are going back from the position we took in 1885—a position that was plainly settled at confederation, when it was provided that the local lists should remain as the lists on which federal elections should be held until the parliament of Canada should legislate upon the subject, thereby showing that the fathers of confederation had distinctly in their minds the adoption of a general federal list whenever the time would come and the parliament of the country would have time to deal with the question. We are going back on that and creating disunion. We are going in the direction of disintegration in place of consolidation in passing such a bill as this is. But that is not all. My hon. friend the leader of the House has claimed that this measure is in the interest of economy, that the expense will be lessened, and I know that in all the discussions we have had upon this franchise question, that has been the main ground put before the public in favour of going back to the provincial lists. I am very much afraid that that result will not be reached, for in addition to the facts stated by my hon. friend, the leader of the opposition, in regard to the printing of the lists, it is provided in section 9 of this bill that wherever a provincial list shall be more than one year old, this government shall be at the expense of providing a fresh list, upon which elections shall be held. It may be that that may not occur very often, and it may occur quite often. It may happen that a province, seeing that they are not going to have an election, for some years, may suspend the preparing of a list for a year or two, in order to get the Dominion government to do the work for them. They have the power to do that. They may make it imperative on this government to go to work and be at all the expense of preparing lists, just as we were before. Then there is the keeping of the type standing, which will be a large item of expense. Then when we are going to hold an election, the law is printed and furnished to the election officials. I have here one provided at last general election for the use of election officers. When an election is being held the returning officer and deputy returning officer and all other officials intrusted in any respect with the conduct of the election will have to be supplied not only with our own laws, not only with the bill we are now passing and the Dominion Elections Act, but they will also have to be supplied with printed copies of the laws of all the provinces of Canada. You will then have not simply this volume, to print but you will have others ; and my own province will furnish a volume quite as large as this. It will have to be printed at the expense of Canada and furnished to the deputy returning officers in the election. And then there is another difficulty which is not altogether a matter of expense. These presiding officers are not professional men, and are not accustomed to perusing statutes, and you will have them wading through these federal and provincial statutes where they are made legislators and are required to change the form of an affidavit or a section in order to make them applicable. You will have a voluminous set of laws put in the hands of these men, and they are called upon to make these laws applicable, to change them in many respects where it would almost puzzle a lawyer to make them fit in one with the other. Such is the incongruous character of this legislation. My hon. friend the leader of the House said a few minutes ago that from 1867 to 1885, we got on very well holding our elections on the local franchises and my hon. friend seemed to infer that what we did then we can do just as well now. He appears to have lost sight of the fact that circumstances have changed very much. During these years since the passing of the Franchise Act in 1885, we have been amending and changing and re-enacting our Dominion Elections Act to make it harmonize and fit into our Dominion Franchise Act. You are now passing a bill which has not been drafted in conformity with your Dominion Elections Act, and without any or regard for the election laws of the various provinces, and in a short bill of this kind you are trying to dove-tail it in and make it work in connection with the Dominion Elections Act which was framed

without any reference to it, and you will also have to work it in connection with the election law of the seven provinces of Canada, which will lead to difficulty and confusion of the most serious character. I will point out one of those difficulties in my own province, and I think when I have stated the objection and the difficulty which arises, the hon. gentleman will see the necessity of applying some amendment to this bill if he can. The elections in Prince Edward Island are held by open voting and there is no registration of votes under the provisions of our laws. This may seem to be a very extraordinary manner of conducting elections and perhaps not a good one, but it is the system we have there and we have worked our own ends with it. We have no revision or preparation of voters' lists. A man can go into a polling division on election day, take the necessary oath and record his vote. It is an open vote. If he is not qualified to vote, in the opinion of the agent or candidate against whom he is voting, an objection is made and that vote is subject to scrutiny afterwards. With regard to any votes being polled twice, there is provision for a summary scrutiny by the returning officer before the declaration is made, and in the event of the vote being a bad one, an undue return by reason of bad votes may be the subject of an election petition. We often have election trials where there is no corruption or bribery charged—simply a question of the qualification of voters. In all the other provinces you have revision before the election. We have ours afterwards, and that revision is held by the judges of the land, but only those votes that are objected to at the poll are scrutinized. The man who has the largest number of good votes is declared elected. Under the bill we are about to pass, you have a system of non-registration to be worked in connection with a ballot. The Dominion Ballot Act applies to Prince Edward Island and to every part of Canada. A man enters a polling booth and claims he has a vote. The candidate against whom he is voting is morally certain that he has no vote. But the man takes the oath. We know there are many people ready to do that, and there will be many more willing to do it, when they know that when their vote is in the ballot box, it cannot be questioned. That is what you are doing by this law. You are associating a nonregistrative election law with the ballot system, and you may have hundreds of men without lawful votes brought into the polling places and swearing to their right to vote. They must then get the ballot and it is put into the ballot box. It can never be traced afterwards and it cannot be ascertained legally how the man voted. This bill does not provide that any objection shall be noted. It would be useless to do so, because the vote cannot be scrutinized. The remedy we have in Prince Edward Island under our local law, by which bad votes can be eliminated and only good votes counted is taken away and you are going to throw the election into the power of the unscrupulous part of the community who can, so to speak, swamp the votes of good men. I point out these difficulties in connection with this bill. Of course, in the hon. gentleman's own province no such question as that presents itself, but you have this difficulty in the heart of the bill, as it applies to my province, and connected with this difficulty there are a great many other clauses in the bill which are open to serious objection. The oath to be taken is the local oath. He may swear that he has not voted in that electoral district. That electoral district means the local electoral district in the local laws. There are cases in which there are, either in whole or in part, four or five local electoral districts within the one Dominion electoral district. You impose on the election officers the duty of making an oath applicable or suitable for the purpose of the Dominion election. Supposing the presiding officer is not an honest man, or not able clearly to wade through all these statutes and find out what they mean, to go to the Dominion election law and go to the Dominion Franchise Act which we are passing, and find what they all mean when read in connection with the local law and he finds this oath the form he has to administer and he presents that oath to the voter and insists that it is right, where is the remedy? With that oath presented men may vote again and again in the same federal electoral district. Take the district of East Queen's, in which I reside myself; there are four local electoral districts embraced within that district in whole or in part. A man may own property in four places in that district and go forward and vote in each of them the local election.

Hon. Mr. MILLS—He cannot do that in a Dominion election.

Hon. Mr. FERGUSON—He can if he takes the oath. My hon. friend says he cannot in a Dominion election, but he can only be prevented from doing so by the returning officer going over all these laws and settling in his mind the oath and making it applicable for the purpose of this election. He must alter the wording of the laws and the oath when they are presented.

Hon. Mr. MILLS—No.

Hon. Mr. FERGUSON—My hon. friend says no, and shakes his head, but when my hon. friend is as familiar with the subject as I am in my own province he will not dissent from the view I am presenting. Taken in connection with the fact that in Prince Edward Island there is open voting, and that under this bill we are passing is going to be associated with ballot voting you have danger springing up of a most serious character. In the boundary of two of the local electoral divisions in the East Queen's electoral district there is a line cutting off the ends of farms for ten or twelve miles, and owners may vote in each place and every one of those may probably vote twice in the electoral district of East Queen's. My hon. friend dissents from that. He seems to have the idea that the oath will stop it. But supposing it is not made applicable to that election which is being held, they take the oath and put the ballot in the box, and how can that be remedied?

It being six o'clock the Speaker left the chair.

After Recess.

Hon. Mr. FERGUSON—Before recess, I was endeavouring to point out to the House, and more particularly to my hon. friends of the government, some incongruities in this bill when applied to the Dominion Election Act and to the provincial laws, and I was illustrating my meaning by reference to the laws of Prince Edward Island. The point I desire to make is apparent, or most apparent, when you take the Prince Edward Island case up. The same evils cannot arise under this bill in the other provinces because in the other provinces lists have to be made, and should persons make application and try to get their names repeated on lists, or to get their names on when they were not qualified and if the reviser should accept such names and make up a list of names in that way with repeaters on it, or disqualified persons, applications could be made to the court before the completion of the list, and the reviser could be compelled by mandamus, or some proceeding of that kind, either to add names of good qualified voters or to remove the names of those that were disqualified. That remedy arises, and is present in the formation of a list; but in Prince Edward Island there is no voters' list, and under the local law, as I have explained, there is open voting, and, consequently, when a vote is doubtful or bad, the candidate against whom it is recorded, or his agent, can mark it "objected," and then a scrutiny can be held, a summary scrutiny against repeated votes, before the returning officer, before a declaration is made and finally a scrutiny before the judges afterwards, and by means of that bad votes can be removed and the candidate who has a majority of good votes can ultimately be declared elected. That remedy exists under our local law, but when you attach a system that provides for no voters' list with ballot voting, a thoroughly secret system of ballot voting such as we have in Canada, it is possible for men to go to the polling booths and take all the oaths that are presented—believing that they are taking them honestly, or perhaps not, it does not matter what their beliefs may be—if their votes are bad and the ballot is given to them and put in the ballot box, the injury that is done is irrevocable, and the candidate having a majority of good votes may find himself at the foot of the poll and there is no remedy whatever under this legislation in order to get the man who has the majority of good votes elected. I have referred to the great difficulties which surround the adoption of this bill. The effect of attempting to engraft on the Dominion election law, which was framed for the old Franchise Act with a proper and thorough system of a preparation of voters' lists by the Dominion of Canada on a law of this kind proposing to bring in the laws of the different provinces with regard to the making of the lists and the qualification of electors, is that we bring in with us the whole of these local laws, and we bring together a most incongruous mass with which a layman will be utterly helpless as a presiding officer or a returning officer at the time of an election. I submit to my

hon. friend that some remedy should be provided for this. It might be got by the adoption of the English ballot, which I think is in force in Ontario.

Hon. Mr. SCOTT—Or by the legislature arranging their law.

Hon. Mr. FERGUSON—Yes, it could be got that way if the provincial legislature changed their law, but we are providing a Franchise Act for the Dominion of Canada, and surely my hon. friend does not think we would be doing right to imperil the franchise of the people of a province, be it ever so small, and merely say that the local legislature should make that right. It is not their business to make it right.

Hon. Mr. SCOTT—Yes.

Hon. Mr. FERGUSON—They have a system there that worked well for their own purposes. They have open voting and they have no lists, and the purging of the voters' list can be done in time before the declaration of the candidate's election, and in this way the will of the electors can be declared and declared properly. That is the way it works under the provincial law; but here you are engrafting a ballot system upon a non-registration plan such as we have in Prince Edward Island, and you bring in with it this difficulty, that men can go into the polling booths, take the oaths there, believing they are doing right or wrong, for that does not affect the question in the slightest degree—they can go into the polling booths, take the oaths and answer the questions and their names will be accepted, and have to be accepted; the presiding officer has no option if the vote appears at all events reasonable on the face of it, and having given them the ballot, the ballot is put into the ballot box and there is no remedy. The remedy might be found by the adoption of the English ballot under which, when a vote is doubtful a candidate believing it is recorded against him can object to it on the ground that the man is not qualified to vote, and a number would be allowed to be placed on the ballot, and a corresponding number in the poll book, and then afterwards the merits of the vote might be inquired into in court. That is what is done in England, the vote is inquired into in court and declared good or bad. If the vote is declared bad, the candidate who received that vote loses it and the election is made good in that way. If a provision of that kind could be inserted in this bill, it would provide for the difficulty that I am pointing out, although I am afraid it would bring with it some other difficulties inasmuch as if you made this provision with regard to votes that should be objected to, parties might object to votes purposely, with a view to an investigation to discover how a man voted, and an evil might arise in that way. However, I point out to my hon. friend the threatened injury that will arise from the adoption of this bill and the application of the ballot system with the voting without a list as exists in Prince Edward Island. It will be of such a nature that very great wrong may be done, and in many cases the man who is not entitled to election, through the unscrupulous character of his agents and supporters, may succeed in getting a majority of the votes when he is not legally and fairly entitled to it. I have spoken at this stage in order that my hon. friend may know the nature of the point I wish to have dealt with, because whatever the government may do, when I have put myself fairly on record, I will have done my duty in the matter. I do not feel myself qualified to suggest amendments to a bill of this kind. I know it will be a very difficult matter. Only a professional man, after a very careful examination of the different measures, could undertake to suggest an amendment that would not throw out of joint some other provisions in a bill of this character and the other laws which are to be worked with it. I have put this matter before my hon. friends, and when we get into committee I intend to bring it up, and I hope that when we reach that stage the members of the government will be prepared to submit some plan by which the difficulty can be got over. Before I sit down I wish to point out another anomaly which exists in this bill with regard to Prince Edward Island. Section 5, subsection F of this bill, reads as follows:

> The provisions of the law of the province as to the places where non-resident electors shall vote shall apply *mutatis mutandis* to such Dominion election, and the returning officer at such election shall have the powers and shall be charged with the duties of the sheriff or returning officer under those provisions.

It provides that the places where non-resident electors shall vote shall be as under the provincial franchise. Now we

turn to the election laws of Prince Edward Island, and we find there that there is a system of special voting provided to meet the case of non-resident voters. A man may vote at one polling division for every local electoral district where he has property in Prince Edward Island, and the intention of that section must be that the same method should be applied in Dominion elections. Perhaps my hon. friend has not for himself looked at the provincial laws and inquired into the system that prevails in Prince Edward Island and which I do not know prevails anywhere else, but it has worked admirably there for nearly forty years. If absentees are to vote at all it is a system that gets rid of the great expense and the temptation to corrupt practices that exist in connection with sending voters long distances to record their votes. Under the Prince Edward Island law a schedule is prepared and a voter declares the property qualification on which he votes and intimates the name of the candidate for whom he wants to vote. It is then the duty of the presiding officer to accept these schedules, and they are forwarded to the returning officer of the constituency in which the absentee has a vote. The drafters of this bill, no doubt, had this in view, for it says here that :

> The returning officer at such election shall have the powers and be charged with the duties of the sheriff or returning officer under those provisions.

That must refer to the system in Prince Edward Island of transmitting these schedule votes ; but that too can only be carried out in connection with an open voting system. It would be very difficult to suggest how you could have separate ballot boxes and how these ballot boxes could be forwarded, although it is possible that it could be done, but it would require a great deal of consideration to do it. In Prince Edward Island it works very easily. A man when he is polling his vote for the electoral district where he resides presents a schedule describing the qualification he possesses in any other districts in which he may have property. There are forms of affidavits, and he swears to his qualification and states the candidate for whom he wishes to vote. The returning officer takes the oath ; he signs it and forwards it to the sheriff as required under the law, and the sheriff forwards it to the returning officer of the district in which he wished the vote recorded and where it must be counted for a candidate in whose behalf it is given.

Hon. Mr. DEBOUCHERVILLE—How about the federal elections ?

Hon. Mr. FERGUSON—Just the same as in the rest of Canada; we have uniformity now, but the difficulties I am pointing out to you just show what a muddle we are apt to get into by passing this bill. Here we are running against all kinds of difficulties on every hand. The correct principle would be to stick to the old form, to the making of lists for ourselves. Cheapen it, improve it ; surely it is possible to do that, but beware of getting into such a dangerous position as we would find ourselves in when we wander in the way in which we are now proposing to do. I do not intend to pursue these objections any further at the present moment, and I have just indicated two of the difficulties that are to be met with, and that will be met with, I think, before this measure can be safely made law.

Hon. Mr. MILLS—What my hon. friend practically proposes is that you should have a voters' list in Prince Edward Island, precisely the same as elsewhere ?

Hon. Mr. FERGUSON—If we had that there would be no difficulty. Turning to section nine of the bill that we are now considering, I find it is provided, as my hon. friend explained to the House, that where a provincial voters' list is more than one year old, then it shall be the duty of the Federal government, under this law, to provide a voters' list under its own auspices, for the purpose of holding a Dominion election. Now, I do not think it would be unreasonable to provide there, that not only in any province where the list is more than a year old, but in the province of Prince Edward Island, where there is no list a list should be provided. If that were done, if the proper means were devised for providing a list in Prince Edward Island the difficulties I have pointed out would vanish as far as that province is concerned, and then we should have to deal only with the general questions which have been presented to the House by my hon. friend the leader of the opposition, and which have not escaped observation by my hon. friend

the leader of the House in his remarks in the opening of this discussion. I think that it is necessary that this should be done. I feel that I have done my duty in calling attention to it, and I think my hon. friend, the leader of the House, will see the necessity of making some provisions that will meet the difficulties I have been suggesting. I may say that one of the strongest objections I felt all along with reference to the adoption of the provincial franchises has been got over in this bill, and that is the danger of the provincial legislatures taking away the rights and privileges of citizens for the purpose of gaining party advantages. I am very glad that that objection has been got over, for I looked upon it from the first as being the most serious one of all; and I think that, with the adoption of some other amendments, possibly the bill can be made to work less harm than we thought some time ago that a measure of this kind would inevitably work; although I still believe it will do great harm for working for disunion and disintegration, for perplexing officials in the law, and in altogether giving a great deal more trouble than we have had in the past. I noticed the observations made by hon. friend from Montreal (Mr. Dandurand) in regard to the action of the legislature of Quebec in taking away the votes of the Dominion officials. He seemed to think that it was very discreditable to one public man that he had been found voting for the measure disqualifying Dominion officials, and some time later, as a member of another government, supporting or introducing a bill, restoring the qualification that had been taken away from these persons. One of the reasons why we felt in our province a great deal of alarm when this measure was first submitted was on account of the treatment that Dominion officials had received at the hands of the provincial government in Prince Edward Island. In that province, in 1893, immediately before the provincial election, a measure was introduced by the Peters's administration disfranchising Dominion officials, making a clean sweep of them, and forcing them to take an oath which no men enjoying emoluments of almost any kind to any extent under the government of Canada could take, and consequently they were disfranchised. The reason given for it was that these men were not independent, that they were influenced by the federal government, that to relieve them from the awkward position in which they were from having to vote, some of them against their consciences, this Act was passed and they were disfranchised. Years went by and the Dominion government changed hands; the same provincial government remained in power and before their elections came on they coolly repealed their own Act, and intimidation by the federal government did not seem to be so serious after all, so long as it was exercised in their own interest. But, as I said before, the clause that was inserted in the bill in the House of Commons removes that objection almost entirely, and we have now to meet the bill on other grounds, some of which are of very considerable importance, but do not lie so close to the root of the whole matter as the one to which I have referred, and which I am happy to say is now out of the way.

Hon. Mr. MILLER—I do not purpose to detain the House at any length on the motion before us, but the proper time to take exception to the principle of a bill is on the second reading, and, of course, if I had any intention of moving against the second reading I would feel it my duty to give my reasons at length for doing so. But, as it is not my intention to take any such step, as I intend to allow the bill to go a second reading, I feel that I am under no necessity for going at any length into an argument on the subject, as I would be bound to do had I determined to divide the House upon the bill. I wish it, however, to be clearly understood that I am not in favour of the principle of the bill; I am opposed to the bill from beginning to end, principle and details. I think it has been very properly termed a retrograde step, and it is founded upon a principle which is altogether at variance with the intention of the British North America Act. It was never the intention of that Act, and it was never the intention of the framers of the constitution, that the franchise of the Dominion should be regulated by the provincial legislatures. It is true that in the Confederation Act provision was made for the use of the provincial franchises until the parliament of Canada otherwise provided, but the very language of the British North America Act is clear that it was the intention of the Parliament that passed it that in due time the

Dominion parliament should frame a Dominion Electoral Franchise Act. That has been done. I cannot say that the attempt has been a decided success, but I am quite confident that there is enough experience and ability in the House of Commons to frame a good Dominion Electoral Franchise Act for this parliament if the attempt were made. Had the late Sir John Thompson lived, we would have received such an amendment to the present law as would have made it satisfactory to the whole country. As it is, we are now going to have a most unsatisfactory state of affairs. We are going to have a patch work franchise, such as no other country in the world, I venture to say, possesses; but as the government have decided to take that course, and as we have decided not to oppose the principle of the bill, I consider it unnecessary that I should lengthen my remarks on the subject.

When the bill goes to committee, it is my intention to move the amendment of which I gave notice to-day, and I have no doubt that every member of the House will admit the fairness, the propriety, the justice of the amendment which I desire to make to the bill with the consent of the House. I am sure there is not a man in this country, from the Atlantic to the Pacific, whose sense of justice will not declare that the amendment which I desire to add to the bill is such as will improve it and render it more acceptable to all classes of the people. I am confident that I shall have the support of the House; otherwise the provinces of Nova Scotia, New Brunswick and Prince Edward Island will be in a very different position from the larger provinces of the Dominion, who have the protection of the judiciary in the administration of the local laws. If we are to accept the local laws—and I do not now, of course, object, having decided not to move against the principle of the bill—we should have every guarantee that the execution of those laws will be honest, fair and impartial, and under the system which prevails in Nova Scotia that is altogether out of the question, unless we get the protection which I intend to ask the House to give us under the amendment which I have laid upon the table to-day.

There is, however, a question on which I wish to say a few words on the present occasion. There seems to be an opinion in some quarters that this question of one electoral franchise is a domestic matter for the House of Commons to deal with, and that it is a mere perfunctory performance on our part to revise or consider it in this chamber. I wish, for my own part, to say that I consider that to be a grave error. I not only think that this is not a mere domestic matter for the House of Commons, but I think it is one of the questions which it is the special duty of this House to revise and control. There is no subject of legislation in regard to which there is more danger of injustice and wrong being perpetrated by a corrupt or partisan majority in the House of Commons than this very question. It is, therefore, one of the subjects with which we have to deal, because the very moment a corrupt or partizan House of Commons came into power, they might pass a franchise bill which would perpetrate the grossest injustice in every part of the Dominion. Of course, I do not mean to insinuate for a moment that that state of affairs exists at the present time. But the principles I lay down here are sound principles, as I shall show the House before I resume my seat. We all know there are two or three instances which stand out boldly in English parliamentary annals in connection with electoral reform. The first is the great Reform Act of 1832, on which, as we are all aware, the House of Lords, perhaps the only time within the present century, risked its existence by its hostility to that measure. But I do not intend to go back over fifty years for precedents to guide the action of this House to-day upon a constitutional question of this kind. I intend to draw the attention of the House to the last great occasion upon which the British franchise was remodelled. That was in 1884, under the administration of the great statesman who has just been laid to rest in Westminster Abbey. That bill was only second in importance to the great act of Reform in 1832. That bill added to the electorate of Great Britain no less than 2,000,000 voters, and it was admitted on all sides that a Redistribution Act accompany it. It was felt by the conservative party, then in opposition, that in the Redistribution Bill the grossest injustice might be perpetrated towards that party, and they took the stand firmly that until the Redistribution Bill was

submitted, such a Redistribution Bill as met their approval, they would not allow the second reading of the Representation Bill to pass the House of Lords. It is a case which clearly illustrates my point with regard to the authority of that House upon these questions which I desire to lay before hon. gentlemen, because I am surprised to find the idea prevailing anywhere that this is one of the questions with which this House has no constitutional right to meddle. Now, that great act of reform introduced by Mr. Gladstone on the 5th February, 1884, passed its third reading early in July of the same year. It was sent to the House of Lords, but the Redistribution Bill had not got through committee, although introduced into the House of Commons, and it was unsatisfactory, and the House of Lords took the stand upon that occasion that until a satisfactory Redistribution bill was laid before the House, they would not give the Representation bill a second reading. The speeches upon this occasion are most illustrative of the point that I wish now to make, that is the right assumed by the Lords in dealing with the subject as if it were an ordinary bill of another character, but as I have no desire to detain the House at any length, I will simply read the resolutions which had the effect of defeating the bill for that session. The bill was defeated on the second reading, and a special session had to be called in the autumn following, under the promise of the government that at that session a Redistribution bill, satisfactory to both parties, would be submitted before the Representation bill was again introduced. When the Representation bill came to the House of Lords, a motion was made by the Earl Cairns, and the motion was so expressive and clear, and so asserting the authority of the House of Lords in dealing with this question and exercising a controlling power over it, that I cannot in any words put the point more clearly than by reading the motion which Lord Cairns made on that occasion. The amendment was to leave out from "that" and insert:

> This House, while prepared to concur in a well-considered and complete scheme for the extension of the franchise, does not think it right to assent to the second reading of a Bill having for its object a fundamental change in the constitution of the electoral body of the United Kingdom, but which is not accompanied by provisions for so apportioning the right to return members as to ensure a true and fair representation of the people, or by any adequate security in the proposals of the Government that the present bill shall not come into operation, except as part of an entire scheme.

That resolution was on the following day passed. The result was the bill had to be dropped. Parliament was prorogued, and the government entered into negotiations with the leader of the Opposition in order to secure a fair redistribution bill. Now, on that occasion there was no intimidation of the House of Lords by ministers of the crown. There was no talk of abolishing the House for taking that high stand upon that important question, except among professional agitators, a question in comparison with which the question before the Senate to-day is trifling indeed. Mr. Gladstone spoke in the most fair and courteous way of the right of the Lords to assume the position they did, and Earl Granville did the same thing in the House of Lords. I will quote some of the latter's remarks admitting the perfect right of the House of Lords to take the action it did and agreeing after the prorogation and before the extra session in the fall, to reconsider the Redistribution bill, and come to a compromise with the opposition on that subject. I do not think anything can be plainer than the authority asserted by the House of Lords on that occasion. When parliament met next session Earl Granville, who occupied the position of leader of the House of Lords, a position similar to that occupied by my hon. friend the Minister of Justice here—a minority leader—addressed the House upon the subject, and I am sure the discussion is quite familiar to my hon. friend who is a student of constitutional history. I call attention to the tone, the style of his remarks, so deferential to the House, not questioning in the slightest degree the right of the House to do what it did, and hoping that a spirit of patriotism and common sense would bring about such a compromise as would be satisfactory to all parties. The House of Lords, as I have already stated, rejected the bill on the second reading in consequence of its not being accompanied by a satisfactory redistribution Bill. Here is what Earl Granville said:

> My Lords.—I beg leave to make a short statement on behalf of Her Majesty's government. I presume that we are all agreed that the action to be taken this week by your Lordship's House is of vast importance, affecting not merely party ideas, but interests of a national character. There is no question as to the principle of the Franchise Bill.

In that case there was no question as to the principle of the Franchise Bill, whereas here, I believe, the majority of the House differ from the government on the principle of this bill.

It is understood, and I believe not without reason, that your lordships intend to give a second reading to that bill.

The style in which the House was addressed upon the subject is most remarkable, when contrasted with that often applied to the Senate.

But I am not entitled to assume this step will terminate the difference between your lordships and Her Majesty's government. I do not propose to enter into the merits of this difference; it is sufficient for my present purposes to remind your lordships that while the procedure adopted by Her Majesty's government has been supported last summer, and again this autumn, by unusually large majorities in the House of Commons, it has been condemned by a majority of your lordships in this House. I will not now refer to offers which at different times have been made by Her Majesty's government, and which are generally known as having been rejected. I am not aware of any intimation having come from the opposition, apart from an intention to reverse in some shape or other the procedure adopted by Her Majesty's government, and supported by the House of Commons, in order to adopt that which has been favoured by your lordships. The result is a state of things which although it may be far from disagreeable to extreme politicians on both sides, is deplored by all moderate men, and, I sincerely believe, by a majority of your lordships.

There is no intimation here that their lordships had no right to have an opinion upon that bill. There is no intimation of any sort that if they did not pass the bill they would be swept out of existence, but the tone and style of the speech of Earl Granville admits clearly and unequivocally the right of the House of Lords to take the decided step they did on that occasion, of virtually rejecting the bill on the second reading. See the deferential and conciliatory manner in which the government approached the opposition on that question:

I am authorized by my colleagues to state how we would propose to meet the objections which have been raised by some of your lordships. To those, if there are such, who may desire to force on an immediate dissolution, I have little to offer, but the case is different with those who desire a settlement—a desire which we claim ourselves and with which we are quite willing to credit noble lords opposite whose objections we honestly desire to meet. I understand that the objections are principally these. Your lordships think that although you are ready to support a franchise bill, it is dangerous to do so unless you are acquainted with the character of the Redistribution Bill which is promised and which will affect its working. You are afraid that it may be of a revolutionary character, or, as some have put it, dangerous to the prospects of the Conservative party. You also fear that there may be no bill at all, or, at all events, that there may be none till the two thousand new voters have acquired the right of voting. My lords, I will now proceed to state how, in my opinion, and in the opinion of the government, without sacrificing our own object, we may best meet these objections. Our object is to secure the passing of the Franchise Bill without delay. We cannot jeopardize it. Your lordships must be aware that we could enter into no understanding or take any steps as to the immediate introduction or prosecution of a redistribution bill, or as to anything connected with it, unless we have a sufficient assurance that we should thus secure our principal object, namely, the passing of the Franchise Bill without delay—that is to say, during the autumn session.

That is, by a compromise to get the consent of the House of Lords to pass the Franchise Bill nor by coercion or intimidation

In that case I may tell your lordships that the bill will come into effect on 1st January, 1886. If we were sufficiently assured in the manner I have stated, I am not aware of any demand or suggestion that will be made with regard to the procedure affecting a Redistribution Bill to which Her Majesty's government will not be ready to accede. If we get that sufficient assurance, we should be ready to submit the main provisions of the Redistribution Bill.

If they got the assurance they would be ready to submit the main features of the Redistribution Bill in the spirit of compromise.

To make every reasonable effort for the purpose of accommodation, and any difficulties in the way of accommodation, I think I may say would not come from Her Majesty's government. We should be ready, if it is possible, and I do not see any impossibility in it, to present a bill framed in the spirit of that sketch given by Mr. Gladstone in the House of Commons and which, on the 7th of November, seemed to be received as satisfactory by Sir Stafford Northcote. Her Majesty's government will be prepared to push that bill on with all legitimate speed. Mr. Gladstone has informed me that he will be willing to undertake to move the second reading of that bill simultaneously with the Franchise Bill going into committee of your Lordships' House.

It is gratifying in the highest degree to notice the terms and the spirit of conciliation with which the great statesman met the hostility which he encountered in the House of Lords against that great measure. The other day the premier of Canada had occasion to make a speech in connection with the memory of the departed statesman, a speech which I read with the greatest pleasure and which I have no hesitation in saying is one of the finest efforts which have been made in connection with the late ceremonies, and which will be for all time an ornament to the Canadian *Hansard*. Having so high an opinion of Mr. Gladstone, I think our premier should follow his example, and not be disposed to carry his policy through this House, or his government should not be disposed to attempt to carry their policy through the Senate by intimidation or threats of the

abolition of the House. It would be wiser for them to copy the admirable spirit of moderation and conciliation which characterized the attitude of Mr. Gladstone's government on that occasion :

Her Majesty's government are prepared to use their utmost efforts to pass the bill through the House of Commons in the early period of next year. And I am further authorized by them to state that they would consider the passing of their bill through the House of Commons a question vital to themselves. My Lords, I submit this proposal to the favourable consideration of both sides of the House. I trust that those who so cordially supported us last session will not think we have retired too much from the exact course of procedure which we had drawn for ourselves. And I do, with considerable confidence appeal to the noble Lords opposite to receive this proposition in the spirit in which we have made it. We have made it in a spirit of earnestness and of conciliation, and as tending to settle a difference which every dictate of statesmanship, and, indeed, I may say of common sense, makes it desirable, in the interests of all concerned, should be brought to final and satisfactory close.

Now, what followed? An arrangement was entered into between the government and the opposition, whereby the Representation Bill after going through the House of Commons was sent to the House of Lords. The Redistribution Bill was then introduced in the House of Commons, and the two bills were advanced step by step together, and the arrangement was carried out in such a way that the two bills passed together under the compromise entered into by the government of Mr. Gladstone and the Conservative opposition of that day. It would be difficult to get a precedent more in point and which it would be more desirable to bring to the notice of this House as showing the spirit in which the British government meets the upper chamber when a difference of opinion on great questions takes place between them. I hope the day will come—perhaps it is too soon for us to expect it to arrive—when the same statesmanship and spirit of conciliation will animate the parliament of Canada, which would elevate the public life of our Dominion and redound to the honour of our country.

Hon. Mr. PERLEY—This is a very late period in the session for us to begin to discuss very important measures, such as those which are brought before us this week. We have before us now the Franchise Bill and the Plebiscite Bill, the two most important measures of the session. They have been brought down after parliament has been in session for four months, and when a great many of our members have gone home and many of those who remain would like to go away also. In justice to the country and to parliament, the government should have brought those measures down at an earlier period of the session.

Hon. Mr. MILLS—They could not have been brought down much earlier.

Hon. Mr. PERLEY—They ought to have been. This is a four months' session, and for all the legislation we have had before us, they might have been brought down two months ago without taxing the energy of the government to any great extent.

Hon. Mr. POWER—This bill was introduced in the House of Commons on the 10th of February, and if it has been a long time coming here it has been due to the efforts of the hon. gentleman's friends.

Hon. Mr. McKAY—It was left two months on the paper before it was touched.

Hon. Mr. PERLEY—Apart from that, it is the most iniquitous bill ever brought before this parliament. I do not hesitate to say that it is unworthy of the government that introduced it. The government is composed of intelligent and clever men, and they should have been able to produce a bill which would commend itself to the country. I never saw a bill hackled and condemned more, and justly so, than this bill has been in the other House ; but still it passed because the government have a majority which can pass anything. In my opinion it is a most unfair bill. The franchise should be uniform and equal throughout Canada. It is not right that a man owning property in half a dozen constituencies in one part of Canada can vote everywhere that he is assessed, while in another part of Canada a man with property similarly situated has but one vote. This anomaly is not due to the incapacity of the government, because they know better : it is a reflection on the intelligence of the country and the people's representatives to introduce a bill with such a feature. With such a franchise members will not sit in parliament on a fair and equal basis. I happen to know something about that feature of the bill in the province of New Brunswick. I was a candidate in that province for a seat in the House of Commons in 1878, and also

in 1882, and was defeated on both occasions by narrow majorities. In the county proper I had a majority of the votes, but the non-residents from outside, men who had five or six votes, came in and defeated me. A clerk in the city of St. John with an income of $400 has a vote, he votes for a candidate in the city. Then he can vote for two candidates for the city and the county of St. John on the same qualification. He owns a piece of land in Queen's county not worth $25, but it is assessed for $100, and that gives him a vote there. He has another piece of property in Sunbury and that gives him a vote there. Now that man votes in the city of St. John in the morning, in the city and county of St. John five minutes afterwards, takes a steamer and votes for the candidate in Queen's county, and from there proceeds to Sunbury and votes again. I, in the county, with perhaps four times as much property, have only one vote. That is not fair and should not exist in the Dominion franchise. That system prevails in New Brunswick and this bill is based upon it. In the two elections to which I have referred, I had a majority of the resident electors in my favour, but the non-residents came in and swamped me. I was not a rich man and could not afford to charter a steamer and pay the expenses of voters up and down. The rich man was able to do so and got votes, and he got the election. Apart from that, to-morrow we will take up in this House the Plebescite Bill and if we adopt it what will be the result? In the province of Quebec which is said to be against prohibition, a man can vote in every constituency where he owns property, while in Ontario a man with similar property qualification can vote only once. There is no equality in that and it is not the way to get a fair expression of public opinion. It is unfair to the temperance people of Canada. On these grounds I would oppose this bill, but I do not want, at this late period of the session, to go further than enter my protest against it. I point out the defects and leave the responsibility with the government for putting such a bill before the country.

Hon. Mr. CLEMOW—I am opposed to the principle of this bill. I am opposed to giving the local legislatures this power, because, so far as my experience goes, they have not discharged their duty in the past in a manner that would inspire confidence in them. I recollect when the franchise was entrusted to local authorities in this city. My name was on the assessor's lists of several polling divisions of the city, but it was not on the voters' list. That is one instance. During this last election it was miserably mismanaged. No man could tell where he should vote. If a man happened to have resided say on Queen street when the lists were made out, and removed to another street, he was prevented from voting. There was no systematic course pursued. Therefore, for that reason I do not think that this Dominion should deprive itself of the power of controlling and governing its own affairs in election matters. This is a supreme body, and it appears to me rather a mistake to transfer this power that we possess as a Dominion to an authority of less magnitude and less consequence. I have known cases in the country places where the lists have been prepared in a very improper manner, and it all goes to convince me that if you confer this power on the local authorities in the future, you will have a muddle of the worst kind. As to the expense, I do not know about that. Probably the expense under the old system was more than it ought to have been; but that could be remedied. The underlying principle in the Dominion Act passed a few years ago was a very good one, and I feel sorry that the government have taken on themselves the responsibility of changing the law. It is natural that we should like to retain this power in our own hands, particularly when I see no good cause for divesting ourselves of it. If the local authorities can do this thing for a certain sum of money, why cannot the Dominion authorities do it? But I do not think that this last election cost one-tenth of what previous elections cost. All that you require is to have the proper men to fulfil the duties and I believe they would do so more satisfactorily to the country than by entrusting those duties to the local authorities. Now we are deprived of any appeal according to this law. A man has no redress.

Hon. Mr. MILLS—Yes.

Hon. Mr. CLEMOW—As I understand it you have no appeal.

Hon. Mr. MILLER—In Ontario, Quebec and British Columbia you have, but in

Nova Scotia, New Brunswick and Manitoba, you have not.

Hon. Mr. CLEMOW—If an elector is prevented from voting, there ought to be some means by which he can go before the court and show that he has perfect right to vote. Why could not these lists be posted in some conspicuous way, say a month before the election, and let a man go and examine whether his name is on them? I suppose it is the intention of the law that every man who has a vote should vote. I am opposed to the principle of one man one vote. As long as any qualification is required I think that property ought to be the one.

Hon. Mr. MILLS—And vote often.

Hon. Mr. CLEMOW—I do not care how often. As long as I am compelled to pay a penalty for owning property, I think I have a right to have more say than a person who is not so qualified. It seems to me most extraordinary that my coachman, or gardener, or any one else should deprive me of my rights and privileges, when I own property and they own none; but still owing to the law of Ontario, my employee can neutralize my vote. I do not think it is right. Of course I am an old Tory. I do not believe in the ballot. I believe in fair, open voting. We know that it is now impossible, but I prefer the old days when a man went up boldly to the table and voted like a man. We want to try to make this law as perfect as possible. If the revising barristers were not the proper men in the office, the government have it now in their hands to appoint men of different calibre to do the work in a different way; but it will be difficult to find better persons than the revising barristers.

An hon. GENTLEMAN—How do you like the Ontario ballot?

Hon. Mr. CLEMOW—That ballot in Ontario is a fraud of the worst kind, because every vote can be traced, and it has been stated that in this way the government knows every man who votes and they will certainly discharge any of their employees who do not vote for them. That was the course pursued during the last election. If there is a ballot at all let it be secret.

Hon. Mr. OGILVIE—We have it secret in Quebec.

Hon. Mr. CLEMOW—I am talking of Ontario. It is not in Ontario; and the sooner we make it secret the better, but we cannot interfere with the law in Ontario. I think these two governments might just as well have come to terms and made one general franchise for the country. Under the Ontario law I do not care how much property one may own, he cannot vote upon it unless he is a resident. Another thing I may mention is that last year they brought men down from the shanties who had been there for years and years, took them to the hotels in the city and got them registered, and those men voted for the parties whom they were brought down to vote for. They were brought down in hundreds and thousands for the purpose of carrying the Ontario election. There is no doubt of that.

Hon. Mr. MILLS—Hundreds and thousands.

Hon. Mr CLEMOW—I do not know how many there were—they went to the different hotels here and registered their names, and then swore they were residents of the city, and so they were. Let us try to make the law as perfect as possible. I suppose the intention is to give every man a vote who has the right to vote. I do not want any special privileges, but I want equal privileges extended to the whole country, and I think we have a perfect right to interfere in this matter to see that the rights of the unprotected people are protected. My hon. friend from Richmond (Mr. Miller) who knows the law perfectly well and is well versed on these matters, has shown by his speech that we have a perfect right to interfere in this matter. I say unhesitatingly that I am opposed on principle to this bill from beginning to end, and I think the government should try to frame a measure more in consonance with the Dominion law as it existed. I do not say that we ought to oppose this bill, but let us do all we can to perfect it so that every man in the country entitled to a vote will be given the privilege of recording his vote without favour or question; and as long as we have the ballot, let it be a secret ballot. Let us have no ballot numbered, and then we will know where we are, and until that takes place I am afraid we will not have a perfect election. During the last Ontario elections we know the difficulties we experienced. We know

that here it was days and days before we could find out actually the results of the elections. They posted up in different polling booths here rules and regulations. They were that people could only vote for one man, whereas we had two candidates on each side, and a great many people were afraid to vote because they were told that they could only vote for one man. All these things could be taken into consideration. We could well consider whether those men to whom the country is going to entrust this duty have fulfilled their duties in the past in a satisfactory manner; if they have not, certainly we should not rely on their doing it in the future. I know the difficulties, but every man ought to exercise his right in as perfect a manner as possible consistent with the law, and when that is so we will have pure elections. I question very much if you will have much purity so long as the present state of things continue. We were doing very well under the old law in the Dominion; it was a very good law. It may have been expensive, but I believe that that defect can be remedied by amendments from time to time. Had we continued it a little longer we would have found it very satisfactory.

Hon. Mr. BOULTON—The bill now before the House, commends itself to my regard in one particular, and that is that it seems to me to be the first effort that the government has made to redeem any of the pledges they made to the people when they were before the country at the last election. With that proviso, I do not think that the bill is going to commend itself generally to the members of this House. It has a very objectionable feature in so far as we are changing our policy. We are proposing to put the control of the franchise of the country into the hands of the provinces, instead of retaining it ourselves; we are proposing by this policy gradually to be governed through the provinces, instead of attempting to be governed by the direct will of the people from this parliament. Instead of making this parliament a training ground for men who will grow up with a perfect knowledge of the requirements of Canada from one end to the other, we are gradually drifting into a policy by which we bring in the members from the provincial governments, to lay down the policy to men who are only acquainted, so far as their training goes, with the narrower sphere and narrower principles they have had to deal with while in those provinces. It is that spirit I am opposing. I am a National Policy man so far as building up our country upon national laws is concerned.

Hon. Mr. McCALLUM—Hear, hear.

Hon. Mr. BOULTON—I thoroughly believe that that is the only way in which we can govern this great country. It is absolutely necessary that education and experience should go hand in hand in knowing what are the principles which are going to hold this country together upon lines of justice and right principles, and I do not think denationalizing it in our franchise is going to effect that object. It is on those grounds I have objections to the bill. However, as the hon. the Prime Minister said in the other House, it is not like the laws of the Medes and Persians. If it is not found workable it can be changed, and I think it will be found necessary to change the law in the near future. There is no doubt there have been a great many complaints about the existing law, and the complaints so far have justified the government in trying to bring in a law to supply its place or to make amendments. I do not favour the amendment that has brought that peculiar feature into our franchise, that we are to submit to the various policies of the provinces as to how the franchise shall be conferred, or to put that power into the hands of the province, that any provincial government or combination of provincial governments opposed to this parliament may have, through the powers conferred upon them, the means of thwarting the will of the people through a partisan franchise. For that reason, I think it is objectionable. I do not think, however, that it will receive opposition in this House further than a proper criticism. The session is late, and as some speakers have already said, the bill will go through and will have to be tried upon its merits, and the government will have to bear whatever responsibility there may be in connection with it. I, therefore, simply desire to express my views upon the lines I have indicated and to make this short criticism.

Hon. Mr. MILLS—Before the bill is read the second time, I wish to make a few observations in reply to some of the objec-

tions made to the bill, and also some remarks upon the relations existing between the government and this House. One of the objections made to this bill is the want of uniformity. I heard a great deal about uniformity in 1885, when the other bill, the law that is now upon the statute-book, was proposed. But when that bill came to be finally prepared it was found that the principle of uniformity had been departed from. You had qualifications in Nova Scotia on account of the avocations and employment of the people that you had not elsewhere. You had in the province of Prince Edward Island a recognition of the principle of manhood suffrage, because it had existed previously in that country. You had in British Columbia a recognition of manhood suffrage, because it was said to have existed in that province, and so you had in that sense a manifest and clear departure from the principle which was alleged to have justified the legislation : that is the principle of uniformity. We had in the case of the Indian population at first the proposal to put the entire Indian population, whether enfranchised or unenfranchised, on the list of electors. The rebellion had broken out in the North-west. The Indian population were in arms against the government, and so far as the North-west Territories and Manitoba were concerned, the Indians were deprived of the right of the electoral franchise, although they were allowed to remain as eligible for the voters' list in the maritime provinces, Quebec and Ontario. In the province of British Columbia, where the Indian population, perhaps, are more industrious, more active and more susceptible to the influences of our civilization, than the Indians in any other portion of the Dominion, the feeling was adverse to the enfranchisement of the Indians, and so there was a departure from the principle of uniformity there. So that when we examine the bill with care we find that all the talk of the principle of uniformity in the bill was an illusion. There was no principle of uniformity. The government were obliged to take into consideration the peculiar circumstances of every province in order to prepare a voters' list. Coming to the North-west Territories again, my hon. friend from Wolseley (Mr. Perley) to-night spoke about the principle of uniformity in the preparation of the voters' list. Why, hon. gentlemen, if we had adopted the principle of uniformity, there would scarcely have been an elector in the North-west Territories. The government were obliged to depart from the qualifications they had recognized elsewhere in order that there might be an electoral body in the North-west Territories, and so a broader franchise had to be adopted in these territories than that adopted in the provinces of the Dominion.. What does all this point to? That there is variation in the circumstances of the population, in their avocation, if the diffusion of knowledge, in the interest which they take in public affairs, which makes a franchise which would be highly proper in one province, a franchise that might not be equally wise to adopt in some other province of the Dominion. So that, in order to give to public opinion the fullest and freest expression that it is possible to give to that opinion, you allow the electorate, or the representatives of the electorate in each province, sitting by themselves, and apart from the electorate and representatives of every other province, to say what shall be the qualifications of the electors, those who shall vote at a parliamentary election in that province. Who speaks? Who expresses this opinion? Why, it is the representatives of the people, the same community, the same people, whether they are represented in the House of Commons or whether they are represented in the local legislature ; it is their opinion that ultimately in this matter must prevail. Then we are told that Sir John Thompson did not go so far as we have gone in this bill. Now, I beg the hon. gentleman's pardon. The bill proposed by Sir John Thompson proposed to adopt the electoral franchise of the provinces. He may not have undertaken to make up his voters' list in the same way, but so far as the qualification of the voters was concerned, it was the qualification as fixed by the legislature of the province, that in that province he proposed to make the qualification for the election of members to the House of Commons. My hon. friend from Richmond (Mr. Miller) has referred to the case of the extension of the franchise in 1884 and the redistribution of seats which accompanied that measure. I have a very distinct recollection of that measure and of what transpired on that occasion. My hon. friend says there was no threatening of the House of Lords, no proposal to abolish the upper House as there is here. My hon. friend is mistaken in that. On

that occasion I happened to be in London.

Hon. Mr. MILLER—There was no threat by responsible persons.

Hon. Mr. MILLS—I saw six hundred thousand people marching through the streets of London. That procession began marching twelve abreast some time in the morning. I know at four o'clock in the afternoon it was still passing, and I found it impossible to get to the other side of the street without going to St. James Park and taking the underground railway. That immense gathering was divided up into a large number of meetings, and those meetings were addressed by whom? They were addressed by some of the foremost men in public life in England. It was well known that Gladstone was favourable to the existence of two Houses; that he never for a moment entertained the proposition of abolishing the House of Lords, and I do not know that there are very many prominent men in England on either side that have, but he was anxious that the agitation should come to an end, and the House of Lords did not reject that bill. They did not propose to amend the bill. They never suggested an amendment, and Lord Granville, in the speech which my hon friend read to-night, never proposed for one moment to accept an amendment. That was not for a moment entertained.

Hon. Mr. MILLER—It had to go to committee.

Hon. Mr. MILLS—The House of Lords on that occasion said, not that the bill be not read a second time, but "we will postpone the second reading of the bill. We want to see what your measure of redistribution is before you shall admit to the electoral franchise two millions and upwards of the population, who were not voters before." The opposition, at that time, led in the House of Commons by Sir Stafford Northcote, and in the House of Lords by Lord Salisbury, insisted that these two measures should be combined. Mr. Gladstone insisted upon them being presented for the consideration of parliament as separate and distinct measures. The House of Lords, when the Franchise Bill came before it, postponed the consideration of the second reading, hung it up, defended themselves through the country by saying: "we did not vote against the second reading of this bill. We merely postponed it until we would see what the redistribution measure would be." There was an adjournment of the House during the summer holidays.

Hon. Mr. MILLER—Not an adjournment. The House was prorogued.

Hon. Mr. MILLS—Well, prorogation of the House, but whichever it was, there was a meeting subsequently of Mr. Gladstone and Lord Salisbury, and Mr. Gladstone explained to him in private the measure which he intended to introduce as a redistribution measure, that he discussed with Lord Salisbury and Lord Salisbury expressed himself satisfied. Then the House met again, the Franchise Act was proceeded with and the Redistribution Bill was introduced. There was this further difference, too, between the proceeding on that occasion and the proceeding on the present occasion, and it is an important one, because it rests upon the principle that was settled in the Reform Bill of 1832, and that is this: that the government of Mr. Gladstone, when parliament was dissolved in 1880, and Mr. Gladstone went to the country as leader of the opposition, or as a prominent member, at all events, of the opposition, there was a discussion of a number of questions, but the question of parliamentary reform, of the extension of the franchise and the redistribution of seats, were not questions that were prominently before the country nor were they discussed at the election. The House of Lords stood in this position on that occasion, and it was a different position from that which was occupied in 1832, the House of Lords in dealing with this question was not dealing with one upon which the nation had pronounced. It was not a question which was before the electors and upon which the opposition was returned to parliament. So that the House of Lords had, in the discussion of that question, a larger measure of authority in dealing with it under the conventions of the constitution—I do not say under the law, but under the settled conventions of the constitution—than they would have had upon a question on which the parties had gone to the country and upon which the public opinion had been expressed.

Hon. Mr. LANDRY—It is like the Yukon Bill.

Hon. Mr. MILLS—My hon. friend says it is like the Yukon Bill. Not exactly, because on that question the Senate did not say "we will postpone the second reading until certain events happen, or until certain information is had."

Hon. Mr. McMILLAN—The Senate put it off for six months.

Hon. Mr. MILLS—My hon. friend knows there was a marked difference on that occasion, because the House of Lords simply postponed the bill, while on this occasion my hon. friend knows that this House rejected the measure.

Hon. Mr. MILLER—It was virtually the six months' hoist in both cases.

Hon. Mr. MILLS—Oh, no. And what is more than that, Lord Salisbury, Sir Stafford Northcote, and every prominent member of the opposition on that occasion, in discussing the matter on the public platform throughout England and Scotland, maintained that they had not rejected the principle of the bill, that they had not expressed any opposition to the bill, but had simply declared that before they could consider it there was another measure which ought to be associated with it and the character of which they ought to know. It was a very different one from the simple rejection of the bill. My hon. friend, the leader of the opposition, stated to-night what I think was a constitutional doctrine and what I am pleased to know this House is disposed to act upon. He said the government had at last introduced one measure in fulfilment of the principles or measures of public policy upon which they had gone to the country.

Hon. Mr. McCALLUM—And that a very poor one.

Hon. Mr. MILLS—My hon. friend says it was very poor, however, it was a measure upon which they were directed. Wise or unwise it is a measure upon which they had appealed to the country and the public voice was in their favour. I say that there is a marked difference between this measure and the measure that was under the consideration of the House of Lords which the House of Lords postponed. I may say to the hon. gentleman that I would be very sorry indeed to utter any word of disrespect towards this House. I could not well do so without casting a certain amount of discredit upon myself and my colleague who sits beside me. Our fortunes, at all events as long as we are here, are associated with the character and dignity of this House; and it is not our interest—we would indeed be very foolish in undertaking to belittle this House or to deny its value as a second chamber under our system of parliamentary government. I fully recognize that. I admit it, but if my hon. friend means by saying that the Senate, the second chamber, stands upon a footing of equality with the House of Commons in regard to a measure of this sort, I say I wholly dissent from it. That is not my view. The measure before us at this moment is a measure which specially concerns the constitution of the House of Commons. It does not specially concern the constitution of this House.

Hon. Mr. McCALLUM—Then you hand that over to the local legislature.

Hon. Mr. MILLS—My hon. friend says we hand it over to the local legislature. I say we retain control. We pass a measure to-day that next session we may repeal if we see that it is in the public interest to repeal it. It is not an unalterable measure—we are not placing the subject beyond our reach or control in any sense whatever. It is as much under our control as if we had proposed a measure dealing with the subject directly, without any reference to the local legislature at all. If we were to pass any measure it is out of our power to change it until parliament meets again; it is on the statute-book, just as this measure will be if it receives the approbation of this House and the sanction of His Excellency the Governor General. There is no difference between this bill and any other in that regard. I have already said all that is necessary in vindication of the practical importance of the measure and the great convenience there is in allowing voters' lists to be prepared under provincial authority rather than under the authority of the Dominion. I do not believe as my hon. friend opposite (Mr. Ferguson) intimated in his speech this evening, that a measure of this sort has a tendency to disintegrate the Dominion. On the con-

trary, I believe it has a tendency to bind us more closely together. My hon. friend proceeds on the assumption that the strength of the Dominion depends upon the strength of the authority exercised by the central or federal authority. I do not subscribe to that, however. That was the view held by certain Austrian statesmen that brought on the revolution of 1848, and in order to strengthen the union of the nationalities of that empire, what did they do? They established a federal instead of incorporate union, and they strengthened the empire of Austria instead of weakening it Is there a man here to-day who believes that the union of Great Britain and Ireland is stronger because it is an incorporate union instead of a federal one? Is there a gentleman in this House listening to me who does not believe that if they had Home Rule in Ireland, with a loyal and contented population, knowing that if abuses should exist in the local legislature it would be their own fault, it would be stronger than union, with Ireland incorporated and discontented? I think anyone who has had experience of the federal system in this parliament will admit that our people are much more contented, much more strongly united, much more devoted to our institutions than they would be if we had no provincial governments at all and were meeting here in a legislative incorporate union. In my opinion, what we are doing, we are doing as a matter of convenience, we are getting a list that will be prepared with little expense to those who enter public life and which will be a more complete list than the lists prepared under the old system. What was the effect of the system now in force? Why, under that system, we have never had a parliament that dared to propose to make a voters' list every year, and yet every hon. gentleman knows that at least ten per cent of the population are disqualified at the end of every twelve months. You had a list on which to vote, that excluded every man that came of age after that list was prepared. Let me ask hon. gentlemen to-day if we had an election, on what list would we vote? Upon a list of which, perhaps, thirty per cent of the population would be disfranchised.

Hon. Mr. MILLER—Whose fault is that?

Hon. Mr. MILLS—The fault of the system that no government of this country have had the courage to enforce, and the men who had, of all others, the interest to put that on the statute-book, whose pet scheme it was, who knew the expense which it would entail, and which would ruin the administration——

Hon. Mr. MILLER—The present state of affairs never existed under any former government.

Hon. Mr. MILLS—I beg my hon. friend's pardon. My hon. friend will find that there was another occasion on which the same length of time elapsed between the preparation of voters' lists. We have had only three lists since 1885, and that is a period of thirteen years. My hon. friend will see that the men upon that list who vote or return members to parliament are not the men whom the law declares are entitled to vote. There are many who, in a revision, would have their names taken off, and there is an immense number of young men from twenty-one to twenty-five years old entitled to vote whose names are not on that list. That is a condition of things that no government ought to permit to exist. In our opinion it arose from a system that we opposed, which was introduced when we departed from a system which both parties acquiesced in continuing from 1867 to 1885. We are restoring that state of things; we are taking steps to correct the mistake of those who sacrificed the practical convenience of the country to what they thought was a system more theoretically perfect. Now, I am not making charges against anybody or the motives of anybody. I am stating facts, as everybody knows them.

Hon. Mr. McMILLAN—Will the hon. gentleman explain this fact—that is, the expense that he complains of as far as federal lists are concerned—will it not be greater with the local lists, where one is prepared every year?

Hon. Mr. MILLS—Let me say this, that the local list is prepared every year; we are not adding to the cost of the preparation of that list. It is prepared whether we use it or not.

Hon. Mr. McMILLAN—You have no machinery by which you can compel them to prepare the list.

Hon. Mr. MILLS—We do not want to compel them. In all these matters the government meet the exigencies of the occasion. That was so here. It was so from 1867 to 1885. There will be no difficulty on that score, and my hon. friend will see that we are not adding to the expense. We are simply diminishing the expense, because we have one list where, under the exciting system, there are two. We get rid of the expense of the preparation of one, and we are content with the expense of the preparation of the one instead of two. My hon. friends will see that there is, in the very nature of the case, economy, and in the very nature of the case, from the character of our institutions, from our federal system of government, from the fact that the municipal government is a part of the machinery, there is a question of practical convenience in our proposal, which does not exist at the present time.

The motion was agreed to, and the bill was read the second time.

THE LIBRARY OF PARLIAMENT.

MOTION.

Hon. Mr. POWER moved the adoption of the second report of the joint committee of both Houses on the Library of Parliament. He said: This report contains only one statement. It recommends that the correspondence with reference to the electric lighting of the Library of Parliament be forwarded to the Public Works Department, with an urgent recommendation that the advised improvements be immediately carried out. Inasmuch as the report of the committee does not involve the expenditure of any money, and simply leaves the matter with the Department of Public Works, I do not think that there can be any objection to our adopting the report forthwith.

The motion was agreed to.

IDENTIFICATION OF CRIMINALS BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (R) "An Act respecting the Identification of Criminals."

(In the Committee.)

Hon. Mr. ALLAN—This bill is framed, I suppose, on precisely the same lines as the law of France.

Hon. Mr. MILLS—It is to enable us to do what is being done in Belgium and France, and in some of the states of the neighbouring Republic under the Bertillon system.

Hon. Mr. BERNIER, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

COMPANIES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (S) "An Act to amend the Companies Act."

(In the Committee.)

On clause 2.

Hon. Mr. POWER—Before this clause passes I should like to say just one or two words. When this bill was at its second reading I called attention to the fact that there had been instances, where the English Companies Act had been abused by companies some of whose shareholders live in this country, and that I thought it desirable that caution should be exercised in dealing with the matter. Now, it occurs to me that, under this second clause of the bill, some discretion should be given to the Secretary of State's Department with respect to the incorporation of those foreign companies, that the Secretary of State should not be bound as a matter of course to incorporate every company, which made an application for incorporation and paid the requisite fees, but that he should have some discretion to decide whether or not the charter of the company was one which could be allowed to go into operation with benefit to this country.

Hon. Mr. SCOTT—Any company applying to register has to file a copy of the Act of incorporation in the office of the Secretary of State, and obtains no special power of any kind. The object is to enable them to

get the license. Their status in a foreign country is in no way affected. The object of this bill is simply to give them the license and the license will restrict them specially to carry on mining in the Yukon district. They will not have the right to build steam boats, or work saw-mills, or go into any side industries, even if the powers of the original corporation so authorized them. Their original powers are in no sense recognized in this bill. They simply file a copy of their Act showing that they have, at all events, a right to mine, and they are given a license to mine, but there is no recognition of their powers. I have tried to restrain that point because in the issue of letters patent in recent years we have restricted powers very much indeed, and they are not given the large powers that were granted in former years. That was the policy adopted by the late government, and it has been continued by the present government.

Hon. Mr. BAIRD, from the committee, reported the bill without amendment.

LAND TITLES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (132) "An Act to further amend the Land Titles Act, 1894." He said: This Act professes to amend various clauses of the Land Titles Act which was passed in the year 1894, which, as hon. members know, introduced the system that prevails in Ontario into the North-west causing real estate to be considered as personal. The experience of the last three years has necessitated certain amendments, some of them being only a word or two in a particular clause, and it would be much more convenient to go through it in committee. I would therefore ask the House to be permitted to make a further explanation in committee.

The motion was agreed to, and the bill was read the second time.

INDIAN ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (144) "An Act further to amend the Indian Act." He said: The amendments in this bill are very similar to those in the Land Titles Act. They are merely words dropped or words added in several paragraphs. There is no new principle in the bill, and I therefore suggest that it be allowed to go to committee where it can be discussed much more intelligently.

The motion was agreed to, and the bill was read the second time.

NORTH-WEST MILITIA ACT LAND GRANTS AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (133) "An Act to make further provision respecting grants of land to members of the militia force on active service in the North-west." He said: When this bill was read the first time I stated its object. There are a number of persons who, under various statutes mentioned here, were entitled to grants of land that have not yet received them, and the time in which they may receive these grants is extended by the provisions of this bill. It is a sort of residuary bill, enabling parties to accept or obtain the grants which they might have obtained under the law at an earlier period if they had acted promptly.

The motion was agreed to, and the bill was read the second time.

Hon. Mr. MILLS moved the suspension of the rules.

The motion was agreed to, and the bill passed through its final stages.

NORTH-WEST TERRITORIES ACTS AMENDMENT BILL.

SECOND FEADING.

Hon. Mr. MILLS moved the second reading of Bill (131) "An Act further to amend the Acts respecting the North-west Territories." He said: It is provided that the words "legislative assembly" shall be substituted for the words "Lieutenant Governor in Council." This is necessary an account of the progress towards representative government in that country. Then subsection 2 of section 14 is hereby repealed. Then section 49 of the Act is repealed and the following is substituted therefor:

49. The court shall sit in banc at such times and places as the Lieutenant Governor in Council appoints; the senior judge present shall preside, and three judges of the court shall constitute a quorum.

Under the 49th section of the bill as it stands the court must sit in banc always at Regina. This enables them to sit in banc at any point where the Lieutenant Governor in Council may appoint. For that immense territory this is a matter of convenience.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (145) "An Act further to amend the Railway Act." He said: As hon. gentlemen are aware, the Railway Committee of the Privy Council have the right to fix the tolls that are chargeable by the railway companies. It has been found that there are many lines of steamers running in connection with the various railway companies, and owned by the railway companies, and the object of this bill is to authorize the Railway Committee of the Privy Council to fix the tolls, and to apply these clauses of the Railway Act to the steamboat companies working in connection with the railway companies, in order that they may not discriminate. Hon. gentlemen will see that, while the tolls could be kept down according to the schedule on the railway, still, if the company operating a steamboat line were at liberty to make any charge they desired, it would give the company very much larger powers than contemplated by the statute, and the object of this bill is to place the two companies, where they run unitedly, under the control of the railway committee of the Privy Council. As the railway companies desire to be heard on this measure, I propose that the bill be referred to the Railway Committee, in order that they may hear what the railway men have to say.

Hon. Mr. ALLAN—Hear, hear.

The motion was agreed to, and the bill was read the second time.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. FERGUSON—Before the House adjourns, as the hon. leader of the opposition is not in his place, I wish to call the attention of the hon. Secretary of State to the fact that there are as yet four departments which no return has been received in regard to dismissals. I refer to the return regarding dismissals as a result of commissions. There is no return from my hon. friend's own department. There are four departments altogether which have not furnished any return, and my hon. friend will understand that it is desirable that the return should show on the face of it that it is complete, and that if there have been no commissions issued by any department, it should be so stated. My hon. friend's department was one, and the Finance Department another.

Hon. Mr. SCOTT—The Governor General's office, the Privy Council, the Secretary of State, the Geological Department, and the Queen's Printer.

Hon. Mr. FERGUSON—My hon. friend the leader of the opposition had a list of them here.

Hon. Mr. SCOTT—I did not know that it was necessary to make a formal return, but I stated that no commissions had been issued in some of the departments.

Hon. Mr. FERGUSON—There are three or four departments where no commissions were issued, and it is desirable that that fact should be stated on the returns, so as to make them complete.

Hon. Mr. SCOTT—I thought it would be sufficient if I made the announcement. There was no commission issued from the Governor General's Department.

Hon. Mr. FERGUSON—No, the Governor General's Department is not one of them. I think the departments were the Finance, Secretary of State and Queen's Printer.

Hon. Mr. SCOTT—The Secretary of State's Department, the Geological Department, the Privy Council, and the Finance Department, I think, are the only ones. I will ask them to make a formal return. I suppose a letter from the deputy head would be sufficient.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 31st May, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

LOAN COMPANIES BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (Q) "An Act respecting Loan Companies" with amendments. He said: The amendments are purely verbal, with the exception of two, the one which provides that a registered letter is to be sent through the post office to the shareholders, and the other an addition to the clause empowering the company to invest in bank stocks.

The amendments were concurred it.

Hon. Mr. MILLS moved that the bill be read the third time to-morrow.

Hon. Mr. OGILVIE—I was going to ask the hon. leader of the House to allow the bill to stand over for some time. It came to my notice to-day for the first time, and that is probably my fault. I do not claim any indulgence on that account. But this bill takes in not only Ontario, but the whole Dominion. I know something about a good many loan companies down in Montreal, who have never heard of this bill, and I feel very certain that they will object very strongly to many of its provisions. I would suggest that the bill be allowed to stand for some time. I think it should be laid over till next session, if possible, because while Ontario may be thoroughly acquainted with the bill, speaking for the province of Quebec, I can assure the House that they have not heard of it, and do not know anything at all about it, and it will affect them in a way that they would not like. It would be only fair to give them a chance to see the bill. If they have no objections, of course I would be satisfied.

Hon. Mr. MILLS—We can take the third reading on Friday, and we can then consider the matter.

Hon. Mr. OGILVIE—Could the hon. minister not postpone it longer than that? I would like to see some of these companies in Montreal.

Hon. Mr. MILLS—If my hon. friend would send copies of the bill to Montreal he could get the information from the companies there and if they desired to have further time to consider it I shall not press it on Friday. I therefore move that the bill be read the third time on Friday next.

The motion was agreed to.

THE MILITARY SUPPLIES FOR YUKON.

INQUIRY.

Hon. Mr. PERLEY—I saw in the papers the other day a report of a large purchase of supplies that has been given for a portion of the Yukon district, and there were no prices mentioned for the supplies and neither was it by public tender, and I thought it fair to

Ask the government for a statement of prices paid the Bate Co., of Ottawa, for the various articles of food supplies purchased of that company or house recently for the military force sent to the Yukon district, such statement to be per lb., per can, gallon or 100 lbs., as the case may be, and for each and all the supplies so purchased.

Hon. Mr. SCOTT—I called the attention of the hon. Minister of Militia to the item and he was unable to furnish me with a statement as he had not received the account, but I suppose the articles were tendered for and the price was fixed, so he gave instructions to have the tenders looked up and the prices ascertained. But as there is a great deal of information to be put in the form of a return, I will accept this inquiry as an address if the hon. gentleman will move in that way as it is perhaps awkward to answer it otherwise.

Hon. Mr. PERLEY—Hon. gentlemen, my experience in moving for returns has been rather unfortunate. I have been there once and have had to wait for a long time. If these officials of the saving departments are so very busy I am afraid that they would not have time to get this return down in time to be used this session. It strikes me quite forcibly that where a government ask for supplies they ought to know what they are paying for them. This is a very simple matter. They know they have bought these supplies and what they have paid for them, and it would be only a trifling matter to

refer to the accounts in the department who brought the supplies to get the information. Therefore I feel if the hon. gentleman cannot give the information that it had better stand as it is. It is no use moving for a return and I prefer to let it go by default.

Hon. Mr. SCOTT—I have no doubt the Minister of Militia would give the instructions. I saw him just before he was going to the Commons. I will endeavour to have them for the hon. gentleman before he leaves.

Hon. Sir MACKENZIE BOWELL—I think he ought to go further. I understood the Secretary of State to say that tenders were asked for these supplies.

Hon. Mr. SCOTT—I do not really know who was called on to tender. I understand that this firm was asked to make a tender, but whether there were competitive tenders or not I am not in a position to say.

Hon. Sir MACKENZIE BOWELL—Then perhaps that had better be added.

Hon. Mr. SCOTT—I will find out all the information about it.

THE MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon Mr. LANDRY inquired of the government:

1. Whether the government, or any member of the present administration, has written or telegraphed, or caused to be written or telegraphed, to Mr. Charles Russell, of London, in order to be informed by this employe of the government, whether the letter published in the Minutes of the Senate, of date of 4th of May, 1898, is or not a faithful and complete reproduction of the letter which he wrote to His Eminence Cardinal Rampolla, of date the 26th of November, 1897?

2. What is the answer of Mr. Charles Russell?

3. Has the government, or any member of the present administration, written or telegraphed, or caused to be written or telegraphed, to His Eminence Cardinal Rampolla in order to be informed by the most eminent secretary of state of the Roman court, whether, at the secretariat of state, there had really been received a letter from Mr. Charles Russell, dated the 26th of November, 1897, and whether the letter published in the Minutes of the Senate of date the 4th of May, 1898, is or is not a faithful and complete reproduction of this letter written by Mr. Charles Russell and dated the 26th of November, 1897?

4. What is the answer of His Eminence Cardinal Rampolla?

5. Is the government in a position to affirm that His Eminence Cardinal Rampolla has not communicated to any of his colleagues in the cardinalate, nor to any person whatsoever, the contents of Mr. Charles Russell's letter?

6. Is the government in a position to affirm, and does it affirm, that the letter of Mr. Charles Russell to Cardinal Rampolla, written in the name of the Catholic members of the government and of parliament by an employee of the government, was a confidential letter, or even could be considered as such?

Hon. Mr. MILLS—I must say to the hon. senator that I decline to answer this question or series of questions, because, in the first place, I do not know that there was any letter written to Cardinal Rampolla on the 26th of November, 1897. My hon. friend is questioning me and questioning the government through me with regard to a communication that we do not know exists, that, if it does exist, we do not know that it is genuine. My hon. friend has put a number of questions on the paper that entitle me to put questions to him with regard to these matters before he is in a position to call upon the government for any answers to the questions which he has put. In the first class, does he know that Charles Russell wrote to Cardinal Rampolla? Does he know the contents of the letter which Charles Russell, if he wrote, sent to Cardinal Rampolla? Is that letter in his possession? Upon what grounds does he hold that letter to be genuine? How came it into his possession? By whom was it stolen from Cardinal Rampolla, if it is a genuine letter? If the letter was not stolen, by whom was it purchased from some person that had access to the correspondence of Cardinal Rampolla? How came this letter into the possession of the hon. gentleman, if he has it? When my hon. friend will give to the government some account of that letter, if there be a genuine letter, how it came into his possession, how it left the possession of Cardinal Rampolla, and by what authority he refers to a document which, if in his possession, must have been purloined from Cardinal Rampolla by some one who transferred it to him—who is the party that took from the possession of the Cardinal and transferred it to the hon. gentleman—when my hon friend gives to the government the amount of information necessary to ascertain the genuineness of this correspondence, then the government will consider whether my hon. friend is entitled to an answer to those questions or not.

Hon. Mr. LANDRY—I think I should claim from the hon. gentleman at least twenty-four hours' notice.

Hon. Mr. MILLS—No. I am simply as-

signing to my hon. friend the reasons for not answering his question.

Hon. Mr. LANDRY—According to the rules of this House the hon. gentleman should give notice, but perhaps he does not know any more of the rules of this House than he knows of the letter. If he does not know anything of this letter, why does his hon. colleague say that it is a purloined letter? A letter can only be stolen or purloined if it exists. Does the letter exist?

Hon. Mr. MILLS—I do not know.

Hon. Mr. LANDRY—If the hon. gentleman does not know, why was I accused of having a purloined letter in my possession?

Hon. Mr. SCOTT—If it was a genuine letter it must have been purloined.

Hon. Mr. LANDRY—Stolen?

Hon. Mr. SCOTT—Yes, stolen. If it was a genuine letter it must have been stolen.

Hon. Mr. LANDRY—That is a conclusion that the hon. gentleman has no right to draw. If he knows anything of logic, he knows that he should not give such an answer. The letter was written to Rome—can the hon. gentleman deny that?

Hon. Mr. MILLS—We are asking for information.

Hon. Mr. LANDRY—The hon. gentleman cannot deny it. He dare not deny it, because if he made a denial in this House it would be denying that a letter was sent to the party with whom the government have been dealing during the last six months, and if such a denial were sent to Rome it would put the government in its true position.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. LANDRY—The hon. gentleman says hear, hear; but that is what he fears. If he is not able to give that denial, or he does not, then why does he say the letter was stolen? The hon. minister has an employe; Mr. Charles Russell is at his service, why does he not inquire from Mr. Russell whether that gentleman wrote the aforesaid letter or not? It would have been easy for the hon. gentleman to come before this House and confound me with a denial from Mr. Charles Russell. Why did he not make an attempt to get it? He was unable. He knows the letter exists. He has not the courage to accept the responsibility of the acts of his employes, and without any notice at all he tries to question me again. I am the party seeking for information. I do not want to give mine at this moment. I will only give it when the proper time comes. Actually the duty of the government is to answer every pertinent question put to them. Their new policy, however, is not to answer questions. Do they fear that those answers will be turned against them in the future, in perhaps the coming general election? What is the cause of their fright? An accusation has been brought against me, but it will not stand, I will take the means to have that accusation proven or withdrawn. I think the dignity of this House is at stake.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. LANDRY—And I claim that whatever accusation brought against me by the government must be withdrawn, if the government is unable to prove it and in the present instance I will certainly take the proper means to get it withdrawn. For the moment I may state that the government are unable to answer. They have an employe in their service and are unable to get from him, by telegraph or otherwise, the simple denial of the existence of that letter. All the proof that has been given, up to this day, is against the government. The silence of the government is a proof against them. They are unable to get out of the position in which they are now placed.

Hon. Mr. PERLEY—I should like to know how it is the hon. gentleman states that if such a letter were sent to Rome and the government denied it, it would place the government in a bad position? What has Rome to do with the parliament of Canada?

Hon. Mr. MILLS—My hon. friend from Stadacona will have to answer that question.

Hon. Mr. LANDRY—If the hon. minister would answer the question I put to him I would then transfer those answers to the hon. gentleman. When I asked the government yesterday with reference to the expenses of the ministers last year in their

trips to Europe the hon. gentleman gave me all the figures, except the expenses of the two ministers who went to Rome. Mr. Laurier I was told, referred me to the next Auditor General's report, which meant one year's delay. As to Mr. Fitzpatrick I was told that I would get nothing from him. Those are precisely the two gentlemen who went to Rome.

LAKE MANATOBA RAILWAY AND CANAL COMPANY AGREEMENT.

INQUIRY.

Hon. Mr. BOULTON asked:

The Secretary of State to lay on the Table of the Senate a copy of the agreement between the Provincial Government of Manitoba and the Lake Manitoba Railway and Canal Company of Manitoba.

He said: That was the agreement filed in the Secretary of State's office in regard to the Manitoba Railway and Canal Company, and as there is a bill coming down for the Great Northern Railway which deals with a similar question, I should like to have the information.

Hon. Mr. SCOTT—There is no agreement. I presume it is the mortgage from the company to the Manitoba government that the inquiry relates to. It is a long document and they did not send us a second print. Perhaps the hon. gentleman could call at the office and see the paragraphs that he wants. The Under Secretary will show him the documents and whatever he desires will be copied.

SOULANGES CANAL CONTRACT.

INQUIRY.

Hon. Mr. LOUGHEED—Before the Orders of the Day are called I should like to ask the Secretary of State what progress he is making with the papers I made inquiries for some weeks ago regarding the Soulanges Canal.

Hon. Mr. SCOTT—I made several inquiries, the last inquiry being made this morning, and they told me they thought they would have it completed by to-morrow or the day after.

COMPANIES ACT AMENDMENT BILL.

THIRD READING.

The Order of the Day being called:

Third reading Bill (S) "An Act to amend the Companies Act."

Hon. Mr. SCOTT said: Since this bill was in committee, the Yukon bill has gone through, and I find the descriptive title in that is somewhat different from the title in this bill. This bill professes to authorize mining licenses to be granted in that part of the North-west Territories of Canada, known as the Yukon judicial district. In the bill which has just been passed it is called the Yukon territory, instead of the judicial district. Therefore, I move that the bill be not now read a third time, but that the words "Yukon judicial district" be struck out and the words "Yukon territory" be inserted instead, merely to have it conformed to the Yukon bill which has been passed. It is only descriptive of the area.

The motion was agreed to.

Hon. Mr. SCOTT moved the third reading of the bill.

Hon. Mr. MACDONALD (B. C.)—I would like to ask the hon. gentleman if it is the intention that coast towns shall issue licenses to those going in.

Hon. Mr. SCOTT—I think so.

Hon. Mr. MACDONALD (B. C.)—They would not do away with the issue of licenses by the town.

Hon. Mr. SCOTT—No, this simply puts companies authorized outside of Canada to mine on the same plane as the free miner. It has no reference to the licenses at all.

Hon. Sir MACKENZIE BOWELL—I thought when this bill was under consideration before that it only applied to companies incorporated in the United Kingdom.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—That is the manner, if the hon. gentleman looks at the report of the debate, in which it was referred to; that was the impression left upon the minds of the senators. I notice in looking at the provisions of the bill that it applies to all foreign companies, so that a company organized in the United States or any other country can, by complying with the terms of the Act, carry on operations in the Yukon district. Was it the intention to extend it to all classes of companies?

Hon. Mr. SCOTT—Oh, yes, that is the idea.

Hon. Mr. LOUGHEED—I certainly did not so understand it, and my

own impression is that it would be much better if it had been confined to companies in the United Kingdom. Might I ask the hon. Secretary of State whether he has ever given consideration to the fact that a great number of foreign companies might organize for the purpose of carrying on operations in Canada by reason of the fact that they can organize in a more simple way, and by an evasion of law, I might say, in a foreign country? Now, it seems to me that we are simply facilitating the evasion of our own Companies Act by permitting companies, who contemplate operations being carried on in the Yukon country, to become organized in a foreign country, obtain a license from the Secretary of State, and then occupy the same status as a Canadian company, but evading all the responsibility incident to the Companies Act, and enjoying all the advantages of the company which by the assumption of great responsibility, organized under the Companies Act of Canada. I do not know whether the attention of the Secretary of State has been called to this fact, but it seems to me that it is an anomaly of a very serious character, and legislation of some kind should certainly be introduced to provide against it. There has come under my own observation during the recent mining excitement in the Yukon country, the organization of several companies in the United States, not for the purpose of carrying on operations in the United States, but for the purpose of carrying on operations in Canada, and those companies have organized under the very wide latitude given to them in a foreign country; they have been enabled to raise considerable sums of money without assuming the responsibility that Canadians have to assume in becoming organized under our own laws, and a status under this Act is about to be given them equivalent to the status which Canadians would enjoy under the Companies Act. It seems to me this is a condition of affairs worthy of the attention of the Secretary of State, and which should be met at this particular juncture. The Secretary of State should consider this fact before asking the House to give the third reading to this bill.

Hon. Mr. SCOTT—I am quite aware of the extraordinary latitude that has been given by our courts for many years, running back even ten or fifteen years, to companies organized outside of Canada, having been allowed to sue and practically be sued and have exercised all corporate powers. I do not know whether the federal parliament could interfere, as the matter rather pertains to the provincial legislature. In reference to the bill before us, I was somewhat forced to introduce a measure of this kind in consequence of our mining regulations having gone abroad, that incorporated companies could take out a "free miner's license"—that was the expression—and in order to enable them to do that it became necessary for them to file their charter with the Secretary of State, and then that a license might be granted if he thought proper. In this bill it will be particularly observed that the powers given to the companies are specially restricted. They are not allowed to exercise under this bill the powers they may possess outside of mining. For instance, they are not authorized under this bill, as they are under their own charters very often, to build mills and steamboats, or to operate in any other ways that are incidental to mining. The object of this was to confine those companies strictly to operating mines. In the first place to enable them to be on the same plane as a free miner, that is, if they discover a mine that they had a right of priority for a given number of months, and that if they held a license they could explore the country, and that they were allowed a certain time within which to file the evidence that they had made this discovery—that was the object of the bill to limit it to those particular powers. I endeavoured, in drafting the bill, to confine it to those powers and not to give them under a license enlarged powers Under the bill they would simply get a license to do that—to mine and to buy and sell mines.

Hon. Mr. LOUGHEED—I should like to point out the very wide language embodied in the Act, which, with all deference, I submit goes very much further than indicated just now by the hon. gentleman. Power is given for the purpose of "carrying on mining operations or of buying, selling, leasing and operating mines of all kinds, on receiving a license, etc." It is quite clear under this language that it is contemplated to permit a foreign company to carry on mining operations. As my hon. friend will doubtless know such a power as that embraces everything incident to the operations

of a mine. Let us take, for instance, how broad a power that is, when exercised in connection with the Leroy mine. That certainly embraces the purchase and operation of machinery and everything incident to that, such as the erection of buildings and, in fact, operations of the widest possible latitude. In fact, no company would wish to obtain a broader power than that of operating mines, because, I think any court of law would hold that it applies to every incident relating to the operation of a mine. If, as my hon. friend the hon. Leader of the Opposition said a few moments ago, it were confined to companies organized in the United Kingdom, we could then have some knowledge of the responsibility assumed by those companies, because we know the laws of the United Kingdom with regard to joint stock companies.

Hon. Mr. DE BOUCHERVILLE—From the discussion it appears that the amendment will have an important effect, and in that case the bill should be referred back to a committee of the whole House. I ask the Speaker's ruling.

The SPEAKER—There is no doubt it would be more regular to refer the bill back to a committee of the whole House, but with the consent of the House the amendment can be made without doing so.

Hon. Mr. SCOTT—It is constantly done on the third reading, and this is a mere formal amendment and not one to the principle of the bill. It is simply a description of the territory. I suppose it could have gone as it was, but in order to make it conform to the bill that we passed here last week, the wording should be changed. I have no desire to press on the bill unduly if hon. gentlemen have anything more to say on it.

Hon. Sir MACKENZIE BOWELL—I hope the hon. gentleman will let it stand until to-morrow, so that we can look into these regulations. I have not read them yet. Do the regulations which have been issued for the granting of licenses mention companies, and if so, does the word include foreign companies, or companies that have been organized under the laws of the United Kingdom? If it simply refers to companies then it would have a Dominion application only, and there could be no misunderstanding on the part of foreign companies. I am speaking now without a full knowledge as to the wording of the regulations. If the bill remains over until to-morrow we can discuss it more intelligently.

Hon. Mr. SCOTT—Those regulations, of course, are circulated in the United States very largely and companies have already been organized in Montana, Colorado, Idaho and other states and they have written to us to get miners' licenses. They cannot get a miner's license unless the company is first recognized in some way here, and it requires therefore, that their charter should be registered at Ottawa, and if thought proper, on payment of such fees as the Governor in Council choses to fix ; a license may be issued. We certainly will not allow the licenses to go for nominal sums.

Hon. Sir MACKENZIE BOWELL—The power given in this bill virtually incorporates, for certain purpose, by mere registration of their Act of incorporation, any foreign company organized under a foreign charter. I do not think there can be any possible misundertanding in the reading of these regulations :

> Joint stock company shall mean any company incorporated for mining purposes under a Canadian charter or licensed by the government of Canada.

Hon. Mr. SCOTT—Yes, licensed by the government of Canada.

Hon. Sir MACKENZIE BOWELL—That is a company under a Canadian charter may be licensed by the government of Canada, so that foreigners could not say that they have been deceived in reading these regulations. There may be something else which I have not seen which modifies that.

Hon. Mr. SCOTT—I move that the bill be referred back to committee of the whole House to-morrow.

The motion was agreed to.

THE PLEBISCITE BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of bill (121) "An Act respecting the prohibition, or the importation, manufacture and sale of intoxicating liquors." He said :

The measure which I submit for the consideration, and I trust the approval of the members of the House, is one that has been discussed in this country for a very great many years in the press, in the pulpits and in the various assemblies of persons who are interested in supporting a prohibition law. The government introduced this measure in accordance with a pledge that they gave in 1893 to take the opinion of the people of Canada on the question of prohibition. This bill has for its object the ascertaining of what the sentiment of the people is on the subject.

Hon. Mr. PERLEY—Is that all the object it has?

Hon. Mr. SCOTT—That was the pledge that was given. It will be followed by the necessary consequences, I presume, if there is a proper justification for it. More than that the government, of course, could not do. They must be the judges after the result has been ascertained. The temperance sentiment has been one of very steady and regular growth in Canada for a period of over sixty years. Canada, I believe was one of the first countries in the world to adopt prohibition on a small scale. As far back as 1864 we had on the statute-books of the older provinces, Quebec and Ontario, a law which allowed municipalities, on receiving an affirmative vote from the people, to pass by-laws practically prohibiting within the municipality the sale of intoxicating liquors. That measure was not up to the anticipations of the temperance people, and during the seventies a very strong agitation prevailved over Canada for a measure of larger proportions, and so in accordance with that request which was presented to this House by many thousands of petitions, it was my fortunate opportunity to submit to this House in 1878, a bill giving the people in electoral districts, or in a union of counties, the right to prohibit the sale of liquor on an affirmative vote being polled in favour of prohibition. That Act was pretty generally adopted over Ontario and the Maritime provinces. We all know that for a time it was hailed with very great delight, and it was hoped that good results would flow from it; but, unfortunately, the government which succeeded that of Mr. Mackenzie were not favourable to putting that Act into operation, and it therefore fell into disuse. Like any other law, it required not only a public sentiment behind it, but it required an executive officer to see to its enforcement. I had, as I thought, provided machinery within itself for enforcing the law by directing that the officers of the Inland Revenue should be officers in the several districts for enforcing the Temperance Act of 1878. The effect, however, of the Act was, in the main, good, for the reason that it was an educator for the people of Canada, and no doubt it stimulated the growth of the temperance sentiment. In addition to the Acts which were passed by the federal authorities and the Act passed by United Canada prior to confederation, the other provinces have, at various times, passed prohibitory laws—that is, they have passed local option acts permitting the people within certain areas, if they so desired, to prohibit the issue of shop or tavern licenses. The effect of that has, as I can show presently, been most marked in the diminution of licenses that has taken place in all the provinces, and the effect has been that the consumption of liquor in Canada has been very largely reduced, until this country probably stands in advance of any other country in the world in consuming the smallest quantity of alcohol per head of the population. We can well claim, therefore, that we are in the van of the temperance movement of the world. I find, on looking at the Inland Revenue returns, that the consumption of spirits in 1872 was 1·723 gallons per head of the population. In 1873 it fell a little; in 1874 it rose to nearly two gallons. Since that time it has been steadily falling until 1897, when it was about three-quarters of a gallon per head of spirit. The consumption of beer, however, has increased rather than diminished. In 1872 it was equal to two and three-quarter gallons; in 1897 it had increased to three and a-half gallons. The proportion of wine consumed per head has, however, fallen very considerably—from 1·15 to ·84. That shows that the temperance sentiment in Canada has been growing.

Hon. Mr. MACDONALD (B.C.)—Has the consumption of light wines diminished?

Hon. Mr. SCOTT—It is under the head of wines generally.

Hon. Mr. WARK—Does that include domestic wines?

Hon. Mr. SCOTT—It would not include home-made wines.

Hon. Mr. McCALLUM—Does it include native wines?

Hon. Mr. SCOTT—No, not native wines. The proportion of native wine has increased greatly of late years, particularly in the county of Essex. In confirmation of that statement which I have submitted, I find that so high an authority as Mulhall gives figures that correspond with our own furnished by the Inland Revenue Department. He compares the consumption in various countries and his comparison bears out completely the statement I have made, that Canada is well in advance of any other country in the temperance movement. In the United Kingdom the consumption of alcohol —that includes the alcohol in ale—was, according to the latest return I can find, 1·92 gallons; in France it was over two gallons and in Germany over one and a-half gallon.

Hon. Sir MACKENZIE BOWELL—Does that mean beer?

Hon. Mr. SCOTT—No. In Mulhall's statement they take the proportion of alcohol in the beer; it is all put under that head. In Belgium the consumption was two gallons, in Denmark two, while in Canada it was less than three-quarters of a gallon, so that our own returns are confirmed in that respect. Then I find, as another evidence of the effect of the temperance movement in Canada, taking particularly the province of Ontario, that the number of tavern licenses has fallen, although the population has largely increased. In 1874 the number of tavern licenses was 4,793, while in 1896—that is the last return I have—it had fallen to 2,747, about one-half, although the population had increased.

Hon. Mr. MACDONALD (B.C.)—Has the revenue fallen in proportion?

Hon. Mr. SCOTT—I think not; I think they have put up the license fee, though I cannot speak positively of that. Shop licenses have dropped from 1,307 to 323. Wholesale licenses have fallen from 52 to 26, so it is perfectly evident that the temperance movement has resulted in a very considerable diminution of the licenses and, as I have shown, it has also resulted in a very considerable reduction of the consumption of liquor.

Hon. Mr. BOULTON—Why not let well alone?

Hon. Mr. SCOTT—If that argument had been used thirty years ago, probably we would not have made the movement, but we have been gradually enacting prohibitory laws. For instance, in the province of Ontario—and I might apply the observation to some of the other provinces—we prohibit the sale of liquor between seven o'clock on Saturday evening and six o'clock Monday morning; we prohibit the sale of liquor to minors and on election days and at country fairs, and in many other ways the legislature has already exercised the power of prohibition over its sale so that it is practically carrying it one step further over a larger area. My own view is that had the Canada Temperance Act been sustained in the different provinces, and as it was extended over a majority of the municipalities had been enforced, it would have been easy to extend it to the province itself, because practically now, under the recent decision of the Privy Council, a province can prohibit. It can prohibit the manufacture even for local purposes. It cannot prohibit the importation nor can it prohibit the manufacture for exportation, but for all practical purposes in sales of less quantities than what are called wholesale packages, the province would have full power to prohibit within its own area, and that would have been the easiest transition to the adoption of a prohibition measure. Until recently in Prince Edward Island the Canada Temperance Act did prevail in all divisions of it, and I think it is to-day in existence—whether it is enforced or not, I cannot say—throughout Prince Edward Island, except Charlottetown, and it would have seemed an easy transition from local option to provincial prohibition under the Canada Temperance Act. However, in accordance with the demand made by the temperance people at the meeting of the Liberal party in 1893 this resolution was adopted:

> That whereas public attention is at present much directed to the consideration of the admittedly great evils of intemperance, it is desirable that the minds of the people shall be clearly ascertained on the question of prohibition by means of a Dominion plebiscite.

Plebiscites had previously been taken by many of the provinces—in the province of Ontario, where of the vote recorded a majority of, I think, 80,000 was in favour of prohibition. In the province of Mani-

toba it was very much the same as in Ontario. we all know that in the maritime provinces the question of prohibition, or the non-issue of licenses, has taken a very strong hold on the people, if I am properly advised. In the province of Quebec, although the public sentiment has clearly been against any prohibitory law generally, yet it is a fact that in very many of the counties of Lower Canada, not even a single license exists. There are whole counties in the province of Quebec, where there is neither a shop license or a tavern license, so that it must be admitted that all the provinces of the Dominion, except perhaps British Columbia, have made extraordinary progress in the temperance movement. The bill that the government submit for the approval and consideration of parliament is very simple, and one that does not require very much explanation. It provides that the vote should be taken in electoral districts, that is the districts that elect members to the House of Commons, and the proclamation announcing the time shall be made by the Governor in Council and ample notice shall be given of the date at which the vote will be taken. No time has yet been fixed, and of course the public will be fully advised of the period when the vote is is to be taken.

Hon. Sir MACKENZIE BOWELL—There is no provision of that kind in the bill.

Hon Mr. SCOTT—The time is not fixed.

Hon. Sir MACKENZIE BOWELL—Nor for the notice.

Hon. Mr. SCOTT—The Dominion Election Act and the Franchise Act, which is now before this House, will apply, and it is to be hoped the vote will be taken under the improved Franchise Act. The vote will be by ballot, and the question will be put into the simplest and most curt form : "Are you in favour of the passing of an Act prohibiting the importation, manufacture or sale of spirits, wine, ale, beer, cider, and all other alcoholic liquors for use as beverages ?" And the answer to be given will be either in the affirmative or negative, "yes" or "no." The government will appoint returning officers in the various districts and the ballots will be furnished from Ottawa with the lists, I presume—if the Franchise Bill is carried, with the lists that shall be prepared under that measure. The Act contains the fullest provisions for having a fair vote and the advocates of prohibition and those who are opposed to it will each have the right to name one or two agents to be present at each polling subdivision, in order that a fair vote may be recorded, that there may be no personation, and that no improper conduct may take place. It will be the duty of the returning officer to swear the individuals who are appointed as agents, and they are then to be admitted within the polling booths. At the end, the report is to be made to the Governor in Council, and the action that will then be taken will, of course, depend entirely on what the rest will do. I cannot foreshadow what the action will be. It would be premature to do that, there are so many circumstances and considerations that will have to be discussed, because the position of Canada and the different provinces is somewhat diverse. Take, for instance, the province of British Columbia, where probably the vote may be largely adverse : that will have to be considered. There are very many questions that necessarily will have to be considered that cannot be anticipated, and therefore it would be quite impossible for the government to forecast what their policy will be after the vote has been declared.

Hon. Mr. MACDONALD (B.C.)—Why does the hon. gentleman attribute more common sense to British Columbia than to any of the other provinces ?

Hon. Mr. SCOTT—I did not attribute more common sense. The suggestion was that they were not as far advanced.

Hon. Sir MACKENZIE BOWELL—I think we should have a little more information before passing the second reading. I do not think there is any desire on the part of any hon. member of the Senate to oppose the bill. I need scarcely say that my own views as to the principle of a plebiscite are already upon record, and therefore I shall not waste the time of the House in discussing it further than to repeat that I think the whole scheme diametrically opposed to the principle which governs this country : that is the principle of responsible government. I look upon it as—I do not like to use the word "shirking," but that is what I mean—avoiding on the part of the government the responsibility which should,

and does, devolve on them under our system of government. Beyond that, having repeated at greater length on the debate upon the address from the throne at the opening of parliament my views on that point, I do not desire to elaborate them. But what I would like to ask my hon. friend is whether they have considered the effect which this vote is to have, providing it has a majority in its favour, of prohibition, on what we term the provincial rights in respect to the licensing and selling of spirituous liquors?

I know the hon. gentlemen opposite upon other questions have been great sticklers for provincial rights. The hon. Minister of Justice perhaps holds a great deal stronger view on that point than most of his colleagues, and I should like to know from him whether he considers the Dominion would have the power and authority to carry out the provisions of this law by prohibiting the importation, the sale, and the manufacture of the liquors referred to in the bill, including cider; and if so, whether he thinks it would be advisable to place a law on the statute-book which would only provide for the prevention of the importation and the prohibition of the sale of spirituous liquors, and malt liquors as is mentioned here in those portions of the Dominion, in which a large majority were in favour of it, as was the case in the provinces of Ontario and Manitoba, and leave it open for the local authorities to deal with the question in the two provinces to which he has referred, providing the provinces of British Columbia and Quebec should record their vote against the principle of the bill? I think also that we ought to have some information as to what the government intend to do in case a large majority, or any majority, is recorded in favour of the principle of the bill. My hon. friend says these are questions which would have to be taken into consideration afterwards.

Hon. Mr. SCOTT—Hear, hear.

Hon. Sir MACKENZIE BOWELL—In placing a question of this momentous character, which is to affect the social habits of the people of the Dominion, and also the revenue, to the extent of from seven to nine million dollars, in addition to what it will cost to enforce the law, the ministry of the day, who are submitting this question to the people, should have come to some decision as to the course they will follow in such an event. Looking at the statements which have been made in the other House upon this question, and which have been repeated to a certain extent by the hon. Secretary of State, the conviction is forced on my mind that it is a broad farce, to say the least of it.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. LANDRY—Hear, hear.

Hon. Sir MACKENZIE BOWELL—The government has a policy or it has none. The government should have a policy to carry out its pledges, and that policy should be to carry out the pledge which the premier of this country gave in various sections of the country during the last election, and also where he has been delivering speeches since, as well as the principle which was laid down at the conference held in Ottawa before the elections, in which this plebiscite was made a plank in their platform. If it means anything, if it is not a delusion, if it is not a snare, if it is not an attempt to humbug the people, then they should be prepared to say distinctly and positively, that, if the majority of the people decide in favour of the prevention of the importation, and the manufacture, and sale of the different beverages mentioned in the bill, we intend to enforce the law with all the power that is at our command. Strange to say, the premier put the matter in a little more ambiguous manner than the hon. Secretary of State when he was answering some questions in the House of Commons on the 25th of this month. During the debate upon this bill he gave this answer:

> The people may pronounce a verdict for or against prohibition.

That is not a very great deal of information, I must admit.

> If they pronounce against it the matter ends at once, and therefore there is no occasion to trouble ourselves with the consequences of such a contingency.

In that respect I think we all agree. If the majority is against the principle of the bill, then the agitation so far as Canada, and so far as their pledges are concerned, must cease. Now, logically, we must take the other deductions to be drawn from the fact of a majority being recorded in its

favour. But what does the Prime Minister say :

> But if there be a majority for prohibition, whether large or small, then it will be the duty of the government to consider whether the time has arrived for the Dominion parliament to place certain enactments on the statute-book.

If there is a majority against it the hon. gentleman is quite safe in saying that the matter must drop. If there is a majority in favour of it, then this responsible government is to take into consideration whether the time has arrived for placing a prohibitory law on the statute-book.

Hon. Mr. SCOTT—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Notwithstanding the fact that the vote of the people has affirmed that it should go on the statute-book. What is the plebiscite for, but to ascertain if there is a majority in favour of prohibition, and if there is a majority in favour of prohibition then should not the government enact a law to prohibit the manufacture and sale of intoxicants of all kinds?

Hon. Mr. MACDONALD (B.C.)—That is the logical conclusion.

Hon. Sir MACKENZIE BOWELL—Can they not say so, just as well as they can declare that if the vote be recorded against prohibition, then the matter drops and the responsibility ends? There can be no logical conclusion drawn from these statements other than that if there is a majority against it, the responsibility ceases. If there is a majority for the measure, whether it be large or small, according to the doctrine laid down by the premier, who speaks for the whole cabinet, then forsooth they are to take into consideration whether the time has arrived for passing a law and affirming the principle in a bill which the people have said should be passed. That is the position the government occupies. If they have no opinion on this question, if they have formed no policy upon it, they should not submit the question to the people unless they are prepared to carry out and affirm it if approved by the electors. I confess that it is one of the most anomalous positions that, in my experience in parliamentary history, or in reading, ever existed under the constitution of Great Britain. Then there is another point upon which I would like to have some information and to see settled: At what period is this question to be submitted to the people? Are we going to have a continuation of the farce which has been going on during the last fifteen or twenty years on this great question? My hon. friend says he does not know when it will be submitted to the people.

Hon. Mr. SCOTT—In a reasonable time.

Hon. Sir MACKENZIE BOWELL—If the question is not submitted to the people so as to enable ministers to form an opinion as to what course they should pursue, or, in other words, to make up their minds in the language of the premier, as to whether the time has arrived for enacting a prohibitory law, even though the majority be in favour of the principle, before the next session of parliament, then it will go over for consideration till the following session of parliament, and that will be the last session that will be held before an election takes place. Is the government desirous of placing itself in the position of being enabled to say "the majority have declared in favour of prohibition, but we will not come to a decision as to whether prohibition is proper or not, or whether the principle would be affirmed or not, but we will go to the people with the majority in our favour and emblazoned on our banner, we will carry out this law some way or other if you return us to power." It seems to me there is a great deal of force in that reasoning. If they are desirous of having this question settled, let us place on the statute-book a period as nearly as possible, giving plenty of time, to have the vote taken before the next session of parliament.

Hon. Mr. SCOTT—Hear, hear.

Hon. Sir MACKENZIE BOWELL—And in order that they may be enabled to make up their minds when parliament assembles in this city for the next session. My hon. friend says, hear, hear. I am glad to hear that. I hope he will add to one of the clauses of the bill that such vote will be taken not later than a certain period. There would be no difficulty then with the people, they would know when they would be called on to record their votes, and it would remove the suspicion which attaches to the speeches made in reference to the testing of the question by the people, and then in making up their minds as to the policy

which they will pursue. This is no small matter. Here are the supplementary estimates, which were brought down yesterday, and over $250,000 is asked to cover the expenses of submitting this question to the people. We are to spend over a quarter of a million to ascertain the opinion of the people, and the Prime Minister tells us, at the same time, in the same session, and almost in the same breath, that whether the majority be great or small in favour of the principle of prohibition, that then will be the time to consider whether such a law shall be passed. Now, if they have not made up their minds as to the course they are to pursue, surely the people of Canada should not be asked to submit to an expenditure of over a quarter of a million—I see in this estimate, besides the $250,000, there is $6,000 for some other purpose, which makes $256,000. Whether that will cover all the expense, I do not know. But I submit that with these facts before them we should know, before the people are asked to cast their votes yea or nay, whether the government intend, as they pledged themselves to the people—but which they refused to do in parliament—to carry out the will of the people. The principle having been affirmed of the plebiscite, although I think it is wrong, by the parliament of Canada, the ministry have taken the responsibility of adopting that course upon this particular question. I hope no member of the Senate will do anything to frustrate this bill; but, on the contrary, that all will assist to make it as clear and workable as possible, so that when the people cast their votes and spend their money they will know that when they affirm the principle, the principle is to be followed by a statute, or not go either to the expenditure or to the trouble and annoyance which attend all elections and squandering—because it is nothing more nor less than that—a sum of over a quarter of a million dollars without any definite object in view other than to ascertain what people think; and then the government of the day, forsooth, who are resposible for this enactment, are to decide and come to parliament and say, "Well the majority is pretty large, it is very large, but it does not embrace the whole electorate of the country, and therefore we do not feel bound to pass a prohibitory law." The principle laid down in reference to voting is that those who neglect to vote are in favour of it, so that if you have a large majority and then add to that the large number that do not vote, one would take it for granted that there was almost a unanimous vote. There has been another thing suggested. I have heard it mooted that those who are opposed to the principle of prohibition do not intend to make any fight on the question, but let it go by default, in the hope and belief that under those circumstances the vote cast will be a minority vote of the whole; and that under such circumstances, therefore, the government will take shelter under that plea, and say, "Well, prohibition should not be enacted." Now I would not like to insinuate anything, but I have heard it mooted, very uncharitably, that the government and those who are opposed to prohibition have entered into a league to accomplish that purpose. No one, of course, would believe that, but people will talk, and people will insinuate, and unless there is a distinct and positive declaration on the part of the hon. gentlemen opposite—I desire to be as respectful as possible—I think they are shirking a responsibility which devolves upon every government. If I am not in error, I hope I am, I can only look upon the course which the government is pursuing upon this question lately, and particularly the position that is taken by the government of to-day, as one, if not designed to humbug, which will deceive the people and will prove to be one of the most gigantic frauds ever perpetrated upon a free people.

Hon. Mr. BERNIER—Although I maintain that this Senate has a perfect right to interfere with this bill, and even go to the extent of rejecting it, still I think that, as a matter of policy, it is well for us not to do it, considering that this is a measure, which purports to be a direct appeal to the people. It is, however, a proper occasion to express our views on this matter. I for one am opposed to the principles of this bill. I am opposed to prohibition in itself. Although I sympathize very earnestly with those who are trying to promote amongst our people temperate habits, still I think they are making a mistake in having this measure forced upon the people. I believe it will be found an impracticable measure. I am opposed also to the way in which the government is bringing down this measure, employing what is called in other countries the refer-

endum. I do not desire to discuss here whether that institution is a good one or not, but I say that we have not in this country such an institution as the referendum. Consequently, the attempt that is made in this instance to have a reference to the people, as if we had such an institution, is bound to bring us to no practical results. In other countries, where the institution exists, it is provided what kind of measure is to be submitted to the people; it is provided also for the mode in which the referendum is to be taken, and also for carrying out the will of the people. Here we have nothing of the kind. Upon this measure in particular, the government does not pretend even to be governed by the future verdict of the people. It is an imperfect measure, and I think up to the present we have had nothing that would warrant a resort to such a measure. For these reasons I am against the bill and against the policy involved in that bill. This measure could be very well characterized by three words: it is an evasion, a delusion and a useless agitation. It is an evasion of the ministerial responsibility; it is a delusion to the temperance people, and it will be followed by deep and useless agitation, since the government does not show any intention of being governed by the will of the people.

Hon. Mr. PERLEY—I hardly think it necessary to make many remarks on this question after the able speech made by the hon. gentleman from Belleville (Sir Mackenzie Bowell). However, I might say that I noticed a very striking contrast in the earnestness of the two hon. leaders of the government in the Senate in the way in which they presented the bill yesterday and to-day. Of course, I can quite well understand that. The hon. gentleman yesterday was advocating a bill that the life of his party to a large extent depends upon, and the other hon. gentleman to-day is advocating a bill which will have a tendency to kill his party, and therefore, in my opinion, he is not so strenuous in his efforts, because he knows very well that the government would like very well for the Senate to throw the bill out, and I suppose if the Senate would defeat this bill they would really give us absolution for the votes we gave on the Yukon bill. But I do not propose, hon. gentlemen, faulty as the bill was yesterday and faulty as this one is to-day to vote against them. Both of the bills are unworthy of the government of Canada, for neither one of them is a bill that should emanate from a class of statesmen in a country like Canada. Although I may be willing to accept local franchises, the idea of giving one man half a dozen votes and another man, with equal qualifications, only one vote, is not the true principle on which to elect a parliament. I am not going to say more on that just now. The bill which is now before us is faulty in many particulars. It is not such an outspoken and pronounced measure as it should be. We, the temperance people of this country, should know, because those gentlemen got the votes of the temperance people at the last election by the pledges, the insinuations and the announcements they made to the people that they would favour prohibition. It is well known that the Right Hon. Sir John Thompson told the people his views in plain English. These gentlemen saw an opportunity to make political capital and prepared that ingeniously worded resolution that they would take a plebiscite. What does that infer? It infers, if anything, that if a plebiscite was taken and the people declared in favour of prohibition it would be reasonable and right to give prohibition. In the short session of 1896 I had the pleasure of attending a meeting of the temperance delegation which waited upon the premier and some of his colleagues. The delegation was so large that it was found necessary to hold it in the railway committee room of the House of Commons. My hon. friend the hon. member for Sarnia, was chairman of that meeting on behalf of the temperance people. The object of the temperance people on that occasion was to make a demand upon the Prime Minister for his government to introduce a plebiscite bill that session. The hon. gentleman told them in my hearing that it was impossible to do it; that that session was called for a specific purpose, simply to vote a supply bill, that he had not time to do it, that the next session—that was the last session of parliament—he would come forward with a plebiscite bill and take the vote whether the people were in favour of prohibition or not; and he declared there, in plain and positive terms, and he recited the very incident that the hon. Secretary of State has mentioned to-day in proof that prohibition could be carried out if they wanted it; and he said there were several sections in Quebec in which they had pro-

hibition, and if that was the case there why could it not be the case in every part of the country. He said in plain and unmistakable language to that delegation that he would introduce a measure to take the vote last session but did not do it. I will excuse him, for my part, for that; but he said he would take the vote on the question and if the people declared in favour of prohibition at the following session of parliament he would come down with a prohibitory measure. There was another voice, that of the hon. Minister of Agriculture, who congratulated the temperance people on having a government who were in favour of prohibition, and who, he said, would give them prohibition if they wanted it. It may be that the people will not vote for prohibition. The temperance people are a very creditable class in the country, and worthy of fair treatment, and they will not be humbugged or fooled. They want to know, if they go to the polls and deposit their ballot what effect it is going to have. In this bill you cannot tell a thing about it. Why cannot the government say in this bill that they will carry out the wishes of the people if they express themselves in favour of prohibition.

Hon. Mr. BOULTON—What will be a majority?

Hon. Mr. PERLEY—This is to be voted upon on the same principles that elections are held—a majority of the votes. They do not say so, they do not say whether it is a majority of the whole electorate or a majority of the people; and we ought to know that, and the temperance people would then know how to act, and if it is to be a majority of the whole electorate the temperance people will put on their armour and go to work and get a majority of the whole electorate. Under the Dominion Election Act a majority rules in this country, and why should it not be the same here? I think it should, and I say that although I ordinarily would not vote for a bill which bears humbug on the face of it, I am going to vote for this bill and the Franchise Bill and the government shall have the full responsibility whatever the result may be. I think also, hon. gentlemen, that the time has come when the government, although they rejected it in the other House, should tell the temperance people what vote they have to poll in order to carry prohibition; and they should also tell the temperance people whether they are going to give it or not, or whether they will put it up for a year or two in order to test the laws. The hon. Minister of Justice on that occasion which I have referred to—came into this delegation after the other ministers had spoken, I think it was arranged that he should do so, that is my humble opinion, it struck me so just then, and they asked him for a speech—said: "Gentlemen I am a temperance man, I believe in prohibition, it is a good and commendable thing;" and he made quite a good temperance speech, but he said this prohibition is a very grave question.

Hon. Mr. POWER—This was not the present Minister of Justice?

Hon. Mr. PERLEY—The hon. gentleman ought to know that he was not the Minister of Justice then. "Now," said he, "we have to consult the Finance Minister to see how he is going to make up the deficiency of revenue of eight or nine million dollars—that is a very difficult problem. Then there is," said he, "another question, a question of vested rights, vested interests. What are you going to do with those men who have capital invested in this business? That is another very difficult problem. Then there is another question: suppose any one province did not vote for prohibition and all the other provinces did, how are you going to operate the law in that province?" And then he came to a climax and said: "the next question is whether it is practical or not." That, I think, was the question, and that is a question that is evidenced in this bill. The government have not said whether it would be practical politically or not; and the temperance people of this country have a right to know what the result is going to be if they vote for prohibition; and then we will know how to work. We are appropriating two hundred and fifty thousand dollars to take this vote, and nobody knows what it is for. As to the question of deficiency of revenue, that is easily made up, to my mind. To judge from the supplementary and increased estimates I think there could be a good paring down in that particular. There are very many ways in which the deficiency of the revenue could be made up, and if the government will only carry out the pledges they made when they came into power, I am sure the

revenue is safe notwithstanding the loss that may result from prohibiting the importation and manufacture of intoxicating liquors. It is not creditable for the government to have a bill pass this House when there is any doubt about it. It is their duty to give the people of the country the fullest information on all these matters so that we may know what is coming. This country does not belong to the government but to the people, and if they do what I have said they will reflect credit on themselves and give satisfaction to the people of the country.

Hon. Mr. BOULTON—This bill is what I call political legislation. The premier was waited upon by the temperance people and gave a pledge that he would bring in this legislation. Pressure from a certain portion of the community has brought it about. The result we have seen. I said yesterday that the introduction of the Franchise Bill was in order to carry out one of the pledges made by the government before their election, and this is a second attempt of that kind. I am very pleased indeed to congratulate the government in that respect; but as to the principle of the legislation, both in its character as a plebiscite bill, which has no statutory effect, and also on the principle of what I call sectional legislation in this country, it is certainly objectionable. The temperance people, I suppose, as an organization, does not amount to more than twenty per cent of the whole population; that is to say, one-fifth of the population have brought their influence to bear on the government in order to enforce legislation which affects four-fifths of the population. But that twenty per cent of the temperance people are not a unit in favour of prohibition. They do not believe that prohibition is the most effectual method of bringing about the happy results when the hon. Secretary of State has shown us in regard to the advance of temperance sentiment in this country. Now I may remark, why not let well alone. The lines that the temperance people have been working on for a number of years have been very successful. They now propose to step out of those lines. They say "our efforts that we put forth in order to secure this temperance sentiment in the country generally are too onerous and we propose to make a short cut and by legislation we are going to cut off the supplies." Now, I do not think that that is a sound principle to work upon. In the first place, according to my idea, it is impracticable; that it is utterly impossible to put prohibition in force in such a way that nobody in the country is able to obtain alcoholic or other beverages, that that is a practicable impossibility; and in addition to that you are throwing a burden upon four-fifths, or three-fifths, whatever you choose to call it, of the population what the temperance call a sin in drinking beverages of any kind mentioned in this bill, you are throwing the additional burden upon them of breaking the law because they do not think the law is the right one.

Hon. Mr. VIDAL—We are not discussing prohibition at all to-day.

Hon. Mr. BOULTON—This is prohibitory legislation. It is a plebiscite to ask what the votes of the people shall be. I am only discussing it on the lines laid down by the Secretary of State, when he introduced the measure.

Hon. Mr. VIDAL—He did not touch upon the question of prohibition, he touched upon the plebiscite and what led to it.

Hon. Mr. BOULTON—He spoke of the advance of temperance, of the Scott Act which had been put in force, and regretted it had been abolished, and spoke of the good results of temperance legislation in Nova Scotia. Now I am not prepared to accept his statement with regard to the good done Nova Scotia. They certainly have had the Scott Act in force, and there are certainly counties where there are no taverns.

Hon. Mr. POWER—It is not the Scott Act, but a provincial Act.

Hon. Mr. BOULTON—I have the word of one of my colleagues in this House, who is a temperance man himself, that while there were no taverns of any sort or description in the country the temperance people would not permit to be expended from the public chest one solitary penny to enforce the law. Those who desired to break the law were at liberty to do so. There was no attempt to enforce the law. Then I heard from another gentleman, who is travelling

very largely in the maritime provinces, that in one town down there of three thousand inhabitants there were fifty-three places where liquor was sold, in a prohibition town, and that there was no revenue obtained from that in any shape or form, that periodical visits were made to the large hotels and fines extracted some three or four times a year where they had something they could get hold of, but those were very minor incidents, that in the great bulk of the places where liquor was sold there was no attempt made to collect fines from them because there was nothing to be got from them.

Hon. Mr. PERLEY—What town was that in?

Hon. Mr. BOULTON—North Sydney.

Hon. Mr. PERLEY—That is in Cape Breton.

Hon. Mr. BOULTON—I can find half a dozen more, I have no doubt, of the same character. I cross-questioned the gentleman I am speaking of very carefully, because I knew of this legislation and I did not like to make any figures that I could not be sure of. He said evidence can be found down there any time, and I have practical evidence, so far as being able to get what I wanted myself. That is practical evidence we have to deal with where prohibition towns are concerned. I am not arguing against temperance; my sympathy is with the temperance people and anything that will improve the morality and character of the people I am prepared to stand up for. But I am not going to put a heavier burden on the shoulders of those who think they are unfairly dealt with, and I do not think a minority of the people should bring pressure on the government in order to bring about that result. If they were to continue in the steps in which they are already walking and bring about the happy results shown by the comparative figures furnished by the Secretary of State this afternoon, they are doing good, and the day may come when the universal testimony of the people of Canada may be in line with the temperance people, but at the present moment that is not the case, and I do not think it is wise for us to take a vote at this time which is very dubious in its character when it is concluded, that is to say, the people may vote with the temperance people in order to be on the moral side without knowing what its effect may be politically or financially, and in that way there may possibly be a vote in favour of this measure. So far as this bill is concerned, or the question is concerned, the logical consequence is that you shall grow no apple tree, no vineyards, none of these things which through the blessings of God we have for our use and not to be abused, because they contain alcoholic beverages. We have only to take the surplus apples as is done by every farmer in the country, and press them, and cider flows. It is a useful beverage, but keep it for a year or two and it becomes alcohol. Are you going to deprive a farmer and the people of Canada of that beverage? Are you going to close up orchards and vineyards, are you going to say to the people you shall not produce fruit of this kind? That is the logical consequence of this class of legislation. Now, I do not propose to go further than to criticize the measure in the way I have done. If I were disposed to move an amendment to the bill, I should move an amendment to strike out all those words after "spirit" and make it read "the importation, manufacture or sale of spirits, except by the government of Canada." I should be very glad indeed to see the government control the sale of alcoholic spirits instead of the distillers, as at the present moment. It is by steps of that kind that wholesome legislation will be put upon the statute-books. I only hope that the people of the country will view this question in the right light and see the impracticability of carrying out such legislation if it is put upon the statute-book.

Hon. Mr. VIDAL—I took the liberty of calling my hon. friend to order for discussing a subject which is not before this House at the present time. The bill which is submitted for our consideration, upon which we are called to pass our judgment, it is not a bill for the prohibition of the sale of intoxicating liquors, it is a bill simply for submitting to the people a question as to what their view is upon the enactment of that measure. We do not touch at all the question itself. I can meet every one of the assertions which my hon. friend has made. I can show how faulty his reasoning is and how incorrect his statements are. I have been fighting this battle for fifty-eight years and am well up to all the arguments which can be brought against prohibition and can

estimate at their proper value the statements which are made against the course which we seek to pursue. I intend to direct my attention wholly to the question which is before the House—this bill. With reference to it I must remark on what my hon. friend the Secretary of State has said with reference to its origin. Of course, I was not a member of the convention which met here in 1893, and where it seems this measure originated. I notice the hon. gentleman's statement that it was asked for by the temperance people. I presume that in that audience there were a good many temperance people, men influenced very strongly almost exclusively, perhaps, by political principle who were anxious to do that which would bring their party to power. Their views on this question were so far subordinated to other views for the benefit of the party that they were willing for the time being not to advance so earnestly and strongly as they would upon an ordinary platform the claims of the prohibitionists. But I would remind my hon. friend that, large as that convention was, it did not represent the temperance people of Ontario, by any means. I contend most strongly that a large majority of the temperance people of this province of Ontario, did not then, and do not at this hour, approve of the second submission of this question to a plebiscite. What had taken place shortly before that convention? Had not the question of prohibition been submitted to the people in the various ways in which it could possibly be done, quite independent and apart from all political questions? There had been votes taken in Manitoba, Nova Scotia, Ontario and Prince Edward Island, and although not expressly taken in New Brunswick, the effect of a recent provincial election was similar. What was the result of that vote? Such a vote has never come out on any political question in the country. The vote was two to one in favour of prohibition. The whole vote of the plebiscite taken in these provinces was 266,000, and of these 198,000 were for prohibition, and 67,380 against it.

Hon. Mr. MACDONALD (B.C.)—Give it to us by provinces.

Hon. Mr. VIDAL—In Manitoba the vote was taken on 22nd July, 1892, and it stood for prohibition 19,637, against prohibition 7,115, majority for prohibition 12,522. In Prince Edward Island the vote was taken 14th September, 1893, and the number of votes cast for prohibition was 10,616, against 3,390, majority for prohibition 7,226. In Ontario the vote was taken 1st January, 1894. The vote for prohibition was 192,489, against prohibition 110,720, total majority for prohibition 81,769. Did you ever get a vote like that for any political question? In Nova Scotia the vote was taken 15th March, 1894; the vote for prohibition was 47,356, against it 12,355, majority for prohibition 31,401. The figures are remarkable, showing the extent of the feeling prevailing and showing what an absurd statement the hon. gentleman from Marquette made when he said that only about one-fifth of the population desire prohibition.

Hon. Mr. BOULTON—I did not say that.

Hon. Mr. VIDAL—What did the hon. gentleman say?

Hon. Mr. BOULTON—I said that twenty per cent of the people belonged to the temperance organizations.

Hon. Mr. CLEMOW—What is the proportion of those who voted to the total vote?

Hon. Mr. VIDAL—I do not know. I know in my own county it was a larger vote than ever came out in any political contest. What it was in other counties I do not know. I contend, therefore, in view of what has taken place, that the temperance people generally outside of that convention did not consider that it was necessary to go to the country again, to put the country to the expense and trouble of taking a vote for the purpose of ascertaining whether they were to have a prohibitory law, and they do not at this moment consider it necessary.

Hon. Mr. MACDONALD (B.C.)—Who is forcing this bill on the attention of the country?

Hon. Mr. VIDAL—It is not the temperance people who are bringing it on. It is not a measure that the temperance people ask for. They ask the government to take the responsibility resting on their shoulders, and offer a prohibitory bill to parliament. We have not asked for a plebiscite. The plebiscite is given to put us off from the great measure which we are seeking to have

enacted. I contend that it is not a measure which the temperance people ask for, desire or think at all necessary; but, of course, when the question is presented to us it becomes our bounden duty to do all we can to obtain as large a vote as possible. I believe, speaking for myself, and I believe many of my fellow-workers entertain the same sentiments, the only good results that will flow from this plebiscite—and I think a great deal of evil will result from it—is the educatory influence it will have upon the people. It brings up the question and it will be well discussed and thrashed out, and the more the principle is discussed the better our sentiments are understood, and the principles on which we act are investigated and proved to be correct, the stronger will we grow, just as we have grown from day to day through these years until, largely through our influence, Canada occupies that high position which the hon. Secretary of State alluded to when he said that we are, as a people, consuming less alcohol in proportion than any other people on the face of the globe. To what is that due? Is it due to the moderate drinkers? No. As far as any influence of that kind is concerned, they have been rather the opponents of those who advocate prohibition.

Hon. Mr. BOULTON—It is not due to prohibition.

Hon. Mr. VIDAL—I do not say that it is. I say it is very largely due to the efforts of the temperance workers. To the total abstainers we are indebted for the great moral improvement in this country. The fact cannot be disputed. This being the case, and this being my view of the bill, while I do not think it is at all necessary to oppose the bill I do think that it requires amendment, and I trust this House will make amendments to the bill and singularly, notwithstanding the difference between the opinions of the hon. gentleman from Marquette and myself, he has voiced the proposal that I would make in committee to strike out certain words from the Act.

Hon. Mr. McMILLAN—Strike out the word "cider."

Hon. Mr. VIDAL—More than that I will move to strike out all the specific drinks which are mentioned after the word "spirits" and leave it "spirits and all alcoholic beverages." That covers everything. It is unnecessary to put in ale, wine, beer, cider—

Hon. Mr. CASGRAIN—Native wines.

Hon. Mr. VIDAL—I do not make any distinction at all. So far from those words in the proposed ballot having a tendency to elicit an expression of the people's opinion on this question, they will have the effect of keeping hundreds of temperance people at home. Why? Because, in the first instance, in our part of the country and all the southern part of Ontario, immense quantities of non-intoxicating wines and cider are made. Men have learnt how they can preserve the juice of the grape without alcohol and keep it for years.

Hon. Mr. McMILLAN—What about cider?

Hon. Mr. VIDAL—I will come to that presently. I wanted to show you that putting in the word wine would have the effect of deterring hundreds of temperance people from voting for prohibition. They would say, "I am asked to vote against what I consider a good and wholesome beverage." My hon. friend from Marquette spoke as though we were going to neglect the gift of God in these matters. I do not know how he connects the name of God with alcohol in any shape. Death and incipient decay must come first before you get alcohol. You cannot get it out of any living thing. Apart from that, the manufacture of home wine is very largely conducted in our part of Ontario and keeping in that word is misleading. The whole matter is covered when you say "all intoxicating beverages." That covers wine which has alcohol in it. It does not include wine which has no alcohol in it.

Hon. Mr. DEVER—There is no such thing as wine without alcohol in it.

Hon. Mr. VIDAL—Possibly the hon. gentleman, with his long experience, has recipes for putting certain compounds together and producing a very fine wine that has not a particle of grape juice in it. That is wine.

Hon. Mr. DEVER—You are just like all the crazy temperance people.

Hon. Mr. VIDAL—My point is clear. There is a large quantity of wine which is preserved without alcohol and should not be included in this clause.

Hon. Mr. SCOTT—It would not be included.

Hon. Mr. VIDAL—It is included in it.

Hon. Mr. SCOTT—That is your reading of it.

Hon. Mr. VIDAL—I am only speaking of the effect of these words on the people of this country.

Hon. Mr. SCOTT—It means anything fermented.

Hon. Mr. VIDAL—It does not make it clear. What is the objection to striking out the specific terms if you say all intoxicating beverages? Take ale, for instance. Ginger ale is not intoxicating. I know it is largely used by temperance people, and they do not consider it intoxicating. People will say, "I cannot vote for that, because it will prevent me from using ginger ale." The same with beer. Root beer, I am told, is not intoxicating. Cider in just the same way; there is the pure apple juice, which is not intoxicating until it ferments. It can be preserved for a long time without fermenting. There are plenty of recipes for doing it. Those words in the bill are misleading and will have the effect, not of drawing out the sentiment of this country on prohibition, but of keeping back people whose views are sound on this question, and who, by the insertion of those words, will be prevented from voting for prohibition. I say taking them out will help the bill. I am not opposed to the bill. I want to help it, and my suggestion is to make it operative and what the government expressed a desire it should be a bill to ascertain the honest opinion of the people on the subject of prohibition. I contend that any amendment which is offered in that spirit and with that view, should be adopted, and, I trust, will be adopted by this House, for I am quite sure that if the result of our making the amendment would result in its defeat in the other House that to the Senate would be given the credit, as credit is given us now for having done things for which some partisans want to have the Senate abolished. There are other matters connected with the bill which I think have a tendency not to draw out the vote as it should be drawn out. These have been already spoken of, but I may briefly allude to them again. The very fact that the bill itself does not fix the time for the taking of the vote is a very serious omission. The date should be fixed in order that the people may know when the vote will be actually taken. Of course, we cannot put anything in the bill which would tie up the government to bring in a prohibitory bill, whether the majority should be small or large.

Hon. Mr. CLEMOW—We might make it "two months."

Hon. Mr. VIDAL—That is a detail which might be arranged. I contend that it is desirable that the bill should specify the time. I do not say that a particular day should be fixed. A week might be named, but it should be something definite so that the people will know that the vote is going to be taken and not put off to suit private whims and fancies. There are one or two other slight amendments which should be made to the bill which are not worth mentioning now, but which I will call attention to when the House goes into committee on the bill, and if thought desirable they can be adopted by the other House and in this way it will make the bill more acceptable to the largely spread temperance sentiment of the country and it would be satisfactory to the Commons because I believe they have an honest desire to ascertain the will of the people on the subject. It will have the effect of bringing out the fairer judgment of the people on the great questions involved in the prohibition of the liquor traffic. I know it has been said the country is not fit for it. My impression is—and the vote which has been taken is my authority for it, and the position I have held for many years in connection with the Alliance enables me to be a fair judge of it—that the country is ready for it, and the more it is discussed and attention is drawn to it and the difficulties pointed out, the better for the cause of temperance and the stronger will be its hold on the minds and consciences of the people. I say every argument which could be brought against it can be shattered to atoms in the face of the truths existing in its favour. No measure I care not what it is, that could be introduced into this country and carried into law would have a more immediate and beneficial effect on the peace and happiness and general well-being of the community than the putting on our statute-book of a

prohibitory law such as we have for so many years been contending for. I believe the result would be something marvellous, and as to the trouble about the cost of it and the loss of revenue, a great deal could be said about that. I am not discussing that question now, but I could say some very impressive things about it, not only giving my own judgment, but the judgment of men admitted to be the highest financial authorities the world has ever seen on that question. I am quite prepared not only to support the bill, but to do anything in my power to make it really what it professes to be, in order to accomplish what is designed by its introduction.

Hon. Mr. REESOR—This question is probably one in which the people of Canada feel as strong an interest as in any question that has been debated during the present parliament. I cannot say that I am extremely confident as to what the result of the reference to the people will be. The government have not stated what course they will pursue if the plebiscite should favour prohibition. If the majority is large enough to make it a proper thing for the government to introduce a bill, the bill should be strong enough to carry out the object in view; otherwise it would do more harm than good. Ontario is a well governed province in regard to licensing and the sale of liquor, and public opinion stands as high in Ontario as the public opinion in any province in favour of temperance and the opposition to intemperance. Some years ago the Dunkin Act, a prohibitory law, was introduced in Ontario. At that time I had been in a municipal council for several years, and I had very grave doubts as to whether it would be carried out. Even although a majority of the votes cast were in favour of the adoption of the measure, I had very grave doubts as to whether the popular feeling was strong enough to permit of the measure being carried out for any length of time. My doubts were confirmed, and the effect was that the cause of temperance was in a worse position three or four years after the bill became law than it had been before. The license laws of the province had done a great deal to lessen the sale of liquor aided by the influence of temperance advocates, but after we got the Dunkin Act, there seemed to be a certain class who took a particular delight in breaking the law and, of course, in many ways they were able to get liquor. Later on the Dunkin Act was repealed. After the Scott Act was passed a few years ago, our friends said that it was a better Act, and that was tried, and after three or four years was repealed. So that I am perfectly satisfied, knowing what I do of public opinion, and of the carelessness of the masses of the people, that after you give them a law you must have a strong public opinion in its favour in order to keep it up properly. I am convinced that there is great danger of our being put in a worse position after passing a prohibitory law for the whole Dominion, unless there was sufficient strength of public opinion to compel its enforcement. As to the question of taking the opinion of the people by the plebiscite, I think it is pretty generally accepted by both parties that it would be more satisfactory to have this test before a prohibitory law is passed for the Dominion. I feel no doubt on that subject; but the government having been asked what they would do if the majority were in favour of it. The jury might as well ask a judge if they brought a man in guilty what the sentence would be. Then it may happen that undue influence will be used by one party or the other in various ways. Of course strong organizations will be got up and undue influence may be used upon the one side or the other, and if the passage of this measure is effected by undue influence, it will be a serious question whether the government should pass a prohibitory law. Of course it would be well if we could restrict as far as possible, the sale of intoxicating liquors. The government are asked if a majority of the votes cast should be in favour of the bill would they make it so and so? We have no right to ask these things in advance. If the government are honest in what they say—and they ought to be—if the vote is in favour of prohibition they will pass a prohibitory law. I certainly think this bill should be passed in a reasonable shape, either as it is, or with an amendment. I am judging of course, from the experience of Ontario more than any place else. The license law in Ontario has worked well. Probably the Ontario license law would accomplish as much good as a prohibitory law. I doubt very much whether the prohibitory law would benefit Ontario in any degree. The plebiscite may be carried by a good majority, but I think you can hardly obtain a large majority, because you cannot

get enough people to come out to vote. We should have a law which will make things better than our present law. A great deal has been accomplished in the provinces of Nova Scotia, New Brunswick and Prince Edward Island, probably as much good has been done according to population as in Ontario, and therefore they have done as well as they have done in Manitoba. All these provinces I have named have accomplished a great deal, and for my own part I should be satisfied to let them go on and work on their present lines, and they could do as much, and possibly more than they could accomplish if the prohibitory law were passed for the Dominion. I simply wish to place myself on record before the public and to state the position I take upon this question, and I do so because the temperance people have asked for this measure. I would like to have confidence that the law would be properly carried out if it were passed. When we undertake to pass laws for the different provinces upon a question of this serious character, interfering with their habits and their beverages where a majority are against prohibition, we will not make them any better. If any of the provinces should desire such a measure we could let them adopt it as a province; it would be pretty hard for us to pass it for them. I believe they have measures in some of the provinces now which, if continued, would prove a great success.

Hon. Mr. MACDONALD (B.C.)—My hon. friend from Sarnia took objection to discussing prohibition on this measure. I think it is quite impossible to separate the two, and the hon. gentleman himself could not refrain from bringing up the subject of prohibition when speaking on this bill. However, I will leave that as it is. I was very much surprised indeed to hear the opinion of the hon. gentleman. Here we have the government bringing forward this bill and the hon. gentleman from Sarnia, who is one of the great apostles of temperance and knows the feelings and pulse of the people throughout the whole country, tells us that the temperance people do not want a second plebiscite on this subject, that a vote has already been taken in several of the provinces, and that the temperance party was quite satisfied. It is a strange thing for the government to press this on, considering what the temperance feeling throughout the country is as expressed by my hon. friend from Sarnia. Now, if the hon. gentleman will move the six months' hoist I shall be glad to second it, but I do not suppose he will do that. He will not accept my challenge. The hon. Secretary of State told us that the sale and manufacture of spirits is within the right of the provinces. If such is the case, why was not this question left to the provinces? What a wise thing it would have been! The government would have escaped claims of damages for injury to vested rights; they would have escaped the loss of revenue to provinces as well; but taking it out of the purview of the provinces they make themselves liable if they pass a prohibitory liquor law, to pay for vested rights and to pay the provinces for the loss of revenue, as well as the loss sustained by the Dominion at large. Now my opinion of this bill is that it is evidence of great weakness. It shows a weakness on the part of the government to have made a promise of this kind, a promise, the logical sequence of which is an impossibility it cannot be carried to a logical conclusion if the people decide in favour of prohibition. It is a thing that the government cannot possibly carry out. In addition to the loss of revenue what a sum it would take to guard a frontier of four thousand miles, and a seaboard of fourteen thousand miles. It would take an enormous amount of money. Whether they will put such a law in force or not I do not know, but that would be the logical conclusion of a vote favourable to prohibition. The temperance people are deceiving themselves in this matter by forcing this measure on the country. I gave them full credit for their good intentions, for their desire that people should be sober and industrious and leave off the evil habit of drinking, but if the temperance people themselves reason and argue on the lines of common sense, they will see that their contentions cannot be carried out in this country. If the republic to the south of us were a temperance country, then we might possibly do so. As it is, with the manufacture and sale of liquor in that country, it would be perfectly impossible to keep spirits out of Canada. Not only that, but it would lead to the greatest immorality in this country in smuggling, in running private stills, and in other ways; so that it would not be

possible, by legislation of the kind before us, to make the people sober. Of course this bill is not going to be opposed in the Senate. This House is perfectly willing to let the government have the full benefit or the full injury of it, and to permit them to carry out a promise which was made in a moment of very great weakness. I was present when a deputation interviewed Sir John Thompson a number of years ago. The deputation was composed of ladies and gentlemen and he told them distinctly there and then that he would make no promise. He explained that this is a far-reaching question, a question affecting revenue and vested rights, and very many questions hinge upon it, but, he said, we will take the matter into our consideration. I believe after that a commission was appointed to go into the question. If the premier of this country had had the courage to tell the temperance people the same thing, that he would not make a promise, that it would be considered, and he would see what could be done, that would have been a wise and prudent course. Now the country is going to be involved in a scheme which can never be carried out. It would be perfectly impossible to make up the lost revenue without direct taxation, and all the direct taxation is absorbed for municipal and provincial purposes. So that if direct taxation were resorted to it would crush the whole country and people.

Hon. Mr. POWER—I presume the hon. gentleman is going to vote against the bill.

Hon. Mr. MACDONALD (B. C.)—We have taxation enough now, I hate to vote for anything that is in the nature of a humbug or an impossibility, but such a large body of people in this country are asking for this legislation that we should put our own feelings to one side and let the bill pass.

Hon. Mr. FERGUSON—My own position is that of a life-long total abstainer, and I am also a believer in prohibition. I have not, however, since I have been in public life, on this question made it a rule to obtrude my opinions and my views upon other people. While I have my opinions very strongly I leave other people to follow the dictates of their own judgment. I am a believer in prohibition in principle. I think we have nearly all of us recognized in our parliamentary duties that the principle is right. We prohibit the sale of liquor to minors and Indians, we prohibit the sale of it on the Sabbath; we prohibit the sale of it on election days; and we have given the power to the counties or municipalities to prohibit, and have thus admitted the principle in all these various ways. Very few hon. gentlemen in this House will venture to say that the principle of prohibition is not a correct and proper principle. The difficulty lies entirely on the practical side—how far is it possible to carry it out? Although I believe in the principle of prohibition, I do not agree with the extreme men who, because they cannot get prohibition, will not give their sanction to any other good law that has a repressive influence. I do not think that the choice should be absolutely between prohibition and free rum. If absolute prohibition cannot be got, then I support the next best repressive measure which the public opinion of the country can support, and which you can get legislative authority to back. It is a question of practical politics. That is my own position with regard to this question. I must say, however, that I regard this method of submitting the question to the people as likely to be very unsatisfactory, and as exhibiting a great degree of weakness on the part of the administration.

Hon. Mr. MILLS—What about the commission which was appointed when the hon. gentleman was a member of the government that appointed it?

Hon. Mr. FERGUSON—My hon. friend always takes this ground; if he is caught in a corner doing something cowardly, or anything wrong, he tries to point to somebody else, who did something bad at some other time. The appointment of a commission may not have been the most manly or courageous way of dealing with the question, and I was not a member of the administration which pursued that course, but certainly, upon the very face of it, the attempt to collect information and to get the result of the application of prohibition in other countries was intelligence itself compared with this course which the government is pursuing with regard to a Dominion plebiscite. I remember quite well in 1893, when a political convention was held in Ottawa, which the hon. Minister of

Justice, I suppose, remembers all about it, the premier on that occasion made a very strong speech and when I read that speech over—and I refreshed my memory by reading it over to-day at lunch time—he reminded me very much of a bully who had taken off his coat and thrown it on a bush and called out to the bystanders "hold me or I will hurt somebody." He complained that the government in power at that time had locked up this question by appointing a commission, and it was impossible for him to interfere in the interest of temperance until after the result of this commission would be ascertained. Well, the commissioners reported a long time ago. We are now nearing the end of the third session of this parliament. The premier gave a solemn pledge that when his party came into power, they would take a plebiscite vote on this question. We are now reaching the end of a third session and at last we have reached the point of having this bill submitted to parliament for the purpose of taking a plebiscite. But the hon. premier and his friends are not outside of the lines of Terres Vedras even yet, because, although they did bring the bill down they do not fix a time when this vote is to be taken; and judging from the fact that it has taken three sessions to bring down this measure, it is quite reasonable to conclude that, if left to their own sweet will, it will take them some years to muster up courage to refer the question to the people. I think, therefore, that it would be no harm at all to quicken their zeal in the temperance cause by amending this bill in such a way as will bring on the vote before long. Even then, however, there is no assurance that a prohibitory law will be introduced. My hon. friend from Sarnia (Mr. Vidal) was quite right in saying that the temperance people did not demand a plebiscite. The temperance people took the ground that public opinion on this question was in favour of prohibition, and that a prohibitory law should be passed. A compromise course was submitted, "Oh we will take the voice of the people, and we will be guided by that,"—I think that was said then. An hon. gentleman, speaking in their interest, says that it would be very unreasonable for them to say that now. However, they are not yet sufficiently far advanced outside the lines of Torres Vedra to let us know when this question should be submitted to the people nor that they will act on the popular verdict. Altogether I think on this question they have been exhibiting very great weakness, I believe in prohibition, and will support the principle in legislation just as strongly and just as far as public opinion goes and will sustain it, and as far as you can get executive authority behind that law in order to put it into force. If you pass a prohibitory law there should be a majority of the people who believe in the principle and a great many more who, though not believing in the principle, will respect the law of the country and support it, even though it is not altogether according to their views. A great many will take that position, but that is not enough; you must have a reasonable amount of executive authority behind the law, although you may have a strong public opinion in favour of it. That was where the Scott Act was defective. It gave the power to municipalities or counties to prohibit the sale of intoxicating liquors within their boundaries, but it did not provide executive authority for the purpose of enforcing that law.

Hon. Mr. SCOTT—It did. The authority was placed with the government of the day, through the Inland Revenue Department, and the Inland Revenue Department was bound to see to the enforcement of the Act, but did not do it.

Hon. Mr. FERGUSON—But that section of the Act was found to be a dead letter, a sum would have had to be put into the Estimates to clothe the Minister of Inland Revenue with power to act at all. That was never done.

Hon. Mr. SCOTT—There is no sum put in the Estimates for prosecutions or other infractions of the Inland Revenue law; the officers are often prosecuting for other infractions.

Hon. Mr. FERGUSON—I scarcely expected that my hon. friend would have pointed to that section the Inland Revenue Act as a proof that there was executive authority behind the Scott Act, for it is notorious that that executive authority has not been exercised in support of the Scott Act. The only attempt to do so was in the Liquor License Act of 1884 known as the McCarthy Act, a measure which we remember a little about. It was passed by the parliament of Canada and provided for the issuing of licenses in counties where the

Scott Act was not in force, and made particular provision for the enforcement of the Scott Act where it had been adopted by the people. I know in my own province the forces brought into play were very useful and very effective and had it not been for the contest that was kept up in the courts as to the validity of the McCarthy Act it would have been found a very great help indeed. They found it a very great help as it was, and it would have made the Scott Act a much better law if those provisions had been kept in force. While I am a believer in the principle of prohibition, whether it be total prohibition or a repressive measure coming as near to prohibition as it would be possible to get the sentiment of a country to carry out, I believe that none of these laws will be good and effective unless they are supported by executive authority in the way they ought to be. It is a great moral reform that is sought to be promoted by prohibitory legislation, and although in this plebiscite the majority of votes is recorded in favour of the prohibitory measure, and that majority is quite decisive, and a prohibitory law is passed, yet unless the government of the day will make effective provision behind that law to make it workable, it will be a farce and will never be carried out. All that will be involved and should be considered in dealing with the question. That the temperance people did not demand an appeal of this kind is quite evident from the Liberal convention held in Ottawa in 1893. When that resolution was submitted I noticed Mr. Spence, a leading temperance man and a leading liberal as well, opposed it. He did not finally record his vote against it, but he entered his protest against the necessity of that appeal. He said that already there had been expressions of opinion, if he had spoken later he could have pointed to others, but I am not one of those who believe that the result of an election held in that way will be as strong an evidence of public sentiment as you can get in a great many other ways. I have serious doubts on that point. Unless the election is contested and the opponents of the measure hold meetings, a small vote will likely be polled and people will not be actually brought up to the point of considering the question sufficiently serious to induce them to record a vote on it An instance of that kind occurred in Charlottetown in 1893. The provincial government caused a plebiscite vote to be taken, and an overwhelming majority of votes in Charlottetown favoured prohibition, as the hon. gentleman from Sarnia read to us, which I believe to be the views of the majority of the people of Prince Edward Island, but not at all so overwhelming as that vote would indicate; Only a month afterwards a very vigorous campaign was held over the repeal of the Scott Act, in the same city and in the very same constituency where they sustained prohibition by about five to one, there was only a majority of fourteen votes in favour of the Scott Act, showing that when a contest takes place and when men are put on their mettle and settle down to work, you will find a different result to that to be found when a vote of this kind is taken. All this should have been considered thoroughly. The government was pledged to take a plebiscite vote. I have no doubt, from what has taken place, that the members of the government are not taking the matter very seriously and do not seem to be supporting even this bill as strongly as other government measures. There can be no doubt that they are committing the country to an expense of $250,000 and there will be large private expenditures in addition to that. There will be time lost, there will be expenditure of money on the part of temperance people, and if the other side make an effort at all, there will also be an expenditure of money by them. Altogether it is going to cost the country a great deal and I am satisfied, from the manner in which the government have treated it from the first and the manner in which they are treating it now, and from what I know of the lack of earnestness with which people will go into a question of this kind when there is no real discussion got up about it, that the result will not be worth the money it is costing the people of this country in the way of affording a solution of this question. I will not oppose the measure. The government have sought this method of getting an expression of the opinion of the people upon it. Let them go through to the end and if they follow up the result of the vote, and pass a prohibitory liquor law, I am one of those that will support them and sustain that law in every way I can as a citizen of this country.

It being six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. POWER—The manner in which this bill has been received by the House I think must strike any hon. gentleman as being, to say the least, a little singular.

Hon. Mr. CLEMOW—In what way?

Hon. Mr. POWER—The hon. gentleman asks in what way? I shall try to indicate. The hon. leader of the opposition, and one or two other hon. gentlemen, dealt with the matter as though it were a purely political act on the part of the government, an act done simply with a view to party advantage. Now, hon. gentlemen, I hardly think that any member of the House who has given the matter any consideration could look at it in that way. Certainly he could not, after listening to the discussion this afternoon, and I probably should not have said anything if I had not been very much impressed by the tone of the discussion. It recalled to my mind what happened with respect to the Canada Temperance Act. Mr. Mackenzie's government took action in 1878 in the direction which was wished by the temperance people of that day, and introduced a measure which was understood to be at any rate calculated to promote the cause of temperance in Canada, and the bill was supported by the temperance advocates in this House and the other House. I do not think that the government of that day, who lost a good many supporters by their action in introducing that measure and passing it, secured one-twentieth of the temperance vote by that legislation and the indications are that the bill which is now before this House, which is more searching and thorough in its character a great deal than the legislation introduced by the hon. Secretary of State in 1878, is not likely to secure the government any temperance votes, any more than the Canada Temperance Act. We have had the hon. gentleman from Wolseley (Mr. Perley) denouncing the government and the measure which they have introduced. The hon. gentleman from Sarnia (Mr. Vidal) gave the House to understand that this is not the sort of measure that the temperance people wished—in fact the temperance people thought no such appeal as this necessary. Then we had the hon. gentleman from Marshfield (Mr. Ferguson) who announced himself as a total abstainer, but who thought the bill was altogether the wrong kind of measure. On the other hand, we have the hon. gentleman from Victoria (Mr. Macdonald) who does not profess to be a temperance man, because it was a measure that he disapproved of, a kind of measure that in his opinion parliament should not pass. As far as I remember, no hon. gentleman on the other side of the House had anything to say in approval of this bill. Under these circumstances, seeing that the people who are opposed to prohibition condemn the government for introducing this measure and seeing that the gentlemen who are loud in their professions of love for prohibition and temperance also condemn the government, it is pretty clear there is not very much political or party advantage to the government for introducing the measure.

Hon. Mr. ALLAN—It must be a very bad measure.

Hon. Mr. PERLEY—Does the hon. gentleman say that we do not support the government in this measure?

Hon. Mr. POWER—The government are taking their lives in their hands for the purpose of carrying out a pledge made on their behalf, and I think one hon. gentleman said he gave them a little credit for doing that?

Hon. Mr. BOULTON—I congratulated them for it.

Hon. Mr. POWER—That was the only good word said about the bill during the discussion. The hon. gentleman from Shell River did give the government a little credit for it.

Hon. Mr. McCALLUM—You can give them a little credit for it now.

Hon. Mr. POWER—Hon. gentlemen say they are going to vote for the bill.

Hon. Mr. PERLEY—We are going to support the measure.

Hon. Mr. POWER—That is one of the characteristic features of the position. The advocates of temperance say this is not the sort of measure that they want, that it is not a measure which ought to be passed and that it deserves the condemnation of temperance people; and hon. gentlemen opposed to temperance condemn the measure as being

an objectionable one and one such as should not be passed by parliament, but all are going to vote for this objectionable measure.

Hon. Mr. McCALLUM—How do you know?

Hon. Mr. POWER—That is what they tell us. One after the other told us they did not approve of the bill, but were going to vote for it. Naturally they think they have the government in a hole and are going to keep them there. That is the real English of it.

Hon. Mr. FERGUSON—They got into the hole themselves.

Hon. Sir MACKENZIE BOWELL—Let them wriggle.

Hon. Mr. POWER—Now, so far for the spirit in which this measure has been received by the House——

Hon Mr. McKAY—There is to be no spirit in it.

Hon. Mr. POWER—Two or three hon. gentlemen referred to the cowardice which the government had shown in dealing with the matter, and the great length of time they had taken. The hon. gentleman from Marshfield (Mr. Ferguson) was simply shocked, and his moral sense was outraged by the long delay on the part of the government in introducing their measure, and the hon. gentleman laid considerable stress on the fact that we were now near the close of the third session since the government had come in, and it was only now the measure had come down. The hon. gentleman did not advert to the fact that the government have yet been in power only twenty-one months.

Hon. Sir MACKENZIE BOWELL—That is too long.

Hon. Mr. POWER—And everything considered, I think they are making very good time. Now, compare their conduct with that of the late government. I know the hon. gentleman from Rideau division (Mr. Clemow) does not like to have attention called to the late government.

Hon. Mr. CLEMOW—I did not expect anything from them.

Hon. Mr. POWER—The temperance people, like my hon. friend did not expect anything from the late government and they were not disappointed. The late government had a Minister of Finance who was a most conspicuous apostle of temperance, and several members of the government were also professional temperance men, and they were in power for eighteen years. They came in and found this imperfect measure generally known as the Scott Act on the statute-book, but they never did anything to improve the temperance legislation during the whole eighteen years that they were in. But they did something; in 1891 they appointed a royal commission composed of vigorous supporters of the government, who received considerable sums of money for producing four enormous volumes which nobody read, and which, as far as I know, had no effect.

Hon. Mr. PERLEY—Hear, hear!

Hon. Mr. POWER—The commission was issued in 1891, and nothing was done. The government remained in power for five years afterwards, and nothing further was done. This tub which was thrown to the whale was supposed to be sufficient for the remaining term of office of hon. gentlemen opposite; and temperance men who had been supporting them appeared to think this was quite a sufficient tub. The hon. gentleman from Sarnia (Mr. Vidal) took the ground that there was no necessity for the plebiscite, that a provincial plebiscite had been taken, and that this should have satisfied the government as to the feeling of the people through the country. Now, dealing with that, which is a substantial and serious argument, I may say this: I did not take any active part in the campaign in Nova Scotia when the plebiscite took place there, but I know that there was a feeling in Nova Scotia and, I presume there was a similar feeling in the other provinces, that a provincial plebiscite really was not going to settle anything; that the province might decide to go in for prohibition, but as long as the importation of intoxicating beverages into the country was recognized by law, and as long as the manufacture of spirituous liquors in the country was allowed, prohibition by a province could mean nothing. So that the provincial plebiscites were not to be taken as indications of the real strength

or the real trend of public feeling in connection with the matter. I know that in the province to which I belong the temperance feeling is so strong, and the drinking of intoxicating liquors is so unpopular a thing, that numbers of people who were very decidedly opposed to prohibition did not care to go and register their votes against it. When it comes to be a question such as is to be put before the people now, when if a substantial majority of the people decide in favour of prohibition, prohibition has to go into operation, the vote will be, I fancy, somewhat different. People will feel that it is a serious matter and will give it their consideration, and those who are conscientiously opposed to prohibition will, in much larger numbers than they did at the provincial plebiscite, go and register their votes against the measure. As to what the fate of the measure may be, I do not know.

Hon. Mr. McCALLUM—That is all in the future.

Hon. Mr. POWER—That is all in the future. I do not know what the result of the vote may be, but I do not think the action of the government deserves to be condemned by both sides—by the temperance people and by the people who do not believe in prohibition—and I do not think they can be fairly charged with cowardice. They are doing what the former government never ventured to do—perilling their existence for the purpose of carrying out the pledge given with respect to this measure; and if we are going to pass the bill, as the House undoubtedly is, I think if we cannot say anything friendly about it, we might pass the bill in respectful silence, and not with jeers and flouts as we have been doing.

Hon. Mr. ALLAN—The hon. gentleman from Halifax, if he would excuse me for saying so, seems to pose as a candid friend of the government, but in this case he has shown himself more than ordinarily candid, because he has shown to us that this measure is such a lame one in every way that it neither meets with the approval of the prohibitionists nor the approval of those opposed to prohibition.

Hon. Mr. POWER—In this House.

Hon. Mr. ALLAN—And that a certain number of people in the House think they have got the government in a hole and will keep them there. I do not think that is a fair criticism of the bill. I do not think the hon. gentleman from Sarnia (Mr. Vidal) was quite right when he interrupted the hon. gentleman from Marquette (Mr. Boulton) in his few remarks with respect to the general question, because I do not see very well how one can make up one's mind and say they are going to vote either for or against this bill without, to a certain extent, considering the consequences likely to flow from it, and if one values consistency, he would like to so far put himself right, that if we felt under the circumstances, we had to vote for this bill we should at least clear ourselves from any imputation that we considered the measure was a good or sound one in any way. I suppose almost every individual member of the House, no matter which way his convictions go, on the question of prohibition will probably vote for the bill. I shall certainly not vote against it, but I wish to guard myself in this way that I do not vote for it because I think the measure is a good one. I am perfectly willing to acknowledge that if, by passing this bill and taking a general vote of the people, it should happen that the majority are in favour of total prohibition, and the government thereupon introduce a bill to carry out the decision of the people, if I say the effect of such legislation to put an end to the misery and wretchedness which undoubtedly arise from intemperance, the loss of credit, the sacrifice of many bright hopes which have been brought about over and over again by intemperance in drink, then it would be well for this country to make any sacrifice, no matter how large it might be, in order to bring about such a desirable state of things. If I thought that that would be the result, then I for one should not grudge the burdens which this measure would entail upon the country if carried out, but in spite of what was said by the hon. gentleman from Sarnia as to the statements which were made by the hon. gentleman from Marquette with respect to the inefficiency of prohibition legislation, I can state from my own personal observations that in some of the states and in this country where prohibition acts were in force that they were openly violated, the law was not observed and over and over again I saw, as I said before, at hotels and otherwise where a little tipping would get whatever you wanted notwithstanding a pro-

hibitive law was in force and I do not believe if a prohibition act was passed to-morrow that it would be possible in a large city for instance, by any such means to put an entire stop to the sale or use or manufacture of spirituous liquors. When, therefore, we are contemplating the possibility of these results following the passing of an Act of this kind, if we do not think that it is likely to produce the good effects which are hoped for by the prohibitionists, then we have a very good right to look at the other side of the question and consider what such a measure is going to entail on the country, in the way, first of all, of the loss of revenue. We begin with a pretty large sum for carrying out this vote, $250,000 or something of that sort.

Hon. Sir MACKENZIE BOWELL—$256,000.

Hon. Mr. ALLAN—But in addition to that, there is the enormous loss of revenue which will ensue and, what has been alluded to already in the course of the debate, the almost impossibility of guarding the enormous frontier we have both by land and water, and the annual expenses which would be entailed by any thorough system, at all events, of preventing the introduction of spirituous liquors at different points along our frontier. I say that if we conscientiously believe that the passing of the Act is not going to be as effective as our prohibitionist friends believe, in the way of putting an end to drunkenness and intemperance, then it is well that the consequences otherwise should be kept in view, and although I am perfectly willing to give every possible opportunity to those who conscientiously think that a prohibitive act of this kind will result in the greatest moral benefit to the country in putting a stop to drunkenness and intemperance everywhere, while I am perfectly willing to give them every opportunity of working out by any means that they may suggest, ends which are so desirable, yet I do not wish it to be understood that I vote for this measure, or that I am willing to allow it to pass this House, so far as my vote is concerned, without at the same time expressing my conviction that if it should result in favour of passing a prohibitory bill that the bill will in any sense effect the results which our prohibitionist friends so fondly expect.

Hon. Mr. McCALLUM—I do not look upon it that the question of how prohibition would work is before the House. The hon. member from Halifax (Mr. Power) says that we are opposed to the bill, but will vote for it. I believe that a large majority of this Senate would consider it unjust and ungenerous if this question were not left to the people of Canada to decide what they should do about it; but we are not going to throw up our hats in favour of the government because they are submitting the question to the people. They have been complimented on carrying out their pledges to the people of the country; we will see how they will carry out their pledge on this question I am in favour of submitting the matter to the people; I do not say what I shall do when it is before the people. It is for the electors to say what they want and for the government to bring in legislation to carry out the wishes of the people. It is for the government to say how they are to make up for the revenue that will be lost by adopting prohibition. So far as the revenue is concerned, if we could do away with the evils of intemperance we should be able to make up easily for any loss of revenue. Any one who has seen the results of intemperance among the people, will believe that we could easily make up for any revenue that would be lost by doing away with intemperance. If if it is going to improve the morality of the people, prohibition should prevail. I do not agree with the hon. gentleman from Halifax when he says that we are all opposed to the measure. When he assumes to speak for all he includes me, and I say that he does not correctly represent me. If the government are carrying out their pledges they are doing what is right. If a majority of the country vote for prohibition, then the government, in all fairness and justice, should carry out the expressed wish of the people. I do not know whether I shall favour or oppose the measure that they bring down; it all depends upon what sort of a measure it will be. The hon. gentleman from Toronto (Mr. Allan) says that we could not enforce such a law because of our long line of frontier that we would have to protect. I will not discuss that now, but I say this—I will allow no man to state that I am against submitting this matter to the people. We are all willing that the people should have a chance to

say what they want, but I should like to have a decisive majority in favour of prohibition before the government attempt to legislate—not merely a majority of the votes polled, but a majority of all the voters of the country, even in the province of Quebec where one man may have half a dozen votes. I do not agree with those who say that the government are in a hole, they are a good way from a hole yet, but they will be in a hole by and by if they do not carry out their pledges to the people of this country.

Hon. Mr. MILLS—I think my hon. friend from Monck (Mr. McCallum) did not hear the speech made by the hon. leader of the opposition. My hon. friend who leads the opposition in this House informed us that the government had adopted a very erroneous principle in submitting such a measure to parliament; that the government ought to have assumed the responsibility of dealing with the matter without a reference altogether. My hon. friend from Monck (Mr. McCallum) is in favour of a popular reference.

Hon. Mr. McCALLUM—Certainly.

Hon. Mr. MILLS—My hon. friend the leader of the opposition is not, and so my hon. friend who leads the opposition and my hon. friend from Monck take opposite views on this question.

Hon. Mr. McCALLUM—Give us your view on this matter.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman from Monck has a right to think as he likes.

Hon. Mr. MILLS—Certainly, and I have also a right to call the attention of my hon. friends present to the difference of opinion between the hon. leader of the Opposition and the hon. gentleman from Monck. Nevertheless, I have no doubt whatever that the two hon. gentlemen, when the matter comes to be voted upon, will not differ so widely in their votes as they do in their opinions. My hon. friend who leads the Opposition says it is contrary to the principles of responsible government to refer a matter of this sort to a popular vote. I do not quite agree with him in that view. Ordinarily the work of legislation ought to be carried on by parliament, and the government ought to assume the responsibility of determining what they propose, because in a great many instances the questions that, as a Government, they are pledged to and that they are called upon to deal with are questions that have been before the country for some time and in most instances are questions with reference to which the elections have turned. Now this is not an ordinary question of legislation, and no question relating to a sumptuary matter can be, because it is not what is best in the abstract, but it is what the people are ready to sustain that you are bound to determine. Ordinarily you determine what you believe to be best, what as a matter of public policy will be to the advantage of the country, but you have here to consider not only whether the measure is one sound in principle, but you have also to consider whether, if it be sound in principle, it is of such a character that the people will sustain it when it becomes law. Here you have a question of that sort, and my hon. friend from Sarnia (Mr. Vidal) says that the temperance people did not require this. Well, if they did not, they have a curious way of showing their indifference, for there have been many meetings and several deputations, all pressing upon the government the duty of carrying this plebiscite measure and referring the question to the electors. They seemed to think that it was of importance that this should be done. That the government will gain much support from those who are of the political faith of my hon. friend I never for a moment supposed. We had an experience of this before. I remember that the government which preceded that of Mr. Mackenzie in office had a member who was prominently associated with the prohibition movement, the Hon. Mr. Tilley. Now, Mr. Tilley appeared before the country frequently on the public platform as an advocate of total abstinence and prohibition. Mr. Tilley became a member of the government in 1867 and continued a member of the administration until near the close of 1873; and, so far as I know, he never took the first step towards proposing in parliament a measure to give practical effect to those opinions which he had so frequently advocated. Now, when we came into power our temperance friends throughout the country pressed us much more actively and energetically to deal with the subject of prohibition than they had pressed those who preceded us. I remember a vote that was proposed in the House

of Commons, I think, by Mr. Schultz, then a member from one of the Manitoba constituencies, and the next year after that vote was proposed the government introduced the optional act which bears the name of my hon. friend, Mr. Scott. That measure was supported by a large number—by a vast majority of the temperance people throughout the country. It was framed to meet their wishes. It did meet their wishes: it was supported I think by my hon. friend from Sarnia (Mr. Vidal). but I do not think, when we went to the country. that my hon. friend gave us the slightest aid in the elections which followed because of our support of this measure. I know many of our friends who supported it in parliament were actively opposed by those who pressed this measure upon their attention. There was a Mr. Watson, who I think was in the civil service in the city, who had taken an active part in favour of prohibition, who had gone upon the public platform and denounced those who were engaged in the liquor traffic and who spoke of the blessing that Providence would bestow upon those who favoured a measure such as that which the government were asked to support and which they did support and carry into effect. I remember, after the elections were over, when we were defeated and were succeeded by my hon. friend and those who were associated with him—that, I think was his first entrance into the government—Sir Leonard Tilley returned and became a member of that administration, and there was a large deputation of those who had pressed the question of prohibition upon us, at whose instance we had acted, whose views we had carried practically into effect, that deputation headed by Mr. Watson waited upon Sir Leonard Tilley, congratulated him upon his return to office, and spoke of the great advantages which the cause of temperance would derive from his return to power. Now the hon. gentleman was in office a great many years again, and so far as I know, the Act which we put upon the statute book was an Act that was new. There was nothing specially to guide us. We were called upon to walk in an untrodden way and it was natural to expect that when the Act came to be put into operation many defects would be discovered. We had an Alliance that met here in this city; we had a member at that time, one of the members of Lanark who afterwards became a judge, and is a judge still—that member posed in the House as a special advocate of prohibition, but when it was proposed that it was the duty of the government to take into consideration the defects in the Canada Temperance Act and to make those amendments which experience pointed out to be necessary, an amendment or a resolution that was very nearly in the words of the resolution which had been moved by Dr. Schultz some years before, that hon. gentleman said "I am devoted to temperance, but I am still more devoted to the administration;" and the hon. gentleman did not support that amendment but voted against it. I never heard any of my hon. friends who are politically opposed to us, but who are devoted to the cause of temperance, ever complain of the conduct of that hon. gentleman, or of the conduct of any of those associated with him. They regarded the political exigencies as a sufficient justification of the course that had been taken.

Hon. Sir MACKENZIE BOWELL—Is the hon. gentleman certain of the correctness of the statement in reference to Judge Jamieson—for I presume he means Judge Jamieson?

Hon. Mr. MILLS—Yes, I mean Judge Jamieson, in reference to the resolution which I myself had moved.

Hon. Sir MACKENZIE BOWELL—Was it Committee of Supply?

Hon. Mr. MILLS—I cannot tell my hon. friend.

Hon. Sir MACKENZIE BOWELL—Are you sure that he voted against it?

Hon. Mr. MILLS—I am sure; I remember the speeches that were made, and I believe the hon. gentleman made a speech in harmony with the vote, and while the Alliance approved of the resolution of Dr. Schultz, the Alliance depreciated my resolution because they were not in sympathy with us politically.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—I think that is so; and so the hon. gentleman will see that the government, in this matter, are not bidding for popular support, and when my hon. friend the Senator from the North-west

Territory (Mr. Perley) who spoke this evening and denounced this measure, and when my hon. friend from Sarnia (Mr. Vidal) said he did not approve of it, and my hon. friend who is just sitting opposite, from Prince Edward Island (Mr. Ferguson) declared his devotion to prohibition and his opposition to this measure in principle, I was quite well satisfied that these hon. gentlemen may very well be taken as the exponents of prohibitionists generally who belong to the conservative party. The views which the hon. gentlemen expressed show that whatever may be their devotion to the question of prohibition, their devotion to the party is still stronger ; and so the question of party will always with them be paramount—

Hon. Mr. McCALLUM—That is for yourself.

Hon. Mr. MILLS—My hon. friend knows that I am speaking the truth in sober earnestness.

Hon. Mr. FERGUSON—I am afraid my hon. friend is not at all satisfied with the composition of the temperance party of the country.

Hon. Mr. MILLS—I am pointing out to my hon. friend that we are not acting in this matter with the expectation that we are going to derive any great benefit.

Hon. Sir MACKENZIE BOWELL—You have given an exact picture of your own party, painted to life.

Hon. Mr. MILLS—My hon. friend knows that it is an exact picture of the hon. gentleman and those who are associated with him.

Hon. Sir MACKENZIE BOWELL—I I know how they treated me. I seconded that motion for prohibition, moved by Dr. Schultz, and I know when I went back to my constituency the whole temperance party voted to a man against me, and voted for a man that was drunk seven days out of the week, and who afterwards died from the effects of intemperance.

Hon. Mr. MILLS—Then the hon. gentleman has given us his experience that the friends of total abstinence and the friends of prohibition in the constituency from which he came were opposed to him, and when it was a choice between my hon. friend, who is known to be a polite and straightforward man (although a strong party man) and a man who was a habitual drunkard, they chose the habitual drunkard. It was a case again of the choice of Barrabas.

Hon. Sir MACKENZIE BOWELL.—Let me tell my hon. friend another fact. When the question of the Scott Act was submitted to the county of Hastings, my old constituency carried it by a majority of three or four hundred, and the Grits again voted on party lines.

Hon. Mr. MILLS—My hon. friend will see that, after all that, perhaps the only way the country can obtain a true opinion on this question is by disassociating it from the existence of the parties and putting it before them as a practical and direct question ; and so on that my hon. friend has testified in favour of the course which the government have taken on this bill and in justification of the observations of the hon. gentleman who immediately preceded me. I think my hon. friend who sits to my right here (Mr. McCallum) has made a convert of the hon. leader of the opposition.

Hon. Sir MACKENZIE BOWELL—Not so far as the plebiscite is concerned.

Hon. Mr McCALLUM—Perhaps my hon. friend would allow me to say a word ; the government bring in a measure of prohibition and because they do so they think we ought to support them in all the evil things they do. What I say is, if they are going to carry out this let them have a fair chance.

Hon. Mr. MILLS—Does my hon friend think we are doing a fair thing for the country? If he does he ought to support us. If he does not he ought not. My hon. friend from York (Mr. Allan) made a speech, and I did not very much dissent from it, but holding the views that my hon. friend does, I do not see how he can find fault with the government, or regard this as in any degree an improper or unwise measure, or an improper course to pursue, for my hon. friend has said "if you think you can accomplish anything in this way, if the people approve of a measure of this sort, since excessive drinking is a great evil, they ought to have an opportunity to try the reform. Now, there are many things to be

considered. There are a great many people in favour of a reform that costs them nothing. And there was one observation addressed by the hon. senator that I did not quite agree with, and that is that we would be imposing a very large burden on the country if we carried this measure. It is true we would wipe out between seven and eight millions of public revenue, but that revenue is paid by somebody now. As it is, it is a burden on somebody. The advocates of prohibition in this country admit that that burden falls on the wrong parties, that it is a burden that these parties less qualified than perhaps than any other portion of the community to bear, because they spend a great deal of their time in drink and spend very little time in earning the money that they spend in drink, and so leave a great many in want, and they are the least qualified to bear the burden. Now, what the prohibition people propose to do is to shift the burden and put it upon other shoulders—to take it themselves—yes, and I hope they will not shirk the burden when the time comes. Perhaps, if I were disposed to follow my own private view in the matter, I would have been inclined to have proposed a perfected measure providing for the taxation necessary, so that no further legislation would be required after the vote was taken. I expressed that opinion before I became a member of the administration and we saw—I did, and I am sure a great many others did—what the expression of opinion was on that view by the advocates of prohibition. I do not know whether my hon. friend (Mr. Vidal) would have favoured it or not, I do not know whether he would like a perfected measure.

Hon. Mr. VIDAL—I would have considered it perfect if the measure had provided that prohibition should be granted if the people expressed themselves in favour of prohibition.

Hon. Mr. MILLS—The hon. gentleman proposes that we shall take two bites of the cherry ; first ascertain whether there should be prohibition or not, and after you have ascertained that fact let some one come forward and sacrifice himself in order to determine how the money shall be raised. Now I say this, there is no doubt, when the time comes for a vote on this question, that all its financial as well as its social features will be considered. It is important that they should be considered, and I am perfectly sure that no one who regards drunkenness or drinking as a very serious evil and who insists on legislation on this subject, can desert those that he calls on to take their lives in their hands in order to carry through a measure by which that object will be attained. If we are to substitute eight millions of taxation in some other form in the place of that which is now raised on alcohol, if we are called on to devise some means by which the loss to the public revenue is to be made good, those men who have asked us to repeal that tax to establish prohibition, cannot, without dishonour, desert the government in carrying the measure consequent on the vote which they give.

Hon. Mr. SULLIVAN—No matter what means they take?

Hon. Mr. MILLS—We have to take some means or other. It is always possible, if we propose a means and it proves not to be the best, to amend it at any time; but if the excessive use of alcoholic drinks is the great evil that is spoken of, then the mere question as to whether the tax should be on tea, or sugar, or coffee, or upon all or a part of the municipal tax, or a poll tax, it is a question altogether subordinate to the question upon which the reference is made to the electorate of the country.

Hon. Mr. ALLAN—Certainly, if the results are successful.

Hon. Mr. MILLS—My hon. friend will see you cannot tell whether the results will be successful till the experiment is tried. These gentlemen who asked for this vote hold that it will be successful. They hold that a large number of the crimes and a great deal of the misery existing in the community result from the excessive use of alcoholic drinks. Abolish that use, put an end to that drinking habit, and men who now spend their time in idleness will become sober and industrious, and the whole community will gain substantially by the change. I say then that I cannot admit for a moment that the government are put in a hole by this vote. The government have acted upon the advice of a large and influential section of the community, a section at which the vast majority of the clergymen of this country are at the head, and these men are asking us to take our lives in our hands, to take the

risk of defeat on a measure which they think is in social consequence altogether paramount far above any other measure. That being so, they are bound by every principle which can animate honourable men to stand by those they have asked to carry out such policy. I say then that we submit this measure to ascertain whether there is the strength of public opinion to sustain the government if they put such a measure on the statute-book.

Hon. Mr. BOULTON—That is putting it on party grounds, is it not?

Hon. Mr. MILLS—No. My hon. friend will see it is not on party grounds in any other sense than this, that it is a measure taken up and sustained by the government, but it is at the instance of a large number of men who are of both political parties. My hon. friend here asks us to do this; my hon. friend asks us not to simply make the reference, because he wanted the vote without the reference, but he wants the vote, and if we pass that measure of prohibition my hon. friend is as much bound to sustain us by every consideration which ought to govern a public man as any man devoted to the government apart from this question is bound to sustain us. That is my position.

Hon. Mr. PERLEY—I think your premises are wrong because you made that a plank in your political platform before you were elected to power.

Hon. Mr. MILLS—Yes. And it was at the instance of the men I have spoken of, and not at the instance simply of the men belonging to the Liberal party, because there are a great many men of the Liberal party who do not favour absolute prohibition. I am speaking now of those who are committed to this one question. I say then that I regard this measure as one of importance. My hon. friend opposite has spoken as if it was the duty of the government to commit itself in advance to what it would do in a certain event. I say we are not committed in advance to state what action we would take.

Hon. Mr. FERGUSON—I thought you were taking your lives in your hands.

Hon. Mr. MILLS—So we do if we introduce such a measure, but we are taking the vote for the sole purpose of ascertaining whether the public will sustain such a measure or not.

Hon. Mr. McCALLUM—Save our lives or not.

Hon. Mr. MILLS—Save our lives or not—why, hon. gentlemen, in the case of the plebiscite vote in the province of Ontario, we had hotel keepers who voted for prohibition in large numbers. Why? Because they thought it would contribute to the defeat of Sir Oliver Mowat. They said just what some hon. gentlemen said this evening, they are putting Sir Oliver Mowat in a hole, and my hon. friend has referred to this question, but he knows right well that that vote was no test, after all, of the sentiments of the country upon this question.

Hon. Mr. PERLEY—I want to ask the hon. gentleman just one question. Supposing my hon. friend's government introduce this prohibition measure and have to go to the country, will they expect all the temperance men to vote for them supposing they are wrong on twenty other different things—on their railway or fiscal policy, say? Am I bound to sacrifice my principles on these other questions because they introduced prohibition?

Hon. Mr. MILLS—Is my hon. friend bound to sacrifice his principle on the question of prohibition for the sake of party? Now my hon. friend has been doing that for twenty years—

Hon. Mr. PERLEY—No, siree.

Hon. Sir MACKENZIE BOWELL—I want to call the attention of the hon. gentleman to a fact that he must have forgotten. When the vote was taken in Ontario, it was taken on that question, apart altogether from politics, and it was not even associated with municipal elections nor with political questions; hence it must have been an expression of opinion and not, as the hon. gentleman has just stated, useless. I want to mention one other point: the hon. gentleman pretends that the Conservative party were favourable to this measure, and have been for years, and have sacrificed it whenever it came to a question of election. Does the hon. gentleman forget the action

of the whole temperance party in the county of Haldimand, a few years ago, when they appointed a committee to wait on the two candidates. Mr. Henderson, the Conservative candidate, who now represents that constituency, pledged himself when they asked him to pledge, and Mr. Waldie, also a temperance man, refused positively and distinctly, and they went afterwards and passed a resolution to support Mr. Waldie, and the whole of the tavernkeepers and the liquor influence went for Mr. Waldie, because he refused to pledge himself, and he won the election, but was turned out immediately by the courts for corruption.

Hon. Mr. LOUGHEED—I have to apologise to the House for making any remarks to the House on this subject, the hon. Minister of Justice having possibly considered that he closed the debate. The hon. Secretary of State, however, introduced the bill, and consequently that is my explanation for attempting to make a few remarks after the Minister of Justice has expressed himself on this bill. I, however, never hear my hon. friends on the opposite side of the House discuss the question of temperance, or of morals, but I am reminded, and reminded very forcibly, of the scriptural incident of the two men who went up on one occasion to the temple to pray, and especially of the one who thanked the Divinity that he was not like other men. It has ever been the theme of my hon. friends upon the opposite side of the House that they have an absolute monopoly of virtue, and that all the vice in the world must be attributed to their opponents in politics. Now, it seems to me that in the discussion of this bill the question of prohibition is not involved. There is a more important principle, to my mind, involved in the consideration of this question than simply the measure of prohibition. The Liberal party for many years have been posing as the custodians, so to speak, of temperance principles within the Dominion of Canada, and have entirely ignored the promotion of moral sentiment in this particular direction fostered by the Conservative party. In the very statistics advanced to-day by the hon. Secretary of State I think it is established beyond all peradventure that, during the eighteen years of the administration of the Liberal-Conservative party, the moral sentiment of this country has largely tended in the direction of progressive temperance. If there is anything which the Secretary of State did establish by those statistics to-day, it is that during the tenure of office of the Conservative party there has been a steady diminution in the consumption of liquor, and I submit with all sincerity to this House that the policy which has been pursued by the Conservative party has not been one of simple profession, but has been consistent in all the ramifications of government with which they had to do in regard not only to this question of morals, but in regard to all other questions of a similar nature with which they have had to do. I accuse and charge the present government with insincerity in regard to this particular measure. If ever a moral measure was stamped with the brand of insincerity and hypocrisy it is this measure which is submitted to us and which is called a plebiscite, and which is advanced before the country on the pretention that it is to advance the cause of total abstinence. The principle of the referendum has been made use of on this occasion, but I submit it has been prostituted for the purpose of deceiving the public, prostituted in such a way that many who have not given deep consideration to this measure will be deluded into the idea of believing that it really is a plebiscite bill and that the present government are the promoters, not only of temperance sentiment, but of prohibition sentiment throughout the entire country. I know that in 1893, when the Liberal party held their convention in the city of Ottawa, and adopted a platform or policy upon which they went to the country during the last election, one of the principal planks in their platform was that a prohibition measure would be introduced—that a plebiscite would precede that, but when they made use of that term plebiscite it was a well-known term. It involved a well-known principle or system of government, and the people of this country and this House had a right to expect that the essentials of a plebiscite bill would be embodied in an Act which would enable a true referendum or plebiscite to be taken by which the sentiments of the people of the Dominion could be intelligently secured on this question, and by which the judgment of the people would be crystalized in a bill which might be introduced into parliament and carried, providing

the sentiment of the voting public of the Dominion went in the direction indicated in the plebiscite. Now I do not know, hon. gentlemen, that there is anything within the four corners of this measure which has been submitted to the House on this occasion to bind the government to introduce a prohibition measure in accordance with the public will, and which is believed to be the policy of the government in submitting this measure. There is not a word of committal in this whole measure by which the public, after they vote on the measure, can say to the government "you have submitted a plebiscite which has been carried and now we ask you to fulfil the promises you have made and carry out the guarantee you have given." I pronounce this to be innocuous in every sense of the term ; it would be impossible to present anything more emasculated in its character than this. Let us assume there is a majority for this question. Does my hon. friend, the Secretary of State, say, in the event of there being a majority vote on this question, that the government will be bound to carry out the will of the people ? One of the first expressions used by the hon. gentleman in introducing the measure was that the government reserved to themselves the right to be the judges as to whether a prohibition measure will be introduced or not, even in the event of a majority vote being given on this plebiscite. If the prohibition party are satisfied with such a measure as this, then they leave an impression on the public mind of being very easily satisfied, humbugged by the promises of political parties on this particular question. Now I point out to the House the futility, so to speak, of submitting such a measure as this and considering for a moment that the government will be bound by reason of the pronouncement of public opinion on it. My hon. friend the Secretary of State has stated that the government will consider themselves to be the judges as to whether it will be incumbent on the government to introduce a prohibition measure upon a majority vote being favourable to such legislation. Now we have a very distinct recollection of how the present government has treated the expression of public opinion on all measures, notwithstanding their professions in regard to such measures. We have a very distinct recollection that our hon. friends went to the country distinctly professing to the people that in the event of their being returned to power a policy of free trade, such as exists in England, would be at once introduced into this Dominion. The public did pronounce in favour of the present government, but did our hon. friends opposite consider it incumbent upon them, notwithstanding that pronouncement of opinion, notwithstanding that majority vote which they secured, to carry out this profession and introduce a policy of free trade ? Not at all. We find them exactly where their predecessors were upon the question of the fiscal policy. We very well remember that those gentlemen advocated, at the time of the Liberal convention to which I refer, and also immediately previous to the last general election, that the annual expenditure of this country should at least be kept within thirty-three or thirty-four million dollars. Where do we find them to-day ? Notwithstanding the expression of public opinion on that question we find them bringing down estimates over $40,000,000. In that matter did they consider the expression of opinion of the people of Canada ? I think not. We find these gentlemen, prior to the last election, appealing to the public upon the Manitoba School Question and declaring that separate schools should be restored in Manitoba in the event of their return to power. Do we find, notwithstanding the expression of public opinion on that subject, that they carried out that pledge ? Not at all. These hon. gentlemen have cast to the winds their former professions on all those important questions, and so will we find them casting to the winds their former professions on this great question. If they were desirous of demonstrating to the public their sincerity upon this question of introducing a prohibition measure in deference to the expression of a majority vote on this question, they would have embodied in this bill their committal to that policy, and that would at once have stamped them with consistency, sincerity and adhesion to the policy which they had long professed. But we find nothing in the four corners of the bill to ensure to the public the introduction of such a measure as has been promised. And, furthermore, I would submit to this House that there is a very serious omission in the bill, and that is, that no period of time has been fixed within which they should submit the question to the public. We all know that evasion has

been reduced to a science in the matter of government, and it would be the easiest thing in the world for the government to keep postponing for an indefinite time the submission of this measure to the public. If the government had been sincere in this matter they would have embodied a date in this bill at which it would be submitted, so that the public would be sure of the fact that at an early day the expression of the public will upon this question might be had, so that at an early day a prohibition measure might be framed in accordance with the pronouncement of public opinion on this question. These are a few evidences which must indicate to this House, beyond all controversy, the fact that although this bill has been brought in, it has not been introduced for the purpose of really testing the public opinion of Canada on this question, but simply to evade a responsibility which hon. gentlemen opposite had taken on their shoulders and which to-day they are not prepared to carry out.

Hon. Mr. SCOTT—The statements made by the hon. gentleman from Calgary are rather startling. Because I showed that in the last eighteen years there had been considerable improvement in the temperance movement in Canada, that less liquor was being drunk year by year, he gives to the federal parliament in the last eight en years all the credit. He entirely ignores the legislation which has been going on in the provinces and to which really the improvement is due. There is where the change came in, and I think, if the hon. gentleman will inquire into the history of the last eighteen years he will convince himself that his premises are entirely erroneous. He says that this bill is not carrying out the pledge that we made. The government made no pledge to bring in a prohibitory law. I have in my hand the only pledge that was given, the resolution which was adopted at the Ottawa conference. The hon. gentleman will see, if he looks at it with any degree of fairness, that it entirely sustains the bill which is now submitted for the consideration of this House. It says that whereas public attention is directed to the admittedly great evils of intemperance, "it is desirable that the minds of the people," not the policy of the government, "should be clearly ascertained on the question of prohibition by means of a Dominion plebiscite." Can anything be fairer than the bill we have submitted on the present occasion? Can you point out any improvement on that bill? The hon. gentleman says it ought to have included a time. That would have been very unfair to the temperance people.

Hon. Sir MACKENZIE BOWELL—Why?

Hon. Mr. SCOTT—For this reason: you might have the vote taken on a list five years old, when a considerable number of those who are in favour of prohibition to-day, the young men who have grown up under happy influences, would not be able to vote, then the votes of a considerable number of those who have gone out of the country would be counted against the majority. We have to obtain a list first. If this House passes the Franchise Bill that is now before it, without mutilating it in any way, there is no doubt that the plebiscite will be submitted within a very reasonable period.

Hon. Mr. LOUGHEED—How long?

Hon. Mr. SCOTT—Well, most certainly before the end of this year if there is a proper Franchise Act. If, however, this Senate were to disturb in any essential part that Franchise Bill, it would be a matter of grave consideration for the government as to the course to pursue. It would be idle to ask for a vote on the present list. Hon. gentlemen will see that. It would be unfair to the temperance people, because there is a large proportion of the temperance young men of this country that would be entirely deprived of their votes. So that it would be idle to say that it would be at all a fair basis upon which the views of the people could be ascertained. The hon. gentleman is, therefore, not warranted in making the statement he did, that this government is in any way shirking its duty. Up to the time I felt the wet blanket that was thrown upon this bill when it came into this chamber, I was of opinion that the bill entirely met the approval of the temperance sentiment of Canada. It was very well known that there had been a discussion as to how the question should be submitted. Very many persons were of opinion that the consequences should be submitted; that the people should be warned as to the effect of it, that if eight or nine millions loss of

revenue had to be supplemented in some other way, it was only fair to the people that they should be advised of the necessity for raising that and their attention called to it, so that they could consider it in all its phases. The temperance people thought they could not get as large a vote, and the government were anxious to gratify the temperance sentiment. We therefore asked, "How do you want this question submitted?" They said, "In the baldest way possible. We simply want the question put: 'Are you or are you not in favour of prohibition?'" Therefore, we have submitted it in the very terms of the temperance people, contrary to the opinion of very many persons of good judgment in this couutry, who thought it was not a proper question to submit, that the consequences ought to be there, that people ought to know what the effect would be, and should be informed that a sum of eight or nine millions had to be raised in some other way than it is at present made up. So that the hon. gentleman is not justified in making the charges he does. Then, the hon. gentleman takes advantage of the opportunity to dash off and charge the government with not having carried out any of their pledges. Now, we carried out one of our pledges yesterday by presenting the Franchise Bill, which is one of the most important, and one on which the people of this country had been agitated for some time. We certainly had a revision of the tariff. Would the hon. gentleman have thought it wise and prudent to have made such a revision, a reduction in one year that ought to have been extended over twenty years? That would have been a suicidal policy certainly. It would be destructive of the industries of this country.

Hon. Sir MACKENZIE BOWELL—The government should not have told the people they would do it, if they did not intend to carry out their promise.

Hon. Mr. SCOTT—We did not tell them. We told them we would make a revision of the tariff, and we were fair and just and fulfilled our pledge. We were fairer than the late government in their dealing with the tariff and we gave a very substantial revision. We did not propose to ruin the industries of the country. We would be charged with ruining the industries if we had made a sweeping revision. But it is all coming. We had a reduction of twelve and a half per cent this year, and we will have twenty-five per cent next year. I think I have shown the wisdom and propriety of the course we have marked out for ourselves, and it will be followed very closely. The hon. leader of the opposition said that we were interfering with provincial rights and assuming to take away the jurisdiction from the provinces.

Hon. Sir MACKENZIE BOWELL—I beg the hon. gentleman's pardon. I gave no such opinion. I said that had been the contention of the hon. gentlemen opposite, and asked them what they proposed to do. I did not lay down the principle.

Hon. Mr. SCOTT—It is quite open to the provinces to adopt any prohibitory law to the limit of their power. They could practically prohibit within the provinces. They cannot prevent the importation, nor can they prevent the manufacture if it is for exportation, but they can prevent the manufacture for local purposes, and they can prevent the sale of liquor in less quantities than what is called wholesale—five gallons—and one would suppose that if the temperance sentiment was so strong, taking the province of Prince Edward Island, that the natural sequence would have been the provincial legislature to the extent of its power would have declared in favour of prohibition there, and the same way in the other provinces where the temperance sentiment prevails to such a degree. How were they in those provinces? Were they sincere?

Hon. Mr. FERGUSON—There was a Liberal government in the province and they were just doing as you are doing.

Hon. Mr. SCOTT—If the temperance people were sincere why did they not press the Liberal government to pass a prohibitory law? It leads one to the conclusion that the temperance sentiment was not as strong as we are led to believe by the figures produced. The hon. gentleman from Sarnia (Mr. Vidal) condemns this bill, and also the hon. gentleman from Wolseley (Mr. Perley). The hon. gentleman from Wolseley said it was an evil bill, and the hon. gentleman from Sarnia said we should introduce a prohibitory measure. The figures would not justify this government or any other government in introduc-

ing a prohibitory law. The vote of this country is about 850,000, probably nearer 900,000 votes. The whole vote, as announced to-day by my hon. friend, was about 400,000 —about one-half—and of that vote 266,000 odd were for prohibition. Would this government be justified in introducing a prohibitory law with the vote of one fourth of the electors? I think not. I do not think it would be in the interest of temperance to propose a law of prohibition where it was not asked for by more than one-fourth of the electors. Do hon. gentlemen mean to say that the government would be justified, even supposing there was a bare majority? I am not prepared to say now how far the government should go, but speaking off-handed for the moment, it does not seem to me that any government would be justified by a bare majority of the votes at the election.

Hon. Mr. FERGUSON—Why do you take a vote at all then?

Hon. Mr. SCOTT—If it was overwhelmingly in favour of prohibition, if the sentiment was so much in favour of it that if an Act were passed it would be sustained, then we would be justified in passing a prohibitory law. But one cannot foresee what that vote will be. One cannot tell in advance. It is absolutely impossible, and it would be criminal on the part of the government to lay down any hard and fast lines to be observed wholly irrespective of the consequences.

Hon. Mr. LOUGHEED—Does my hon. friend not believe that the great majority of the temperance people of the Dominion at the present time, who are to vote upon that bill, labour under the impression that a majority vote pronounced upon this plebiscite will result in the introduction of a prohibitory measure?

Hon. Mr. SCOTT—No, I know nothing of the kind. There has been no expression of opinion on the subject. I have never heard any person express an opinion upon it. Nor do I think any person in favour of temperance would argue in favour of such a proposition. I do not propose to go any further into the details of this measure. We have pretty well discussed it, and somewhat in a jocular manner, showing insincerity on the part of hon. gentlemen.

Hon. Sir MACKENZIE BOWELL—I ask the indulgence of the House for a few moments to defend a late colleague of mine, whose character as a prohibitionist, and as a temperance man has unnecessarily been aspersed by my hon. friend the Minister of Justice.

Hon. Mr. MILLS—I do not admit that I aspersed any one. It is a pretty strong word.

Hon. Sir MACKENZIE BOWELL—That is a matter of opinion and the interpretation put upon the language the hon. gentleman used. He spoke of the conduct of Sir Leonard Tilley from the time he entered the Cabinet, shortly after confederation, and also in 1878, and made the statement boldly, that during the whole of that period that hon. gentleman never did anything towards placing upon the statute-book a prohibitory law. That is quite correct, but he ought to have been equally sincere and equally honest in stating

Hon. Mr. MILLS—I resent altogether the hon. gentleman's assertion that I am not honest in my statements. I repudiate any such language.

Hon. Sir MACKENZIE BOWELL—I withdraw that word and say the hon. gentleman should have been a little more accurate in his statements, or perhaps I should put it in another way, he should have taxed his memory when speaking of a departed gentleman. A more sincere and honourable man never sat in the parliament of Canada or outside of it, I believe, than the Hon. Sir Leonard Tilley. When he sat in the parliament of the province of New Brunswick, he was the father of and introduced a prohibitory law. Mr. Tilley found, after some practical experience, that it was utterly impossible to enforce the law, the people not being prepared to accept it, and carry it out, and he laid down that principle and acted upon it from the time that he entered the Dominion parliament until the day he left it. He openly avowed his opinions in favour of prohibition. He was a practical temperance man in his whole life, but he had been taught the lesson from his experience in New Brunswick of the unwisdom of attempting to place upon the statute-book a law which he believed the people were not prepared to accept. That was the

position of Sir Leonard Tilley during his whole political life and when an hon. gentleman at this period, after he has passed away, would leave impression upon the public that he had been inconsistent in the views and opinions which he held, he is not doing justice to a departed statesman who had the respect of every man who had the honour of his acquaintance. I have one more word to say so far as that is concerned. The hon. gentleman stated distinctly and positively that during the whole eighteen years of the existence of the late government nothing was done to enforce the principles of temperance, and to prevent the extension of the sale of liquor in this country. The best Temperance Act, without going as far as prohibition, that was ever conceived or placed upon the statute-book, was that which emanated from the committee of which the late Mr. Dalton McCarthy was the chairman, and had it not been decided by the Imperial parliament that that law was *ultra vires*, that we had no power to enforce it, that the authority for dealing with that question was with the provincial legislature; I hesitate not to say, and I say it without the slightest fear of successful contradiction by any man who took an interest at that time in the temperance cause, that that would have proved the most effective Act that was ever attempted to be placed upon the statute-book against the sale of intoxicants in this country.

Hon. Mr. POWER—It was a license Act and not a prohibitory Act.

Hon. Sir MACKENZIE BOWELL—I did not say it was a prohibitory Act. What I said was that it was the best temperance Act that was ever attempted to be placed upon the statute-book, short of prohibition. That is the language I used, but it was to a certain extent a prohibitory Act, because it made provision for the enforcement of what is now known as the Scott Act, or more properly the Canada Temperance Act, in every county in which the vote had been cast in favour of it. The hon. leader of the government in this House must have come to the conclusion that there is no one here who has a memory, or a knowledge of past events. I must impress upon his mind that when he rises to make these statements, he had better do it when there are no gentlemen on the floor of the Senate who have had anything to do with, or any knowledge of the past events of this country. I have taken upon myself to say these few words in defence of a departed friend and colleague who stood very high in the estimation of the people of this country, whose practical life as a total abstainer was an example to the whole country, and whose political reputation stands above reproach. I desire also to defend, to that extent, the action of the government of which I was a member, in reference to their attempt to place upon the statute-book a bill which would have sustained the law in all Scott Act counties, the principle of which had been approved by the people, and that it would have done more to put a stop to illicit trade in this country than any other law that was ever framed, had it been allowed to go into operation.

Hon. Mr. MILLS—The hon. gentleman rose to call in question a statement of mine, and has resumed his seat without questioning the accuracy of the statement I made in any particular. All that the hon. gentlemen said is not in contradiction of any statement I made. I said that Sir Leonard Tilley was an advocate of prohibition. Is that not so? I said he was a member of government. He was an advocate of prohibition before he ever entered the government.

Hon. Mr. DEVER—And brought into the government for that reason.

Hon. Mr. MILLS—He was there seven years, and had not proposed a prohibitory measure during those whole seven years. Is that not so? Does my hon. friend contradict that, that during the seven years he was a member of the administration, from 1867 until November, 1873, he did not propose any measure in the direction of prohibition?

Hon. Sir MACKENZIE BOWELL—No, of course not. Why did not the hon. gentlemen give the reason?

Hon. Mr. MILLS—I am stating a fact.

Hon. Sir MACKENZIE BOWELL—You stated half a fact and nothing more.

Hon. Mr. MILLS—I stated the whole fact.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—And that is not all. I said that Sir Leonard Tilley returned at

the end of five years and entered again into the administration. I made no attack upon him, but I pointed out that certain parties who had pressed upon us the necessity of a prohibitory measure, and with whose wishes we had complied in carrying through the Canada Temperance Act, waited upon Sir Leonard Tilley when he returned here and congratulated the hon. gentleman when he came to office. He remained in office seven years longer, and he did not profess to amend the defects of the Canada Temperance Act.

Hon. Mr. DEVER—What did his successor do?

Hon. Mr. MILLS—Does any hon. gentleman contradict that? Does the hon. gentleman contradict my statement in that regard? That is all I said with regard to Sir Leonard Tilley and with regard to his connection with the temperance question. My hon. friend rises to tell the wonderful things the government with which he was associated did for the cause of temperance. What did they do? They put upon the statute book a license Act which was held to be *ultra vires*. and the hon. gentleman asks the everlasting gratitude of this House and the country because they did that.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman said we never attempted to do anything.

Hon. Mr. MILLS—I say it now.

Hon. Sir MACKENZIE BOWELL—Of course you do.

Hon. Mr. MILLS—That was the License Act. There was the Canada Temperance Act which the hon. gentleman and his colleagues had not the courage or the inclination of mind to repeal, and although they permit a private party, not a member of the administration, to move in one direction and some other member to move in the opposite direction, the government itself never took the first step towards the correction of any defect in the Canada Temperance Act, and if the hon. gentleman can rise in his place and mention one single occasion during the period of eighteen years he was in office, where he undertook to amend or reform that Act which entitles him to the everlasting gratitude of those in favour of prohibition which he claims, let him point it out and I will hold my peace on this question.

Hon. Mr. PRIMROSE—I do not know that I caught exactly what the hon. senior member for Halifax intended to convey. He spoke of the government taking their lives in their hands. And yet I think I have a little light upon it and that light emanates from the other chamber in the evasive answer which was given by the premier to the question put to him by Sir Charles Tupper and which has been already referred to in this House, but it will do no harm to refer to it again and emphasize it. The answer was:

> The people may pronounce a verdict for or against prohibition. If they pronounce against it, the matter ends at once, and therefore there is no occasion to trouble ourselves with the consequences; but if there be a majority for prohibition, whether large or small, then it will be the duty of the government——

To do what? To introduce a prohibitory bill? Not at all.

> To consider whether the time has arrived for the Dominion parliament to place such an enactment upon the statute-book.

The hon. Minister of Justice, speaking of the conduct and action of the Conservative party, used a very elegant sentence which ran this way:

> The question of party will always be paramount to prohibition.

I suppose the hon. gentleman should embalm that sentence immediately after the answer of the premier, and I think the position of these two will be very suitable and very suggestive. I think both the hon. senior member from Halifax (Mr. Power) and the hon. Minister of Justice did not treat quite fairly these statements which were made by the hon. gentleman from Sarnia (Mr. Vidal) when they represented him as saying that the temperance people did not press or wish for a plebiscite bill. If a plebiscite bill were before the House alone, only a plebiscite bill, the temperance people of course would support the plebiscite bill. But here we have the question of a prohibition enactment and the temperance people take the position that they have already have a pronouncement from the people in the shape of a plebiscite, and that they now want the enactment of a prohibition law, a law which, it appears, the government is either unwilling or afraid to take the responsibility of enacting. In the representations which they

made of the statements of the hon. gentleman from Sarnia (Mr. Vidal) they did not treat him fairly. The temperance people are not to be understood as being averse to, or in favour of a plebiscite bill, but they consider that they have had an expression of the popular will already, and they want the result in the enactment of a prohibitory law.

The motion was agreed to, and the bill was read the second time.

DOMINION LANDS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (130) "An Act further to amend the Dominion Lands Act." He said:—This is a bill for amending the Dominion Lands Act in very many minor details which it will be much more expedient to explain in committee. There is no new principle. In the first clause the words introduced are:—"Or, in his absence the senior clerk performing the duties," and so on. In the various clauses of the bill there are words dropped out and other words inserted in order to make the meaning clearer. I ask that the bill be read the second time now, and the changes can be explained in committee.

Hon. Mr. LOUGHEED—I do not wish to throw any obstacle in the way of my hon. friend securing the passage of the measure under consideration, but I would point out that he labours under a serious mistake in saying there are not introduced into this measure new features, and rather radical features. If my hon. friend will peruse the bill closely, he will find two very important features in the bill in clause three and clause 12, nothing analogous to which will be found in the existing Act, or in other Acts dealing with Dominion lands. Hence, before the bill goes to committee, I should like very much to hear from the hon. Secretary of State the reasons, which have led to the introduction of those two features. I am not prepared at the moment to say that they are undesirable or that they will receive any opposition from myself; yet, at the same time, I think there is some explanation due to the House as to why large tracts of land should be withdrawn from settlement and placed absolutely in the hands of the Minister of Interior for the purpose of granting to co-operative associations the right to secure what I might term isolated settlements. I might say, without predicating the reasons which may be advanced for the introduction of this amendment, that there are very serious objections to the introduction of this policy. I might illustrate that by pointing out the fact that many foreign settlers who have been introduced into the territories have expressed a desire for isolated settlement, entirely apart from other portions of the community where there can be no interchange of opinion, no interchange of business, where they live, in fact, as isolated as if they were in their own native country. It seems to me, on the face of it, that this is not desirable legislation.

Hon. Mr. ALLAN—Hear, hear.

Hon. Mr. LOUGHEED—I might point out to my hon. friend that the Mormon settlement in Lees Creek, in Alberta, or in Western Assiniboia, is very much of the character to which I have referred. The same thing prevails in some of the Mennonite settlements. While we in the North-west desire to see representatives of every kindred, nation and tongue settling in that country, yet we think it is in the public interest that there should be interchange of opinion and interchange of trade, that those people should learn our habits and customs and grow up with a fair knowledge of the institutions of our country; whereas if legislation is introduced by which they can live isolated from other communities and erect a barricade around themselves, it seems to me that the country does not profit by that class of settlement. Then, in section 12 power is given to the Minister of the Interior to withdraw from settlement any tract of land which, in his discretion, he may chose to withdraw, and to sell that land to corporations or to individuals entirely irrespective of any amount being fixed for the sale thereof. The policy of the government, so far as I am aware, in the past, has been to fix a minimum figure for the sale of public lands, and not leave it absolutely in the discretion of the minister, or even the Governor in Council. That policy will be found already in the Act, where the hon. Secretary of State will find that the minimum amount has been put upon the sale of

some lands; that is lands to *bona fide* settlers, and I think that is a dollar an acre. These are two features which I and my colleague from the territories would like to receive an explanation upon.

Hon. Mr. SCOTT—Clause three is not in any sense different from the principle laid down in clause 37 of the old Act, which confers practically the same powers, and it has been on that principle we secured some excellent settlement. We certainly would not have secured the Mennonites unless we had consented to that proposition, nor would we have secured many other settlements if we had not that clause.

Hon. Mr. LOUGHEED—Under section 37 of the old Act no power is given to the minister to withdraw from sale or settlement such a tract of land as is indicated for the purpose of settling this particular community upon, whereas in the clause in this bill absolute power is given to the minister to withdraw the lands in question.

Hon. Mr. SCOTT—There is no other way of obtaining an area in which a number of people can settle together. They come out in numbers. There were a number of Galicians and they speak an entirely foreign language, and if we had not this provision it would be utterly impossible for us to retain them. With regard to clause 12, the hon. gentleman overlooks the fact that that clause only refers to lands that are unsuitable and unsaleable and of no use without irrigation. You must hold out some inducement to parties, because the expenses are large. It is found that by offering the land at a price which will induce people to accept it, we increase the settlement.

Hon. Mr. LOUGHEED—I do not object to that, but we object that the right should be vested in the minister to withdraw very large portions of land from settlement and to hand them over to a corporation and preclude settlement without any guarantee that irrigation would be carried out in the near future. I quite appreciate the value of irrigation in that country. No one appreciates that more than I do, and yet the settler should have the same opportunity of acquiring those lands as corporations or capitalists who do not live in the country.

Hon. Mr. SCOTT—So they can.

Hon. Mr. LOUGHEED—It is tieing up lands and preventing settlement.

Hon. Mr. BERNIER—Is there anything in that bill which refers to those school lands?

Hon. Mr. SCOTT—I do not think there is anything. We will go over it carefully in committee.

The motion was agreed to, and the bill was read the second time.

SECOND READING.

Bill (110) "An Act further to amend the Post Office Act."—(Hon. Mr. Mills.)

SUPREME GRAND LODGE S. O. E. BENEFIT SOCIETY BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill (122) "An Act to incorporate the Supreme Grand Lodge of the S. O. E. Benefit Society."

The bill was read the first time.

Hon. Mr. VIDAL moved the suspension of the 41st rule.

The motion was agreed to.

Hon. Mr. VIDAL moved the second reading of the bill. He said: It is not necessary that I should enter into any explanation. The bill will go to committee. It is simply to extend the powers of the society to various provinces. Having only an Ontario charter at present, they desire to extend that charter to the Dominion.

The motion was agreed to, and the bill was read the second time.

BILLS INTRODUCED.

Bill (142) "An Act to authorize the Quebec Harbour Commissioners to borrow money."—(Hon. Mr. Mills.)

Bill (148) "An Act respecting the transport contract between Her Majesty and the Winnipeg Great Northern Railway Company."—(Hon. Mr. Scott.)

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 1st June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

TRAVELLING EXPENSES OF MINISTERS.

INQUIRY.

Hon. Mr. LANDRY inquired of the government :

1. How much did cost the voyages which were undertaken in 1897 by the Right Honourable the Prime Minister and the Honourable the Solicitor General, to Europe, to the United States or elsewhere ?
2. Are these travelling expenses the expenses incurred by each of these two members of the Administration individually, or do they comprise the expenses of a private secretary or of any other persons composing the following of each such member of the administration ?
3. Were these members of the administration accompanied by their private secretaries ?
4. Had these two members of the administration in their services other persons than a private secretary ? Who were such persons and in what quality were they employed ?

He said : I wish to know if the government have an answer to give to this question to-day. If they are not prepared I will let it stand. It is the same inquiry I made yesterday.

Hon. Mr. SCOTT—No, no answer.

Hon. Mr. LANDRY—I will let it stand.

Hon. Mr. SCOTT—The hon. gentleman can let it stand till the judgment day if he likes.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. LANDRY—Before the Orders of Day are called, I would like to direct the attention of the government to the fact that on the 17th June last year I obtained from this House an order for a copy of all correspondence exchanged between the different departments, or employees thereof, and Mr. Choquette, member of the House of Commons for Montmagny, on the subject of the recent dismissal of a number of persons, a list of which I gave. That was ordered on the 17th June, 1897. I should like to know if the government is prepared to bring down the returns to that order or if the order is to stand till the judgment day ?

Hon. Mr. SCOTT—I have made repeated efforts to obtain that return and have written very pressing letters to my colleagues requesting them, if they did not propose to bring it down, to give me an answer of some kind or other. I have the return from some of the departments, but there are two returns missing. I shall make an effort to get the correspondence for the hon. gentleman. I have written personally to the ministers on the subject.

Hon. Mr. LANDRY—I will call the attention of the government to another order that was made on the 22nd April last on a motion asking for a return of all correspondence between the Departments of Militia, Public Works and Agriculture, and any person or persons whatsoever in connection with the Quebec exhibition of 1894 and with the forthcoming exhibition of 1898.

Hon. Mr. SCOTT—Was not a part of that return brought down ? It seems to me I had an answer from the Department of Agriculture. I understood part of it was brought down. However, I will make inquiry.

Hon. Mr. LANDRY—I might be mistaken. I looked over the journals, but did not find reference to any such document. There was also an order for copies of correspondence which took place in reference to Captain and Brevet Major P. Belanger of the 61st Battalion. That was ordered on 11th of May.

Hon. Mr. SCOTT—You asked a number of questions.

Hon. Mr. LANDRY—Yes, and I followed it up by a motion for papers.

Hon. Mr. SCOTT—I think it was fully answered and the correspondence obtained.

Hon. Mr. LANDRY—The hon. gentleman gave me an answer to some of the questions telling me that the general had instructed him to answer in such a way, but after that I asked that all the correspondence on that subject be brought down.

Hon. Mr. SCOTT—Would you be kind enough to send me a memo. of both, and I will attend to them ?

MONTREAL AND SOUTHERN COUNTIES RAILWAY COMPANY.

REFERRED BACK TO COMMITTEE.

Hon. Mr. BAKER, from the Committee of Railways, Telegraphs and Harbours, reported with reference to Bill (81) "An Act respecting the Montreal and Southern Counties Railway Company," that they found the preamble was not proved.

Hon. Mr. OWENS—When this bill came up for discussion the majority of the committee had left the room and the preamble was defeated on a tie vote. I move that the report on this bill be not concurred in but that the bill be referred again to the Committee on Railways, Telegraphs and Harbours.

Hon. Mr. POWER—I have an impression, I do not speak positively, that this is a motion of which notice should be given; however I do not propose to lay any stress on that. I really do not think that the bill has such merits as should induce the House to reject the report of the committee. It appears that this company was incorporated last year with power to do business over thirteen counties south of the St. Lawrence in the province of Quebec. It appeared that the company had not done any work. The charter was granted last year. The committee were of the opinion that sufficient ground had not been shown for an extension of the sphere of the company. The impression was that, after the company had done some work to show that they were in earnest, it would be time enough to grant them the further powers which they ask. I might mention that amongst the further powers which they asked for was one to operate their railway by means of steam. If they had asked last year, when looking for a charter, to operate their railway by steam, I have no doubt but that the power would have been refused to them, because the bill would have been opposed by the representatives of companies whose railways now traverse that part of the country and I do not think that any harm can come to any one by the bill standing over for another year. I trust that that is the feeling of the House too.

Hon. Mr. OGILVIE—I decidedly think, hon. gentlemen, that this House should accept the report of the commissioners. I understand that it was fully discussed from beginning to end, and that the committee were quite well aware of what they were doing, I do not think we should send the report back to them at this late stage of the session.

Hon. Mr. BERNIER—Whatever may be the merits of this bill it seems to me that the reasons given by the hon. gentleman from Inkerman (Mr. Owens) are good ones. I happened to be there when the vote was taken and there were only twelve members of the committee present and there was a tie. Under the circumstances, I think it is fair that this bill should be referred again to the committee.

The motion was agreed to.

THIRD READING.

Bill (113) "An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada." (Hon. Sir Mackenzie Bowell).

DOMINION ELECTIONS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act."

(In the Committee.)

On the third clause.

Hon. Mr. POWER—With respect to this clause, I should like to ask the minister what provision is made for elections in the North-west Territories?

Hon. Mr. MILLER—That does not come under this at all.

Hon. Mr. MILLS—That is a separate Act.

Hon. Mr. FERGUSON—I should like to ask the hon. leader of the House whether he has considered the matter to which I called his attention the other day—if it is proposed to remedy the difficulty which I pointed out with regard to Prince Edward Island. It may be necessary to retain some sections of the Franchise Act in order to provide for the making of a list. I only

raise the point now in order that the hon. gentleman may consider it.

The clause was adopted.

On clause 4, subsection (*e.*)

Hon. Mr. FERGUSON—I wish to call the attention of the House to this subsection. It reads :

(*e.*) The expression "polling division" includes, when used in reference to provincial elections, any polling subdivision, polling district or subdistrict or other territorial area for which there is a separate voters' list.

Now, as there are no voters' lists in Prince Edward Island a slight amendment is needed in this clause. I would suggest that the word "polling" in the third line be struck out, and the following added "or at which a poll is taken" at the end of the clause. That would make the clause include polling districts in Prince Edward Island as well as in other provinces.

Hon. Mr. MILLS—The expression "polling division" has a particular meaning, it is a district within which votes are taken by a deputy returning officer for any candidate who may be standing for election to the House of Commons. It includes, when used in reference to the provincial elections, "any polling subdivision, polling district or subdistrict or other territorial area for which there is a separate voters' list." By adding the words "or in which a poll may be held" the hon. gentleman's objection is met. I move that these words be added.

The amendment was agreed to and the subsection as amended was adopted.

On clause five, subsection (*a.*)

Hon. Mr. FERGUSON—This subsection will require to be made plainer. The peculiarity of the election law of my province suggests the necessity of it to me. The subsection is as follows :

(*a.*) The qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that province as necessary to entitle such person to vote in the same part of the province at a provincial election.

This clause as it stands might be interpreted to sustain the right of voting in the different local provincial districts lying within the electoral district.

Hon. Mr. MILLS—My hon. friend will see that that is cured by the previous section.

Hon. Mr. FERGUSON—I doubt that.

Hon. Mr. MILLS—Section 4, subsection (*a.*)

Hon. Mr. FERGUSON—Yes, but that does not apply, for this reason : that you do not in subsection (*a*) of clause 5 speak of an electoral district at all ; therefore, the interpretation given in subsection (*a*) of clause 4 does not help us very much in getting at the exact meaning. The difficulty with this clause is intensified when you come to consider the local oath that has to be taken and the provincial subdivisions and I would suggest that a few words be added to this clause in order to remove all doubt.

Hon. Mr. MILLS—They are not required.

Hon. Mr. FERGUSON—My hon. friend says they are not required. But, in order to discuss that, we will have to look at clauses 19, 20 and 21 of this bill and also at the local oath, and I think by the time my hon. friend will go through these he will find that the local oath is the oath that is required to be taken, and that that oath only calls upon the man to swear that he has not voted before in that electoral district, which in the provincial law means the provincial election disrict.

Hon. Mr. MILLS—That is just the point. The expresion "electoral district" is defined in subsection (*a*) of clause 4, and the local oath to be taken, as my hon. friend will see by turning over the clause 20, is an oath that is modified to suit the circumstances or change required by this bill. In clause 20 we find these words :

Take such oath of qualification as by the law of the province he may in a like case at a provincial election be required to take, such changes being made in the form of oath as are necessary to make it applicable to the election then being held.

My hon. friend will see that it is made perfectly clear and the difficulty cannot arise.

Hon. Mr. FERGUSON—I am sorry I cannot agree with the hon. gentleman. I think it is not by any means clear. Subsection (*a*) of clause 4 only determines what is the meaning of the word "electoral" in this Act. It does not determine what is the meaning of that expression in the provincial law at all.

Hon. Mr. MILLS—But the clause which I read says that the oath taken from the

local law, and which the party takes in connection with this law, is to be modified so as to suit the requirements of this bill. The requirement of this bill, under the election law, is that the party shall only vote once in any one electoral district and that "electoral district" here is defined to be the district that returns a member to the House of Commons.

Hon. Mr. FERGUSON—The election law does say a man shall only vote once in the electoral district. There is no question about that, but the clause we are now considering establishes the qualifications to be possessed by the person voting in the same part of the province. Taken in connection with the election law I have no doubt the intention of the clause was that a man should only vote once. But when we look at clause 4, subsection (*a*), which we have just passed over, we find that that only defines the meaning of the words "electoral district" in this bill and does not define it in the provincial law at all, and it then depends on the returning officer, acting as a legislator and putting in words and changing this oath, which he might not be able to do. In order to give an interpretation to the law he would have to refer to this bill and to the Dominion Election Act, and I confess it would be quite enough to puzzle the ordinary deputy presiding to make them applicable. He is called upon to make the provincial oath applicable. In order to guide him and show him exactly what he has to do, why not add two or three words here that will make it so clear that it will be plain to the voter and plain to the presiding officer that such a thing as voting more than once in an electoral district is not permitted by this law. I would propose that the following words be added at the end of the section :

But no person shall be qualified to vote more than once in the same electoral district.

That will explain this passage clearly. It will enable the returning officer to understand the law, but we are going to make him legislate by this bill without giving him any clear ground to work on ; that is what he has to do. He is called upon to change the wording of an oath when he puts it to a voter, or, if he takes it into his head, that this bill allows a man to vote four times, he would not change the oath at all, and he would allow the man to take it with the understanding that he might vote more than once. The proposed change, I suggest, will make it entirely clear.

Hon. Sir MACKENZIE BOWELL—It would not do any harm ?

Hon. Mr. MILLS—It just does this harm, that we are enacting the same thing twice over. You are making a provision with respect to the recording of the vote in the election law, and you are making another declaration with regard to the same thing in the Franchise Act which is not necessarily and logically a part of the Franchise Act. My hon. friend will see that. In this bill it is clearly defined what the expression "electoral district" means. It means a district entitled to return a member to serve in the House of Commons. It may embrace two or three provincial districts. But the matter of the provincial district does not and cannot arise in respect to this. Then, the qualifications necessary to entitle any person to vote thereat—that is, at the election of a member for the House of Commons—shall be those established by the laws of the province as necessary to entitle a person to vote in the same part of the province at a provincial election. The qualification to vote has nothing to do with the question whether a man may vote two or three times, or ten times, or not. It has only to do with the question as to his being entitled to vote. Then whether he is entitled to vote more than once is determined by the election law of the Dominion, and not by the election law of the province. My hon. friend will see by the clause which I read that the oath which he takes is the provincial oath with such changes as will make it applicable to the election that is being held When the election law is put into the hands of the returning officer it is not with the oath in the form in which it stands in the provincial law which my hon. friend has before him, and from which he read an evening or two ago, but it is put in in the form required by that clause. It is printed to suit the circumstances of this law as required for a Dominion election. And so the difficulty which my hon. friend refers to, about a deputy returning officer being obliged to modify the law to suit the circumstances, never arises. That is done for him in the copies of the Act which are printed. The schedules are provided and

put into the hands of every deputy returning officer when the election comes to be held.

Hon. Sir MACKENZIE BOWELL—Would that be done when the election law is sent to him?

Hon. Mr. MILLS—Yes; I think so. It always has been.

Hon. Sir MACKENZIE BOWELL—I would like to call my hon. friend's attention to the fact that the deputy returning officers are not all so enlightened as my hon. friend intimates. I have gone to a polling booth to vote, where the law makes provision to administer an oath that yours is the name appearing upon the roll, that you are a resident, and then in parenthesis (as the case may be). That, notwithstanding the fact of these words being inserted in parenthesis, they wanted me to swear, and proceeded to insist on my swearing, that I was resident of the township of Thurlow, when I was living in Ottawa at the time. I had to take the trouble to point out to them that the oath should be changed, so as to suit the peculiar circumstances, and not to compel me to swear that I was a resident in the electoral district or the county, because I was neither that one nor the other at the time, and all I had to do was to swear that though I was a resident of Ottawa I had the qualifications entitling me to vote.

Hon. Mr. MILLS—The party here takes both the oath under the statute and the oath modified and made applicable.

Hon. Mr. FERGUSON—I cannot agree as to the propriety of leaving this clause without some clearer meaning being attached to it than it is capable of receiving as it now stands. My hon. friend attaches a great deal of importance to the fact that there is a provision in the Dominion Elections Act, which prevents a man voting more than once in any election. That is quite true, but I think the hon. gentleman knows as well as I do that the latest act upon a subject will, in ordinary circumstances, be held to over-ride an earlier statute. This is the latest act that we are passing upon the subject and although it is true—I think my hon. friend is right—that it only sets forth what the qualification is and does not settle the question of the right to vote, yet in an election booth, where legal advisers are not obtainable, it is very doubtful whether a stronger contention than that would not be set up, whether it would not, in the minds of non-professional men, be capable of a stronger meaning than that. I do not think we would be doing right if we made this section refer to the right to vote or not, but to make it clear as to what the qualification is, and my amendment would not go to assert or deny any right to vote, leave that as it stands in the Dominion Elections Act, but to add these words: "But no person shall be qualified to vote more than once in the same electoral district." That is perfectly consistent with what goes before it and removes all doubt.

Hon. Mr. MILLS—I would very much prefer, if my hon. friend insists on the views which he expresses, I think it is quite unnecessary, to take the form of vote there and incorporate it in the bill at clause 20 or 22 so as to make it perfectly clear that he can vote but once. It would be very much better.

Hon. Mr. FERGUSON—You would suggest to meet it in that way!

Hon. Mr. MILLS—Yes.

Hon. Mr. FERGUSON—I am quite satisfied.

Hon. Mr. PERLEY—Here we have two clever men putting different interpretations upon this. That is the great trouble with half the Acts we make, they are so wordy and so voluminous that ordinary mortals, and not even the lawyers themselves, can understand them. We ought to make the Acts which we pass intelligent to all ordinary mortals. As I said, we have right here two interpretations—

Hon. Mr. MILLS—We do not interpret it differently.

Hon. Sir MACKENZIE BOWELL—I may add I have consulted what are considered to be good lawyers on this very point, and they take different views, just as my hon. friend has said; and what they say is, that it is subject to a contrary and diverse decision even if it went to the courts. I give no opinion about it myself, and as my hon.

friend has made a suggestion I think it would be satisfactory.

Hon. Mr. FERGUSON—The suggestion that the leader of House made will probably be the better way of meeting it.

Subsection (*a*) of clause 5 was agreed to.

On subsection (*c*).

Hon. Mr. MILLER—I would ask the hon. gentleman to allow that clause to stand. If the amendment of which I have given notice carries, that subsection will require a consequential amendment.

Hon. Mr. MILLS—We might adopt it with the understanding that if the hon. gentleman's motion carries we can come back to it.

Hon. Mr. POWER—I should like to ask the hon. Minister of Justice upon what grounds the sixtieth day next preceding the day fixed for the nomination of candidates was selected. That leaves a very long time from the time the voters' lists are prepared till the elections upon these lists are held. Now, in the province of Nova Scotia the voters' lists are made up and completed in the month of April, and the provincial elections have been held within a few days after the lists are made up, and if this rule is to prevail an election could not be held till the latter part of the month of June.

Hon. Mr. MILLS—We might hold the election on the previous years' lists.

Hon. Mr. POWER—But the idea of using these lists is that the vote may be taken on lists that are as nearly up to date as possible.

Hon. Mr. MILLS—We might let this clause stand.

Subclause (*c*) was allowed to stand.

Hon. Sir MACKENZIE BOWELL—May I ask is there anything in this bill saying who the returning officer shall be, or is it exclusively with the Governor in Council?

Hon. Mr. MILLS—We have not made any alteration in that regard.

Hon. Sir MACKENZIE BOWELL—Then it is left in the hands of the Governor in Council as to who the returning officer shall be?

Hon. Mr. MILLS—Yes.

On subsection (*f*).

Hon. Mr. FERGUSON—I think that this is a section that will require to be very well considered in relation, at all events, to the election law of the province of Prince Edward Island. In that province there is a peculiar system of voting by absentees. A man having a qualification in the various electoral districts can record his vote at his home and at the polling place in his own district, and he can then, by schedule, specially record his votes for other districts in the province in which he may have the proper qualification. He may make an affidavit in that schedule of the qualification he possesses. It is open voting there and he can indicate on that schedule the candidate for whom he wants to vote and it then becomes the duty of the presiding officer to seal these schedules in an envelope and have them forwarded through the returning officer in the other electoral district in which the vote is intended to be given.

Hon. Mr. MILLS—My hon. friend will see that the observations he is now making refer to an election Act and not to the voters' lists.

Hon. Mr. FERGUSON—My hon. friend must see that the observations I am making of the provisions contained in the provincial law for the purpose of absentee voting is attempted to be incorporated into this law. Let us just look at the wording of it:

> *f.* The provisions of the law of the province as to the places where non-resident electors shall vote shall apply *mutatis mutandis* to such Dominion election, and the returning officer at such election shall have the powers and be charged with the duties of the sheriff or returning officer under those provisions.

It provides that the places where absentee electors shall vote, by the provincial law, shall govern in elections held under this law. That would mean that these non-residents having votes on property qualifications might vote by special vote. That system, I admit at once, is entirely inconsistent with the ballot vote. I cannot see how a ballot vote can be incorporated with that provision, and I think that in this law there should be an exception made of this peculiar mode of voting that prevails in Prince

Edward Island. If that exception is so made there will be no attempt at carrying out the perfectly incompatible manner of voting in connection with this bill, and if that exception is made by law, I admit there will be no greater difficulty there with absentees than there is in any other part of Canada, and those who have votes in electoral districts in which they do not reside will not be put to any greater disadvantage than they were under the old Franchise Act in Prince Edward Island or in the other provinces of Canada. I would suggest that some words be added to the end of this section which will prevent any Dominion election officers from attempting to carry out that special voting system in Prince Edward Island which otherwise they might feel themselves bound to try and carry out, and it will be sure to result in blunders and in failure to properly exercise the will of the voters in consequence of our having a ballot for the Dominion and this system of special voting fitting only in upon an open vote. I would suggest this might be amended by adding at the end some words like these : That this section shall not be construed so as to entitle any person to record special votes as provided for in the provincial laws of Prince Edward Island.

Hon. Mr. MILLS—My hon. friend will see that the matter of which he speaks is provided for in the section. The provision of the law of the province as to the places where non-resident electors shall vote—and it is of non-resident electors he is speaking—shall apply to such Dominion election *mutatis mutandis*, that is with those changes which are necessary to conform the Dominion law. My hon. friend speaks of the non-residents being suited to their circumstances of open voting. The non-resident vote under this will be required to suit the provisions of a secret ballot. I think this section meets what the hon. gentleman proposes to meet and we would have to reconstruct the words altogether.

Hon. Mr. FERGUSON—I do not think there would be very much change. Very few words, perhaps less than I suggested, would make it clear. I have the provincial law and the portion which relates to this subject extends from section 137 to section 146. It begins by declaring :

137. Every person qualified to vote upon any property qualification for members to serve in the assembly, shall be entitled to vote for the election of a member or members for the electoral district wherein such property qualification may be situated, by polling all votes at the electoral division in any other electoral district wherein such person may be entitled to vote for the election of a member, although such electoral division be not situated in the electoral district or county in which such first mentioned qualification lies.

There are seven or eight sections following this. The clause that we are now considering contemplates working out the system described in these sections in some way or other, because it imposes upon the returning officer, or the sheriff, the very officer that in these local laws has to transmit these schedules, the duties that are imposed under the provincial election law. I am quite satisfied that if you leave the whole matter just as it stands now you may have some of these officers striving to comply with those sections of the provincial law, believing that the bill which we are now passing authorizes them to do that. I really think that the phrase *mutatis mutandis* would not be sufficient to override the sections of the Act. The phrase does not mean that you should override eight or ten sections of a law like this, and that you should ignore is this section itself where it says that the sheriff and the returning officer are entrusted with the powers and duties which are only the powers and duties described in these provincial sections. If my hon. friend will look at my suggestion he will find that it is consistent with the object of this clause. I might take another ground and say that you should not in this bill take away the privileges which voters in Prince Edward Island possess, and that you should make greater changes in the law in order to give them the privileges which they have enjoyed in the past, but I do not want to be unreasonable ; I do not ask the hon. gentleman to do that, and therefore I think he will see that the suggestion I make will remove all difficulty and the returning officers will know that these clauses are not applicable. My suggestion is that at the end of subsection (*f*) these words should be added, "but this section shall not be construed to entitle any person to record special votes as provided for in the provincial laws of Prince Edward Island."

Hon. Mr. MILLS—My hon. friend will see that I could not accept that. He proposes by that to disqualify parties from voting who are entitled to vote now.

Hon. Mr. FERGUSON—No.

Hon. Mr. MILLS—Yes.

Hon. Mr. FERGUSON—There is another provision in the provincial law, section 84. The one I have read has reference only to this mode of transmitting and accepting these schedules, but there is another section of the Act which will remain and which perfectly meets the case. It is as follows:

Every elector qualified to vote in an electoral district in which he does not reside shall vote in the electoral division, or in case the electoral division is subdivided, in the polling district thereof in which the property on which he claims to vote for such electoral district is situate and not elsewhere, unless he votes by special vote as hereinafter provided.

There is a perfect provision for every absentee voter going where his property is and recording his vote in person. All that this amendment would do is to take away the possibility of voting by schedule, which, as I have explained, is incompatible with ballot voting. If the words which I suggest are not the best to carry out the idea and my hon. friend thinks he can provide something better, the clause might be allowed to stand.

Hon. Mr. MILLS—I think the clause as it stands meets the case, because we have incorporated into this bill the local law of every province by express words, and this particular section incorporates the law of Prince Edward Island into this bill with the changes necessary to adapt it to the ballot system. However, I have no objection to letting this subsection stand over.

Hon. Mr. LOUGHEED—How is it proposed to transmit those votes by schedule under a ballot system, as would necessarily be the consequence of this provision? As I understand the law of Prince Edward Island at present is this, open voting exists there. A voter can upon entering a polling booth record his vote by schedule, although he may not appear in person in the different constituencies in which he is entitled to vote. The returning officer transmits that schedule to the deputy returning officers of these various constituencies in which the voter has a right to vote. How, under the ballot system which this bill introduces into Prince Edward Island, can that be done?

Hon. Mr. SCOTT—It is impossible, of course.

Hon. Mr. MILLS—My hon. friend will see that the expression used renders it unnecessary to follow the exact form. You must modify your system so as to bring it under the provisions of this bill. What is there to prevent a party, under this provision, inclosing his ballot directly to the returning officer to be counted with the other ballots?

Hon. Mr. LOUGHEED—Then you are going to invest the returning officer, practically, with the power to carry out a system of his own. I do not know that that system is objectionable, if you provide machinery for its being done, but there is nothing in the bill directing how it shall be done.

Hon. Mr. FERGUSON—If my hon. friend can suggest a system by which a ballot may be given to the voter and he drops that ballot into a box which will be duly conveyed to the electoral district in which he has property and does reside, it will certainly completely carry out the system now in use in Prince Edward Island, but I see that there are great difficulties in the way of that.

Hon. Mr. MILLS—My hon. friend will see that the primary object is absolute secrecy, except in the case of persons who are not able to read and write themselves, when the returning officer knows how the ballot is marked and is himself sworn to secrecy in that case. This provision of the law with regard to non-resident voters is a provision that must be carried out in accordance with the general principle and spirit of the Act. That is the declaration in this particular clause.

Hon. Mr. CLEMOW—In this city we have a great many non-residents; where are they to vote under this law?

Hon. Mr. POWER—Wherever the law of Ontario says.

Hon. Mr. SCOTT—This clause only affects Prince Edward Island.

Hon. Mr. CLEMOW—The names of non-resident property owners in this city will not be on the provincial roll.

Hon. Mr. MILLS—My hon. friend will see that there will be no non-resident voters in Ontario, because the Ontario law disqualifies non-residents. In the province of

Quebec they will have non-resident voters, but they will have to vote at the polls where their property is. So with regard to Prince Edward Island, there is a provision of the law in that province that a man need not go to the polling place where his property is situated in order that he may record his vote.

Hon. Mr. LOUGHEED—Nor in the constituency. He can vote from an outside constituency.

Hon. Mr. CLEMOW—I want to know this distinctly: Will non-resident property owners in this city be entitled to vote?

Hon. Mr. SCOTT—No.

Hon. Mr. CLEMOW—That is understood?

Hon. Mr. SCOTT—That is the provincial law.

Hon. Sir MACKENZIE BOWELL—That is one of the incongruities of the present bill.

Hon. Mr. CLEMOW—Then you are going to disfranchise all the non-residents who are voters now?

Hon. Mr. FERGUSON—I will not press my amendment at present. I ask that the clause be allowed to stand in order that the Minister of Justice may consider my suggestion and be prepared, if he approves of it, either to adopt it or to propose something better.

Subsection (*f*) was allowed to stand.

On subsection 2 of clause 6.

Hon. Mr. BOULTON—Who is to have the responsibility of adding these names to the list?

Hon. Mr. SCOTT—The man who takes the oath.

Hon. Mr. MILLS—The man who has the vote.

Hon. Mr. BOULTON—Supposing they disqualify a large number of them, 100 voters, who may think they have votes. They may come forward and take false votes. There is a great chance of perjury.

Hon. Mr. MILLS—Oh, no.

The clause was adopted.

On subsection 4.

Hon. Sir MACKENZIE BOWELL—Is this a departure from the Provincial Franchise Act, or is it a provision merely to meet exceptional cases?

Hon. Mr. MILLS—I think nearly every province disqualifies this class of persons. Perhaps all of them do. We have always disqualified them.

Hon. Sir MACKENZIE BOWELL—Then there is no necessity for the clause.

Hon. Mr. MILLS—The law may not be uniform in all the provinces.

Hon. Mr. MASSON—You should take the law of the provinces for that.

Hon. Sir MACKENZIE BOWELL—I am glad the Minister of Justice has one idea that leads him to uniformity, at least. If this be the law of the different provinces, it is not necessary to encumber his bill with it. If it is desired to adhere rigidly to the provincial laws, then it should not be inserted in the bill. But if it be necessary, notwithstanding the omission in the provincial laws, then it should be inserted and I congratulate my hon. friend on his departure from the fundamental principle laid down in the bill. I think it is a good clause.

The subsection was adopted.

On subsection 1, of clause 7.

Hon. Sir MACKENZIE BOWELL—Supposing there were 301 voters in a division, then is there to be an equal division of that number? It seems to me that, if the number over 300 be small, the returning officer should not be asked to make a division, or if he has to make a division, then it should be an equal division.

Hon. Mr. MILLS—In the case my hon. friend suggests, it would be 150½ in each and that would be very difficult. This provision is rendered necessary by the law of New Brunswick. In New Brunswick, there may be a good many more votes in one polling division than can be recorded in one polling place. So that there must be more than one polling place. They do not have divisions there as in Ontario. This is framed to meet the special case of New Brunswick.

The subsection was adopted.

On subsection 2.

Hon. Mr. FERGUSON—I would ask my hon. friend the leader of the House to explain how subsection 2 is to be made applicable to a province where there are no lists.

Hon. Mr. MILLS—Prince Edward Island again. My hon. friend knows what they do, I suppose, in the province of Prince Edward Islaed? They do not permit, under the provincial law, although they have no lists, all the voters to come to one polling place. You have polling divisions in every electoral division, and the men vote in their own division, and I suppose that such a division will be made in Prince Edward Island. They can estimate what the number of persons is in each division and make their divisions accordingly. This clause does not apply to Prince Edward Island, but applies especially to the province of New Brunswick. I am not aware whether any other province is exactly in the same state, where there may be several hundred in a polling division and where there is more than one polling place in the division. They may be within a few yards of each other and there is a division of the voters' list according to the alphabetical letters, of parties whose names are on that list, but this would not apply to Prince Edward Island, where there is no list at all.

Hon. Mr. FERGUSON—This clause applies to the whole Dominion, or wherever there is a necessity to put it in operation. It applies to every place where there are more than 300 voters according to the voters' list. In the city of Charlottetown there are 3,000 qualified voters under the provincial franchise, and there are just two divisions in the city under the law, and power is given to the returning officer to divide the city into as many polling districts as is necessary in order to have the vote polled, and that no polling district shall contain more than 200 voters It has grown out of the old times, when the vote was very small and there were only two divisions. When it became too great for them to vote in two places, a provision was inserted in the law that the returning officer would have the right to divide the city into as many polling districts as were necessary in order to secure the recording of the votes and providing that no district should contain more than 200 voters. The city is divided geographically and there are five wards in the city. Wards 1, 2 and 3 have each two polling districts. Ward four is a large ward and we have three polling divisions and ward five has four polling divisions and the royalty has two more. There being no voters' list as a basis for making this division, the local law provides for it entirely, simply by giving the returning officer the power to divide the city, but not according to the names on the voters' list, because there is none. You cannot divide them under the alphabetical arrangement provided in this section. Under the law they vote geographically. The wards are divided according to certain streets and other subdivisions and provision is made for the whole of the voters to vote, but under this clause, which should apply to Prince Edward Island as well as the rest, the only basis of division is according to this alphabetical arrangement, and as there is no list you cannot make the alphabetical arrangement and you are setting aside the local provision that is in the law and you are introducing this which is perfectly impracticably.

Hon. Mr. MILLS—My hon. friend will see that this section cannot apply to a province where there is no voters' list. It reads "where a polling division has more than 300 voters according to the voters' list the returning officer may make the division" and so on. Those are the first words. My hon. friend will find the case to which he refers is provided for further on.

Hon. Mr. FERGUSON—I know right well this cannot apply. That is what I have been trying to convince him. It is not applicable.

Hon. Mr. MILLS—It is not intended to be applicable. It is intended to apply where there is a voters' list.

Hon. Mr. FERGUSON—My hon. friend says it is not intended that it should be applicable. Will my hon. friend tell me how he is going to divide the two divisions in the city of Charlottetown since this does not apply and is not intended to apply? How is he going to divide Charlottetown into the requisite number, say about 15 or 18 polling districts?

Hon. Sir MACKENZIE BOWELL—Would not the law of Prince Edward Island, where there is no list, be still in force? If so, then the difficulties my hon. friend has pointed out would not exist. It is true this provides for the division under certain contingencies and the contingency is where there is a voters' list. What I want to ask is this: is there any portion of this law, which continues the law of Prince Edward Island, giving to the returning officer the right and the authority to divide the city of Charlottetown into a number of polling districts? I take it for granted that it would impliedly be enforced, whether it is provided or not.

Hon. Mr. MILLS—My hon. friend will find that in all the provinces there is a maximum number mentioned, and there are none of them, as far as I know, except New Brunswick, where the number is as high as three hundred. In Ontario it was not necessary to state the number, because in Ontario it was fixed at two hundred or two hundred and fifty. It is the same with the other provinces, except New Brunswick, and as I understand it, they have there sometimes several hundred in a polling division. I think in one division they have had nine hundred. In those cases it is necessary to provide either for a division of the polling district into other divisions, or to multiply the number of polling places, and the second is the method that was adopted and is provided for here, and the voters' list is one list for the polling division. Instead of making two or three or four lists of it, it is left as one list.

Hon. Sir MACKENZIE BOWELL—You are speaking of New Brunswick exclusively?

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—Make that applicable to Prince Edward Island.

Hon. Mr. MILLS—I do not think it is applicable to Prince Edward Island.

Hon. Sir MACKENZIE BOWELL—Then where does the power rest to make this division on the island?

Hon. Mr. MILLS—My hon. friend will see that clause 5 makes provision in all these cases. There is complete provision made in the clauses we have already been considering, and all we wanted was to meet a special case.

Hon. Mr. SCOTT—Clause 7 was specially intended for New Brunswick, where there was a polling division of 900.

Hon. Sir MACKENZIE BOWELL—It does not say so. Subsection (*b*) of clause 5 reads:

> The following polling divisions shall be those established by or under the laws of that province, except as hereinafter otherwise provided, for the purposes of provincial elections.

This clause 5 declares that the polling divisions shall be established by the provincial legislature and provincial laws.

Hon. Mr. MILLS—So it is.

Hon. Sir MACKENZIE BOWELL—But this other provision, you say, applies exclusively to New Brunswick, and that gives power to change—

Hon. Mr. MILLS—No. My hon. friend will see the point. We have not altered the boundaries of the section. We have multiplied the divisions within the section.

Hon. Mr. LOUGHEED—I think the point is covered.

Hon. Mr. FERGUSON—It is possible it may meet the case. I have turned up the provincial law, and I have found the district of Charlottetown, common and royalty, divided into two electoral divisions, and then there is another section in the provincial law which gives the returning officer power to make subdivisions.

On clause 8.

Hon. Mr. FERGUSON—I should like to know whether that clause can be applicable to a place where there is no voters' list. I do not see any serious difficulty in the way of doing it. I have cases in my own mind where such a division of existing polling districts will have to be made. The late distribution of seats in the island brought one or two of these cases forward, and the returning officer had to separate them, and I do not see very clearly how this is going to be done in the province of Prince Edward Island.

Hon. Mr. MILLS—I do not see anything in the world to hinder its being done. The separating line between electoral districts is

defined, and if that separating line runs through the middle of the polling division, those on one side of the line know they must vote in one constituency and those on the other side of the line in another constituency, and whether they have a voters' list or not cannot aid them in the least in determining on which side of that geographical boundary they are entitled to vote.

Hon. Sir MACKENZIE BOWELL—That is the same thing in our province.

Hon. Mr. FERGUSON—Subsection (*b*) of section 5 I think will meet that case.

The clause was adopted.

On clause 9.

Hon. Mr. KIRCHHOFFER—I have an amendment to this clause in reference to the province which I have the honour to represent. When this Franchise Bill was under discussion in the House of Commons, this matter came up then under a suggestion made by Mr. Clarke, who called attention to the fact that the time limited to one year would be a hardship upon a city like Toronto or Hamilton where there was a moving population, and where it was possible that an election might be held within 10 or 11 months after the revision of the voters' lists in which a large proportion would be disqualified of those who had come there during the year. The Solicitor General, on his attention being called to it, made some remarks. I will read the way in which it was suggested. He said:

> It is possible that an election may take place 11 months after the voters' lists have been made and in that event the difficulty pointed out by my hon. friend would exist. He suggests that we have a revision of the voters' lists in the event of an election, taking place more than six months after the local lists have been made. I think the government ought to adopt that suggestion,

Those remarks were made by the Solicitor General. Acting on that suggestion the Prime Minister moved subsequently.

> That the bill be not now read a third time but that it be referred to a committee of the whole with instructions to amend section 9 by striking out the words one year and inserting instead "six months."

This gave rise to a discussion and the country members pointed out that while it was suitable for Toronto or Hamilton, or other large cities, it would not be suitable for them in country places, and eventually the Prime Minister withdrew his amendment. I say that the same condition of affairs prevails with regard to the province of Manitoba. There we have a moving population. There is a constant influx there of new people, coming from other parts of the Dominion, or from outside, and it might easily happen that an election might take place within ten or eleven months after the revision of the list, and you will recollect that according to our Manitoba laws a revision of the lists only takes place every four years, and under those circumstances a great many people might be disqualified who had come into the province within the last year. I would like to move, and I understand this would not be unacceptable at all to the Solicitor General who has shown an anxiety to meet all views with regard to the framing of this measure, that this clause be amended as follows: Leave out on page 4, line 28, from "the" to "election" in line 33 both inclusive, and substitute the following

> if the last preceding voters' lists so prepared have been prepared not more than one year before the date of the writ for any Dominion election in the territory comprised in such provincial electoral district or the parts therein for use in which they were prepared such last preceding voters' lists shall be used for the purpose of such Dominion election except in the province of Manitoba where they shall not be used unless they have been prepared not less than three months before the date of the writ of such Dominion election.

Hon. Mr. MILLS—We could not accept that amendment to the bill, it would be sufficiently expensive to prepare the voters' lists once a year; to prepare voters' lists every six months would be regarded as a very serious burden. This clause had special reference to some of the provinces and some of the municipalities in some of the provinces where a voters' list is not prepared until it is prepared in anticipation of an election, and it is provided:

> Where under the laws of a province the voters' lists for any provincial electoral district or division or any of them are prepared not at regular intervals, but at such times as are fixed by the Lieutenant Governor in Council or some other provincial or local authority or only from time to time for the purpose of a general or other election in immediate contemplation, the last preceding voters' lists so prepared shall be used for the purpose of any Dominion election in the territory comprised in such provincial electoral district or division or the parts thereof for use in which they were prepared if such lists have been prepared for more than one year before the date of the writ.

If the lists are not more than twelve months old the lists that exists will be used. If the list is more than twelve months old, a new

list would be prepared. Take, for instance under the Ontario law: In the cities the lists are not annually prepared, but a list is specially prepared with a view to the election, and that list, when it is used in a provincial election, is no longer regarded as the list, and a new list may be prepared. Now we adopt that list for our purposes if it is not more than twelve months old. If it is more than twelve months old, then we make provision, under their law and with the same machinery, as near as may be, to prepare a list for Dominion purposes, and that of course we shall be obliged to do as long as that law continues. But my hon. friend will see that to make special provisions for a new list every six months, would be a very serious business indeed. We might have an election in which the parties would be very close after the election. You might have a house existing only for a few months, say six or eight months, and you might have a new election as the result of the near equality of the parties; and my hon. friend would put the Dominion to the expense of a new voters' list for the whole province of Manitoba if that list was more than six months old. I think that would be a very serious charge, in fact it would be making a provision for a charge upon the public revenues of the country by this House. I think that the proposal is to meet a difficulty that is not as serious an evil as the additional burden imposed upon the country would be.

Hon. Sir MACKENZIE BOWELL—My hon. friend will see that the proposition made by the hon. member for Brandon (Mr. Kirchhoffer) does not go as far as he has indicated. There is no proposition in the amendment which is suggested to the House of having a voters' list every six months.

Hon. Mr. MILLS—In contemplation of an election.

Hon. Sir MACKENZIE BOWELL—Just let me give my understanding of what the hon. gentleman said. This simply changes the period from twelve months to six months, in one province. In the other provinces of the Dominion, if the voters' list is over twelve months old, then there must be a new list prepared for the election which is about to take place. My hon. friend says that owing to the migratory character of the people in his province, or rather the continued addition to the electorate of that province, it ought to be made every six months instead of every twelve, so that it does not necessitate the revision of the list every six months. It is something, I confess, that I had not thought of before, but I can see there is a good deal of force in it. Would my hon. friend let that clause stand, and in the meantime we can consider it more closely and see what effect it would have upon the general law? If my hon. friend takes the constitutional ground that we have no right to make that six months, because it is an indirect additional charge upon the revenue, that is a matter we will have to discuss; that is quite another point.

Hon. Mr. MILLS—I mention it because I think it is a valid objection; but, apart from that, it is true the hon. gentleman who suggests the amendment has undertaken to provide for what may be an individual election, but I am pointing out to him that it is possible that within six months you might have a general election, and that being so, it would be necessary, if that rule was adopted, to incur the expense of a new voters' list although you had a list that was not more than six months old.

Hon. Sir MACKENZIE BOWELL—May we accept that suggestion of the hon. Minister of Justice as indicative of what is to take place within six months?

Hon. Mr. MILLS—My hon. friend is not so obtuse as his question would indicate. I give my hon. friend credit for a great deal more intellectual acumen than that question would indicate. I put a hypothetical case: I pointed out before what was possible, that you might have an election. You might have parties so nearly equal as the result of that election that you would have a House that could not continue in existence for another six or seven months.

Hon. Sir MACKENZIE BOWELL—The explanation is unnecessary.

Hon. Mr. MILLS—Well, I thought it was, from my hon. friend's question.

Hon. Mr. BERNIER—That amendment does not ask for a revision of the list every six months, but it only asks that that revision should take place in the event of an election being held more than twelve months after the local list has been made. It does not seem to me that it would be quite fair that the same rule should be applied to our

province as is applied to the older provinces, because in our province the movement of population is much greater than in the older provinces. Therefore, I think it is perfectly right that we should ask for a revision of the lists, as indicated by this amendment, because our provincial law provides that every elector resident in the polling division for three months shall have a vote. If you use the list that has been revised twelve months before the election, then you raise the possibility of perhaps having twenty-five per cent of the electors disfranchised.

Hon. Mr. MILLS—The disease is not so serious as the remedy.

Hon. Mr. BERNIER—I do not coincide with the remarks of the hon. gentleman. I think that the principal thing in framing a law such as this is to afford the right to vote to any man entitled to vote. That is the principal thing, the rest are but secondary matters. That plea of expense does not arise at all here, because that matter of expense must only be secondary to the essential principle of law. If you disfranchise about twenty-five or fifty per cent of the bona fide voters, you do not apply the principle of your bill, which is to make the provincial laws applicable to your election. That plea of expense is not admissible.

Hon. Mr. POWER—I should like to ask the hon. gentleman from Manitoba whether, under the existing law, the lists are made up every six months.

Hon. Mr. BERNIER—No, and we complain of that.

Hon. Mr. POWER—If an election were conducted now in the province of Manitoba, under the existing law, the lists used would be four years old.

Hon. Mr. BERNIER—That may be, and it is a great wrong.

Hon. Mr. POWER—We must remember, after all, that this is a bill which affects the members of the House of Commons, and both parties in that province are represented in the House of Commons, and unless some member of the Senate is able to point out some glaring injustice done to the province of Manitoba, I do not think it is advisable to press the amendment.

Hon. Mr. BERNIER—The Solicitor General himself has declared that this amendment should be adopted.

Hon. Mr. POWER—As the hon. member from Mille Isles has pointed out, the growth of the city of Montreal is about as rapid as the growth of population in Manitoba.

Hon. Mr. MASSON—If the amendment is good, I suppose the representation of the province of Manitoba will accept it.

Hon. Mr. SCOTT—Has the hon. gentleman in view persons who are going into Manitoba and have been there only six months?

Hon. Mr. BERNIER—No, they must be in the province at least twelve months and residents of the local division three months.

Hon. Mr. SCOTT—It cannot affect so many, because under the local law they must be in the province twelve months at least. It does not hit them very hard.

The clause was adopted.

On subsection 7 of clause 10.

Hon. Mr. FERGUSON—It is not clear to my mind what state of things this subsection is intended to provide for. This clause and all the subsections provide for the transmission of the list to the Clerk of the Crown in Chancery after the final revision has been made under the provincial law; it provides for his holding it and supplying copies, and that it shall remain as an original record in the office of the Clerk of the Crown in Chancery. We know very well what it means up to that point. But now it is provided in this section:

> If, under the provincial law, any changes in or additions to a list of voters have been made since the final revision.

This must contemplate something which happens between two final revisions in the same province. The subsection goes on to say:

> It shall be the duty of the official having a record of such changes and additions, upon the request of any person presenting for the purpose any such printed copy of the list, and paying or tendering the sum of fifty cents to make corresponding changes in and additions to such printed copy, and to certify under his hand as to the correctness of such changes and additions; and such printed copy, with such changes and additions and so certified, shall be deemed to be, for all purposes, an authentic copy of the list of voters as it exists and is in force at the time of such certification.

I understand this to mean that between the making and the printing of two complete sets of final lists for the province, between the time that one is made and the regular time for making another, it is possible where changes have been going on and which were not printed, that it is possible to obtain from the person having the custody of the list, on presenting him with a fee, a list which shall not be one that has ever reached the hands of the Clerk of the Crown in Chancery, a list having changes and corrections on the face of it, and that that list shall be "for all purposes" an authentic copy —a list that has never reached the Clerk of the Crown in Chancery, that has not been printed as a list and having changes made on the face of it by this custodian, whoever that may mean, of the provincial voters' list, and this is to occur between the time of of making these revisions; that is the only meaning I can make of that subsection, and I cannot understand what it is intended to meet.

Hon. Mr. McMILLAN—I think if subsection 6 were substituted for this the meaning of the law would be made clearer.

Hon. Mr. McKAY—Is there any provision for printing the lists of the present year? We will have the plebiscite election before there is a new revision and there is no provision made here for printing the lists.

Hon. Mr. MILLS—No, there is not, it is hardly worth while when we are carrying a law through parliament which will come in force, if adopted, to incur an expense of three hundred thousand dollars for printing a list which is out of date.

Hon. Mr. McKAY—They will not be out of date, because the present list is the one that we will use in Nova Scotia in taking the plebiscite.

Hon. Mr. MILLS—There will be a new list.

Hon. Mr. McKAY—Not until next year.

Hon. Mr. MILLS—Yes, because the last revision of the local lists will be the one that will be printed.

Hon. Mr. McKAY—The last list was made on the first of April just past.

Hon. Mr. MILLS—In some places.

Hon Mr. McKAY—I am speaking of Nova Scotia.

Hon. Mr. LOUGHEED—Growing out of the question which has been raised is this: in what way can the parliament of Canada impose on a provincial officer, whom they do not appoint and over whom they have no authority, duties of any kind?

Hon. Mr. MILLS—There is no doubt at all that we have the power to designate a party who is to discharge a certain duty by the office which he holds without mentioning his name. That power has been recognized by a decision of the Judicial Committee of the Privy Council. We constituted judges of certain courts in the provinces to be judges of the Election Court. We did not ask them if they would accept office or not; we imposed the duty on them. They are officers by virtue of our appointment.

Hon. Mr. LOUGHEED—But the judges of the various courts are federal officers.

Hon. Mr. MILLS—My hon. friend is mistaken. They are federal appointees but they are officers of the province. The court is created by the province and they are officers of that particular court.

Hon. Mr. LOUGHEED—This is an entirely different case.

Hon. Sir MACKENZIE BOWELL—It is quite clear that the framers of this bill did not take the same view of this question that my hon. friend does, because in the ninth clause they make it a penal offence to refuse to discharge the duties, and that is the only way you could compel the local officers to perform any act for the Dominion government.

Hon. Mr. MILLS—That is about the only way you can compel anybody to discharge a duty, by imposing a fine or imprisonment. We cannot dismiss a man from a local office, but we have this power—we can designate him as an officer to discharge certain federal duties. Our powers as they are in the province, are supreme and sovereign to the extent of our power under the constitution.

Hon. Mr. LOUGHEED—I do not think you could compel local officials to perform certain duties. I would ask my hon. friend whence he derives his authority. You ex-

pect to direct officials, whom you have not appointed and who may not be in sympathy with the carrying out of the law, to discharge certain duties. Suppose at an election some of those officials were to say "We will not act,"—there would be a great deal of confusion.

Hon. Mr. MILLS—We can make our law effective and see that they do act. My hon. friend would not say that a sheriff is not liable to perform Dominion duties if he is designated for the purpose. No man can refuse to discharge the duties that the law imposes upon him, if the law is within the sphere of the authority that the parliament or legislature which enacted it possesses. Now, we do possess the power to create a voters' list: we do possess the power to state that a provincial list shall be a list for this Dominion, we do possess the power to say to a municipal officer "We require you to discharge certain duties as a Dominion officer." We can designate him by his office. That was clearly held by Lord Selborne in a judgment in appeal from one of the courts of Quebec where, if I remember rightly. Mr. Justice Meredith held that the Dominion election court was *ultra vires*, that we could not create an election court and designate the judges by the Act which created the court. But the Judicial Committee of the Privy Council held that we could. If my hon. friend was right in his contention, any election court created for the trial of controverted election by authority of the parliament of Canada——

Hon. Mr. LOUGHEED—That is a Dominion court.

Hon. Mr. MILLS—Yes, a Dominion court, how? A Dominion court to which you have appointed persons, not after consulting them and asking whether they are willing to accept office in the court, but without asking them you say: "If you are a member of a certain provincial court, you shall discharge the duties of an election court," and you designate them to the office of judge of that court and impose those duties on them and they are bound to discharge them.

Hon. Mr. LOUGHEED—Certain powers are given you by the British North America Act, and under those powers you make them discharge these duties.

Hon. Mr. MILLS—That is the whole case.

Hon. Mr. LOUGHEED—As I understand, the officials of the province appointed under provincial laws are deemed to be officers for the purpose of carrying out the election law of the province. No functions are imposed on them after the provincial election is over and as officials they cease to exist. How are you, so to speak, to call into being again those officials without designating them, for the purpose of carrying out this law? Supposing they go away, or die? I have not examined this bill as critically as I should but my attention has not been directed as yet to any machinery by which you can ascertain who those officers are whether they have really an existence.

Hon. Mr. DEBOUCHERVILLE—Subsection 9 provides:

> Every officer or person who, under the provincial law, is the custodian of any list of voters, or has the official record of any change in or additions to any such list since the last final revision thereof, and who refuses or omits to perform any duty imposed upon him by this section, is guilty of an indictable offence, and for each such refusal or omission shall incur a penalty of not more than one thousand dollars and not less than one hundred dollars.

In the province of Quebec those lists are in the hands of the secretary of the municipality. If that official were to refuse to act for federal government, under this bill you impose upon him a penalty of one thousand dollars. Suppose he resigns—he has the right to resign—where will you be? I think it is necessary that there should be an alternative. Those officers should be asked if they would accept, and if they refuse, the federal government might name others.

Hon. Mr. MILLS—No.

Hon. Mr. DEBOUCHERVILLE—You insist that they shall act, but if they resign what can you do about it? You insist that you have the right to impose the duty. If they resign what will you do? If the secretary or registrar should resign what will the government do?

Hon. Mr. POWER—If they require to have a registrar for local purposes, and the registrar resigns, there is a successor in office.

Hon. Mr. DEBOUCHERVILLE—You cannot get a secretary until the council

meets, and perhaps the council will not meet.

Hon. Mr. POWER—I do not see any difficulty in the point raised by the hon. gentleman from Calgary. This parliament, acting within its jurisdiction, has a right to prescribe duties to any man in Canada, no matter who or what he is. Then, with respect to the point raised by the hon. gentleman from Marshfield (Mr. Ferguson) on clause 7, I do not profess to understand exactly what the subclause means, but I presume that it means, that if, as a result of appeal to the county court judges, or other appelate authorities, names are stricken off the list made up by the revisors, or added to, that provincial officer, who has the custody of the list, shall give to any person who asks for it and tenders the fee a statement of the names that have been added to or stricken off the list. I do not know, but I presume that is what it means.

Hon. Mr. FERGUSON—Then would it not seem to be the right course that the list amended in that way should go to the Clerk of the Crown in Chancery, instead of being intercepted, as is proposed in this section, and the certificate obtained by the local custodian. That is the provision. Perhaps my hon. friend from Halifax is right in stating that it refers to changes, that may be made in the courts, under some provincial law where there are appeals, and that would seem to be all right, but it is strange that these changes should not be transmitted to the Clerk of the Crown in Chancery. Instead of that, these changes may be intercepted and obtained from some custodian of the law, and a list certified by this custodian may be used for running an election, even though they never reach the Queen's Printer or the Clerk of the Crown in Chancery.

Hon. Mr. LOUGHEED—I intended to point out some objections along the line indicated by the hon. gentleman from Marshfield, but I should like to have more information on the point I have raised. Certain duties are imposed on the custodians of the lists. What I want to know is this ; assuming an election to have taken place in a province a year before you proceed to prepare your list for a Dominion election, and those officials, who acted under that provincial law, having moved away, or died, not being obtainable, in what way does the government intend to appoint other officers to take their place, or in what way will the government be acquainted with the fact that those people are in a position to perform the duties contemplated.

Hon. Mr. MILLS—My hon. friend endeavours to conjure up difficulties. His latter question is wholly different from the former. These offices are not left vacant, and in point of law the party who holds an office is responsible for the discharge of those duties, if he is living, until his successor is appointed. Then, again, my hon. friend seems to think that unless a party consents to the discharge of a certain duty, if he is a provincial officer, without his consent no duty can be imposed upon him. I do not admit that, and there is no such principle recognized in our law. Our power to the extent of our authority over the inhabitants of the whole of Canada, is as complete, as sovereign, as absolute, as if there were no local governments or local legislatures existing. They are not in the smallest degree diminished by the existence of local legislatures, The local legislature, within their authority, could make a law imposing upon any party whatever duty they might see proper. That is due to the fact that, under the English constitutional system, every legislative body is sovereign. The legislatures in the provinces are as sovereign as the imperial parliament. So are we to the extent of our authority. It does not matter whether a man is a local officer or not, if the parliament of this country sees proper to impose a duty upon him, whether it is reasonable or unreasonable, wise or otherwise, he is legally obliged to perform that duty or to be subject to the penalties that the law may impose. If certain officers, under this bill, officers of the local legislature, or municipal authorities, are called upon to do certain duties, they are not in any way protected by the existence of a local legislature or by the fact that they are local officers. Again I refer to that decision with regard to the validity of the election courts given by the Judicial Committee of the Privy Council. The very point in that case was this : That these men being local judges, if this is not a new act you have no power to impose additional duties on an existing court. If it is a new court you had no power to make those parties judges of

that court without their consent. Upon both those points the Judicial Committee of the Privy Council negatived these contentions. They said that this was a provincial court; the parliament of Canada, being sovereign and having power to impose the judicial duties upon whomsoever it might see proper, if the Crown acted alone under the statute authority, the Crown would of course issue letters patent to the parties. But parliament—and the Crown is a party to every Act of parliament—may designate the parties who are to be judges of a particular court, or the judges of an existing court who were to discharge duties as judges of such court, and may designate them by an Act of parliament, and they say these judges of the Court of Appeal in Ontario and of the High Court of Justice shall be judges for the purpose of trying controverted elections arising under the Controverted Elections Act of the Parliament of Canada. They did not say if these judges consented, or if the local legislature consented to the discharge of these duties. They admitted our right absolutely to impose those duties upon them. They are federal appointees, but they are provincial officers by virtue of sitting as judges of a provincial court created by a provincial legislature. They are as much provincial officers as if they were appointed by the Lieutenant Governor or by the executive of a province, but being provincial officers, they are not protected from the imposition of duties upon them by the parliament of Canada. If parliament sees fit to impose these duties it can do so, and if it can impose additional judicial duties upon a judge of the High Court of Justice, it can certainly do the same thing with a reeve of a municipal council, who is not a higher officer and not under any greater protection. There is no citizen of this country beyond the reach of the law and the responsibilities which the law chooses to impose upon him, and he is not protected, released or exempted from the control of this parliament by the fact that he has certain duties imposed upon him by the legislature or the executive of the province. That point is perfectly clear. It has been well settled in the decision to which I refer, and there can be no question with regard to our authority to impose those duties on the parties.

Hon. Mr. MASSON—If the hon. gentleman's argument is correct, they could make returning officers out of members of the Senate. That is plainly the hon. gentleman's argument. You have no more control over these officers than you have over me, or any body else, because they are not appointed by the governmeut. If they are appointed by the local government they are an officer of that government. When a man ceases to be a secretary, he is independent of the government and exactly in the same position as I am or the hon. gentleman opposite. If you have a right to enforce him to discharge any duty, you have the same right to force me. The argument is very fine, but I think it is far fetched. The hon. gentleman has gone too far. He says that the government can appoint anybody but I think the argument is wrong.

Hon. Mr. LOUGHEED—All that the hon. minister has said is very interesting, but I am not going to discuss that point, although I think he carries it to a much further point than he is justified in doing. My hon. friend's argument extends to this condition of facts, that where a person is designated to perform a certain duty the government can impose additional duties on him, but he must be a designated person. I say under this Act there is no such person designated, because immediately the provincial officer performs duties imposed upon him, he then ceases to be clothed with any functions whatsoever, and you propose again to call him into being, entirely irrespective of the fact as to whether he is in the country or is vested with any power whatsoever; because I say immediately an officer is appointed for a particular purpose, and immediately that purpose is fulfilled, he ceases to be clothed with any function whatsoever.

Hon. Mr. MILLS—What particular officer does the hon. gentleman refer to?

Hon. Mr. LOUGHEED—I refer to any of the officers clothed with the duties under this bill.

Hon. Mr. MILLS—My hon. friend will see that he is all wrong. In the first place, the party who is appointed assessor in a municipality is assessor for twelve months, until his successor is appointed, and the same way the reeves and councillors continue to discharge their duties until their successors are appointed. There is no interregnum.

Hon. Sir MACKENZIE BOWELL—Oh, yes.

Hon. Mr. MILLS—There is no room for doubt. Our election law provides that "none of the persons hereinafter mentioned shall be appointed returning officers," and it gives a list of persons, the last class being "or members of the Senate." Supposing we had said that they shall, does any man say we could not have said it? What is the very object of saying you shall not? It is for the purpose of disqualifying them from the duties, and there can be no doubt in regard to the matter. How did we constitute the election court? Was it by saying that John Smith or James Jones shall be judges of that election court? Not at all. We have said that the particular judges of certain courts shall be the judges and others may be appointed in their places, and those persons who have been appointed in their places have duties devolving upon them. The instant when the one ceases to exist and the others comes in the duties devolve upon him. There is no doubt about that. Here is a man that is the sheriff of a county, and you say that he shall perform certain duties. You are designating him by his office and he has those duties to discharge. He is not exempted from the duties of sheriff by anything we say, but he is not, because he is sheriff, protected against having any duties imposed upon him by the government and parliament of Canada.

Hon. Mr. LOUGHEED—My hon. friend takes this position: that this government could say that the city council of Ottawa shall have imposed upon them the duty of preparing a voters' list for the entire Dominion of Canada, and in the event of their not doing so they shall be subject to certain penalties.

Hon. Mr. MILLS—Let me say to my hon. friend that if we were to pass an Act to-morrow declaring that my hon. friend is guilty of treason because his hair is not coloured red, I suppose no judge would enforce a law of that kind, because it would be a very unreasonable enactment, and as we are rational beings we cannot imagine such a provision being adopted. But my hon. friend puts the case with regard to the council of Ottawa. Nobody supposes that a body of rational men would adopt such a provision as that, but if it were adopted and put upon the statute-book, does my hon. friend say that because the statute was most unreasonable and arbitrary the judges would be entitled to disregard it altogether? Is that my hon. friend's contention?

Hon. Mr. LOUGHEED—I think they would.

Hon. Mr. CLEMOW—Can you compel officers of a municipal institution to obey this law?

Hon. Mr. MILLS—Yes.

Hon. Mr. CLEMOW—And supposing the corporation tells these men that they shall not do it, what effect would that have?

Hon. Mr. MILLS—None whatever?

Hon. Mr. CLEMOW—I am afraid you are going to make it a political institution altogether, and if it comes to be regarded as such, you will find it very hard to carry out this law unless you have the power of compelling them to do this work. Supposing you appoint an officer to do a certain work, and his superior officer tells him not to do it, have you any redress at all? It is a simple question.

Hon. Mr. WOOD, from the committee, reported that they had made same progress with the bill, and asked leave to sit again to-morrow, and that this be the first order of the day.

It being six o'clock the Speaker left the chair.

After Recess.

YUKON ROUTES COMMITTEE.

MOTION.

Hon. Mr. BOULTON—I beg to submit for the consideration of this honourable House the report of the Special Committee of the Senate appointed to inquire into the feasibility and probable cost of opening up direct communication between the railway system of Canada and the navigable waters of the Yukon, and also as to the advantages which would flow therefrom to the trade of Canada. It is not necessary for me to read the report, as it is on the minutes of the Senate of the 18th May, and hon. gentleman have that report before them. I may say that the

formation of this committee was thought desirable in consequence of the great interest that was manifested in the question of the development of our Yukon territory and the throwing out of what is known as the Yukon railway contract by the Senate. That information was desirable on the part of this House not only to justify and to inquire into the fact of the justification for the action of the Senate in that regard but to assist the Government by submitting such information as the committee could secure in regard to the approaches to the Yukon country. Your committee met on several occasions and examined the gentlemen mentioned in this report. Senator Reid, before he left, gave his evidence in regard to the route from Ashcroft. Bishop Grouard, who had been in that country since 1862, happened to be passing through this part and we were very fortunate in getting his evidence. Mr. Oliver, of Edmonton, the member for Alberta in the House of Commons, who is well known, also appeared before the committee, as also did Mr. Bostock, M.P., of Kamloops, who lives on the line of the Canadian Pacific Railway east of Ashcroft. Then we had Mr. Marcus Smith, civil engineer, who used to be in the employ of the government and was engaged in the surveys in the early days of the Canadian Pacific Railway, when it was initiated in 1872 down to the time that the present company took it over in 1880. Dr. Dawson, Chief of the Geological Service, also appeared before the committee and spoke from his personal experience and from his official knowledge in regard to that country. Mr. Henry McLeod, civil engineer, who is very well known indeed, and who has had great experience, and was also engaged in the surveys of the Canadian Pacific Railway from 1872 to 1880 and has made some very valuable reports, was able to give us some good information. Mr. St. Cyr, of the Surveyor's Branch of the public service, who was employed by the government in surveying the route between Teslin Lake and the Stikine River, last year, and upon whose report the government based their ideas in regard to the development of that route, also appeared; Mr. Jennings also gave evidence. He was employed in the same service as Mr. St. Cyr. Mr. Jennings is a man of very great experience indeed, he having been engaged in the surveys between 1872 and 1880 when the Dominion government were projecting lines through the mountains for the development of an all-Canadian route for the construction of a Canadian railroad. He was also employed in the construction with Mr. Onderdonk when the government was constructing their two hundred miles of railway in the Rocky Mountains, and has been from that day engaged in railway construction down to the present time with the Canadian Pacific Railway in the mountains and in Ontario. Then we had Mr. McConnell of the Geological Survey to give us information with regard to the mining resources of the country. Then, Mr. Pambrun is a gentleman who was born at Lesser Slave Lake and has spent his life in that country, a descendant of the native settlers brought out by the Earl of Selkirk in 1811. His father was called home to England to give evidence as witness before the House of Commons committee to inquire into the battle of Seven Oaks in Manitoba and the massacre of the Governor of the Hudson Bay Company and other officers. Mr. Oliver, of Edmonton, advised the committee that Mr. Pambrun was able to give us valuable information, and we wrote to him and secured his attendance before the committee, bringing him down from Battleford for that purpose. There was a certain amount of expense in connection with that which I think the House will realize the committee was justified in taking in order to obtain evidence of that character. Then, in addition, we examined Dr. Wills, late of the mounted police force, who has been for some time at Dawson, having gone up with the mounted police force three years ago and been in the country from that day to this. And we also summoned before us the Quarter-Master General, who had charge of the transportation of the troops up to Fort Selkirk, and who had to gather all the information he possibly could as to the best means of sending them up there. The evidence of all these gentlemen is now before the House in the shape of a printed report, put together in a disjointed state at the present moment, but as soon as the report is adopted it will be issued in pamphlet form as a blue-book and distributed to the extent that this House will say. The cost of the committee has not been large. It is under $400, the main part of the expense being the bringing of Mr. Pambrun down here from Battleford, and other official expenses. The infor-

mation contained in the evidence will be of a very valuable character indeed, considering the great importance that is attached to that part of the country at the present moment, not only in Canada, but in the old world generally. We prepared a condensed report for practical information to those who had not the opportunity of going through all the evidence, or did not care to take that trouble. It is before us in this short report which speaks for itself. One of the main objects of the committee was to show that the route from Edmonton was the most advantageous route for the commercial interests of the country, and I think that the evidence that has been published by the committee fully justified that opinion, as hon. gentlemen expressed it in dealing with this question when the Yukon railway contract was before the Senate. The evidence will show you that, according to Mr. Dawson, the distance from Edmonton to Fort Selkirk is 1,290 miles. By pack trail it would be about that distance. The evidence goes to show that the Peace River country is a good agricultural country, and that with a little cultivation the frost which is incidental to the first cultivation of the whole of that western country disappears. Any cattle or produce raised on the Peace River would be, of course, three or four hundred miles nearer than the 1,290 miles laid down, and then when you come towards Fort Selkirk, on the route by way of the Liard River, you have a practicable route either for a railroad, a wagon road or a pack trail, and from the height of land on the Pelly you can float down to Fort Selkirk with 175 miles of navigation. So that when you come to take off the navigation of the Peace River and consider the development of agricultural interests in the Peace River country, you narrow the distance down considerably below the mileage of 1,290 miles; and as, of course, the mining population has to depend entirely on the agricultural districts for their support, one of the main objects to be sought is to bring these agricultural districts into as close proximity with the demand of the mining population there as possible as a matter of economy in every way, because economy by competition by facilities of transportation and everything of that kind, is the surest way to develop the hidden resources of Canada which, without that transportation, are practically a dead letter as far as Canada is concerned. So that it is necessary for us to apply the principles of economy in the opening out and development of that route. The evidence goes still further to show that the Yellowhead Pass, which is straight west from Edmonton, is another route to Fort Selkirk. It is about 100 miles longer than the route from Edmonton and the Liard River straight north-west, but it also goes to show that probably, in the promotion of any public work in the development of our transportation in that Yukon district, that the Yellowhead Pass probably would be the best initiative, because it is in line with all the mining industries that have been so far discovered in that country. It is the placer mines that attract the population, because these placer mines can be handled and wealth can be extracted from the soil with very simple appliances by the labour of the people themselves. Therefore the foundations of a population will be laid first of all by the development of these placer mines, which occur most largely in the Omineca district, the Cariboo district, the Dease River district and the head waters of the Liard district, and so on down the Pelly to Dawson. It will be found by the evidence that these mines are all in a line in the same direction with the mines in the Boundary Creek district and the Kootenay district of the Rocky Mountains. They seem to lie between the two ranges of mountains, the Selkirk and the Rockies, and the best mining discoveries that have yet been made seem to be on the west side of the Rocky Mountain range —that is, the range to the west of our prairie regions. Yellowhead Pass goes on further to the head of the Fraser, and so on in a north-westerly direction until it strikes the head waters of the Skeena and the Naas River and the Stikine River and so on to the Black River or Teslin Lake, whichever may be found most advantageous in the future development of that country. According to the evidence of the practical men that have been before the committee, it seems to be a toss up as to the opening out of the route by way of Black River and on to Dease Lake, and so on to the head waters of the Liard and Pelly River, down that river, and the route by way of Teslin Lake which has already been laid out. The line from Ashcroft joins this route about Quesnelle, or north of Quesnelle at Fort Macleod. Both these routes have a transcontinental character from Edmonton, the one by the

Yellowhead Pass and the other by Peace River and the Pine River Pass. Both come to a common point at Fort Macleod. It is merely a question as to what is the best policy in the development of that country, whether the Pine River Pass, going westerly, or the Yellow Head Pass, going westerly, shall be adopted first. They both meet at Fort Macleod, which is on the route from Ashcroft going north into the northern districts. The evidence goes to show that any policy that is initiated should be for the construction of a transcontinental line from Edmonton across to the Pacific Ocean. That a route was surveyed by the Dominion government in the seventies to carry the Canadian Pacific Railway on that route. It surveyed the Yellowhead Pass and the Pine River Pass and connected those points with the coast so that he have practical information as to the distance, the elevation, and everything else in the Railways and Canals Department, actual knowledge as to the distances and grades and everything else on these routes, on the Yellowhead route as far as Giscomb portage near the Parsnip River, which empties into the Peace River and is in the neighbourhood of Fort Macleod. So that we are not working at all in the dark up to that point. From Fort Macleod west to the coast it has been more of a track survey than anything else, excepting a survey from Fort Simpson coming east this way up the Skeena River about sixty miles where practical surveying has been laid down; that is to say, the distance and the grades and everything else are known on the route coming from Fort Simpson easterly on the Skeena River which was laid down as a connecting link with the Canadian Pacific Railway as developed at that time through the Pine River Pass. It seems to us, from the surveys, that we have got to deal with the development of that country upon those lines that we cannot consider a route from the coast solely by itself, apart from the development of a line from the east, because they join at certain points which make it more practicable to reach Fort Selkirk and Dawson City from the coast and from the east by a joint line running north where there two lines meet most conveniently, that the development of a route from the coast to Dawson City by itself, would not be a profitable one, for various reasons, whereas it might be made a profitable one if it formed a link in a transcontinental line from Edmonton to the coast, and was made a joint route from the head of one of these rivers down to Fort Selkirk or Dawson City or as far as it was desirable to extend the railway. Therefore, it becomes a large question when you speak of the development of the route upon these lines. The Yukon contract that we had before us only designed the construction of 150 miles to connect the head of navigation of the Stikine River with the head of navigation of the Yukon River at Teslin Lake. That, of course, is a very small proportion of the route that is necessary for the opening out of that country at all. The evidence goes to show that the character of the country is such that it requires cheap transportation right up to the mines, that where it is locked up for the winter time and transportation is practically forbidden in consequence of the great difficulties, the want of food for animals and the want of means of transport and everything else, that no very great development commensurate with the cost of opening up and governing that distant country, would take place. The evidence I think will be found to be of a very valuable character, so far as the public gets possession of it, to show that there are really good practical results to be obtained for the commercial interests of Canada, for the transportation interests of Canada by looking at the question from the larger standpoint of a transcontinental connection for the thorough development of the mining regions of that district instead of taking the smaller view of merely building a short line of railway of 150 miles. The evidence of Mr. Jennings goes to show that the distance from a port on the Pacific coast in Canadian territory up to Dawson City would be very great by itself. I will just read you that portion of Mr. Jennings's evidence :

Q. Can you give us any idea of the distance that it would be, taking a point, say, Port Simpson up to the crossing of the Stikine ?

A. 400 to 450 miles. Four hundred is the scaled distance; 450 would likely be the actual distance including allowance for curvature. The route would likely be from Port Simpson by the Skeena valley to the third fork of the Stikine, thence to the crossing of the Stikine near the confluence of the Tooya with the Stikine.

Q. So that if you add that 450 miles to the railway from Telegraph Creek north to Teslin Lake, we get how much railway communication ?

A. 620 miles.

Q. To Teslin Lake ?

A. Yes.

Q. And from Teslin Lake north what do you make the total ?

A. 1,181 miles.

Q. That would be 1,181 miles from a Canadian harbour?

A. From a Canadian harbour in the vicinity of Port Sampson to Dawson City.

Q. And adding that to the 650 miles of Canadian Pacific Railway would make how much?

A. 1,831 miles.

Q. 1,831 miles of rail travel and some 500 of ocean to the Skeena?

A. Yes; 500 miles from Vancouver to the mouth of the Skeena.

Q. Of ocean travel?

A. Yes. Should some point at or about Observatory Inlet be found suitable for a terminus, and the Naas Valley used in making the ascent to the plateau, a line from the sea to the Stikine River at the point last described would be about 300 miles in length.

Q. That would reduce the railway distance, how much?

A. It would reduce the rail to 1,031 miles, or a total rail haul from Calgary of 1,681 miles, with an increase in ocean travel of 75 or 100 miles. In this connection I might mention that a terminus in the vicinity of Observatory Inlet would be immediately opposite Dixon Entrance, an open passage from the Pacific by the north of Queen Charlotte Islands and south of Prince of Wales Island.

Q. So that as compared with the route from the interior, say from Edmonton, which Dr. Dawson's figures put at 1,311 miles to Fort Selkirk, what would the distance be?

A. It would be, say, 1,486 miles.

Q. So that, against a route from Edmonton to Dowson City of 1,486 miles, we have 1,681 miles of railway carriage and 575 of ocean carriage, with two transhipments?

A. Yes.

That is the evidence of Mr. Jennings with regard to an ocean port in Canadian territory. If we build an all-rail route through from a Canadian port up to Dawson City the distance would be taking Calgary as the starting point from the interior of the country, 1,681 miles of railway travel and 575 miles of ocean travel, with two transhipments. That of course is the comparative distance that any commerce from eastern Canada to supply the wants of the people working in the Yukon district or from the North-west Territories would have to travel by that route, whereas, as opposed to that, we have the route from Edmonton by the Peace River and Pine River Pass or the Yellowhead Pass, a distance of some thirteen or fourteen hundred miles, showing that if we want to develop the cheapest possible route of an all-rail connection with that country that that Edmonton route is the one that we should adopt, because there is no transhipment and we would have not only the development of the trade in the Yukon district itself, but we would have whatever trade it developed by having another ocean route. The ocean routes have proved very profitable to the country in every way. I mean to say that the transcontinental route of the Canadian Pacific Railway has proved to be very profitable as an ocean route on the Pacific, to seek the trade of other nations, and another ocean route on the Pacific would prove quite as advantageous in the development of trade and in the development of whatever interests there may be in the intervening country. The next point that I drew from Mr. Jennings was the distance to Fort Selkirk from the Lynn Canal, which is one of the points of controversy in regard to the development of that country. It is contended that the Lynn Canal, being in territory claimed by the United States, it is not desirable that we should develop our trade by that route, but commerce, transportation, and all those adjuncts to our commercial life are like water and are bound to find their level. Trade is not going round by the most expensive route if there is another route to be found. That is as plain as a pike staff to anybody. The distance to Selkirk from the ocean by way of Lynn Canal is 300 miles. Everybody knows when you have to transship from an ocean to a railway route the longer the ocean route the cheaper your transportation is going to be, and as opposed to railway communication ocean travel is infinitely the cheaper. So that if we are going to depend entirely on the development of Canada's trade with the interior of that country, Dawson City and Fort Selkirk and the tributaries of the Yukon, north or south, it is unquestionable cheaper for the rates of travel and the rates of freight and everything else to make the railway communication as short as possible, and the ocean route as long as possible, and carrying out that idea it would be best for us, in the interest of Canada, if we are going to depend upon a coast route entirely, to take that which would give us the shortest rail and the longest ocean route. With reference to that Mr. Jennings says in his evidence:

Q. You made a report on the Dalton trail route?

A. I made a report on the Dalton trail route based on information supplied me by Mr. McArthur, D.L.S., one of the surveyors in the Interior Department. I met him here and he gave me all the information he had, including barometric elevations, photographs, &c.

Q. That distance, I think, you put down here at 245 miles to Fort Selkirk?

A. 245 miles from Pyramid Harbour to a point five miles below "Five Fingers" Rapids on the Lewes River. A further distance of fifty-seven miles would carry a line by that route to Fort Selkirk, and with an additional 174 miles to Dawson City.

Q. To the mouth of the Nordenskiold or to Fort Selkirk, a railway would develop all the country

tributary to the navigation, to the Hootalinqua and Teslin Lake by going up the river?

A. A railway from the sea at Lynn Inlet to the mouth of the Nordenskiold would give access to the Lewes or Yukon Rivers and, consequently, to the Salmon, Pelly, Hootalinqua and Teslin Lake districts, but such a line would pass through United States territory.

Now the question of the line passing through United States territory, of course, is purely a matter of arrangement with the government at Washington. A great deal of our trade and commerce passes through United States ports at New York, Boston and Portland. We are continually crossing the Niagara River with our international railway and developing trade at a very great rate between the United States and Canada. Therefore, I do not think that there is any difficulty, or should be any difficulty, excepting a jealousy that may exist on our part, as to any portion of our trade helping to create a seaport in United States territory. I do not think that a seaport in United States terrritory would be built to any great extent. If the country succeeds at all the town which will be really built up will be at the terminus of the railway. It will not be as it is now, where we have to pass through the coast range with great difficulty and are subjected to all kinds of charges. When steamboats come to Lynn Canal and transfer to the railroads at once and our goods simply pass through the United States strip of territory, any centre which may be created in the Yukon district will be at the terminus of the railway in Canada, and when a route is developed from the interior to the Klondike region eastern trade will find that the cheapest route. That is the practical result of our investigation so far as the transportation is concerned. It is merely presented to you in the form of evidence, we have not expressed an opinion in any way at all. The only opinion that is expressed in the report it that no restriction should be put on the development of the route from Lynn Canal—there should be no monopoly to construct or operate railroads in that northern country. Hon. gentlemen know perfectly well that the success of any country depends upon the competition that the industrial population enjoy in the development of their industries—that any industry which is dependent entirely on monopoly will suffer in consequence, and trade will suffer, and we express that opinion in the report, and that, I think is the only opinion that we do express. The evidence goes further to show that while there are very rich deposits indeed, the practical result of which is as yet entirely unknown, the evidence from all those who are acquainted with the mining properties of the country goes to show that the whole of the region is covered with low-grade pay gravel, which only requires the economy supply by railway communication to convert it into a large field of enterprise and trade. The only way that that low-pay gravel can be developed is by a cheap way of getting in machinery and supplies, and the same remark applies to quartz mining. To show you what the public realize with regard to the riches of that country, I will read to you some extracts from a prospectus issued by one of the numerous companies which have been formed to develop that region and the value that is attached by men of experience to the mining prospects of the Yukon country. The prospectus says:

This company and its agents have secured and paid for leases from the Canadian government for twenty years for gold dredging nearly one hundred miles of the richest gold bearing territory in the world.

* * * * * * * * *

This company and its agents have also further secured options on twenty year leases upon the exposed banks and bars of about two hunnred miles of rivers of the Klondike district and ten mining on the Bonanza and Eldorado.

Making a rough estimate and averaging the width of the rivers and the exposed sands and bars on both banks of the rivers at 600 yards each, which is a modest estimate, this would give in the 400 miles, or thereabouts, secured for subaqueous and hydraulic mining, about 49,300 placer mining claims of legal size. Moreover, to strengthen the proposition this company offers its stockholders, there are four points to be specially noted:

First, nature has put in her own stamp mills, and thus saved the expense of crushing the ore for the company.

Second, in draining 300,000 square miles of gold bearing territory, tributary to the Yukon, nature has put her own transportation and concentrated the gold by making it accessible.

Third, in a frozen land, where ordinary 250 claims must be thawed out by the inch by slow fires, under the running streams, nature has thawed out the sand and gravel down to bed rock.

* * * * * * * * *

Within a short distance of the Eldorado Creek claims, Hank Sumners, the noted Alaskan pioneer and prospector, owns a claim, out of which he is said to have taken $800,000 in gold, and $102,000 of which he took out in thirteen days.

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DREDGING OPERATIONS.

Besides the Canadian leases already mentioned this company is now in the knowledge of definite gold bearing bars in Alaska proper, on the Yukon and its tributaries, where the sands will yield from $1 to $25 per cubic yard.

The services of Mr. John Dean, chief engineer of the Park Department of St. Louis, late chief engineer of the Liverpool and Manchester Railway, and now consulting engineer for several other large railroad interests, have been secured to build the companies' dredges, and to oversee in person all the company's operations in gold dredging.

* * * * *

The company has the written guarantee of Mr. Dean, its chief engineer, that every thing taken out by the hydraulic dredges will be profit over two cents per yard, and by the bucket-dredge process, every thing over eight cents per yard.

These items I have extracted from a prospectus that I came across, and is only an additional indication of the richness of that country, and the activity that is being displayed in opening out these resources of the Canadian mining fields in the Rocky Mountains.

Hon. Mr. SANFORD—Will the hon. gentleman tell us the name of the company?

Hon. Mr. BOULTON—Everything is called Klondike there. It is called the Klondike, Yukon and Copper River Mining Company. The Hon. John L. Wilson, Hon. G. D. Meiklejohn, Assistant-Secretary for War; Hon. J. C. S. Blackburn, Hon. D. T. Murphy, and T. B. Vrooman, of Chicago, are among the list of directors, all of whom are from the United States.

Hon. Mr. POWER—I may say to the hon. gentleman from Hamilton that I think a little of the stock of that company is still on the market.

Hon. Mr. SANFORD—I am aware of it.

Hon. Mr. BOULTON—We understand in commercial matters that there are always bears and bulls. My hon. friend from Halifax, for political purposes, is a bull in this case, and my hon. friend opposite, who perhaps wants to get the stock as cheaply as possible, is a bear. This is only one of numerous companies which have issued prospectuses in very much the same strain, and I have quoted the words of Deane, who was chief engineer of the Liverpool and Manchester Railway Company. I have quoted his opinion with regard to hydraulic dredging and the value of the sand to be taken out in those rivers, all showing that it is a remarkably rich country. We have the facts stated here that one miner took eight hundred thousand dollars out of his claim, and every day the papers furnish evidence of the great wealth that is being taken from the cleaning up of last winter. I have seen any number of private letters published in our press from parties who have no interets in misrepresenting the facts, all confirming these reports. All the evidence goes to show that that country, for mining purposes, is exceedingly valuable. I am so thoroughly imbued myself with the idea that it is so, that I believe the government would be perfectly justified in opening up that region by an intelligent system of railway transportation from the east side of the Rocky Mountains, and dove tailing that with a line from the Pacific coast, so as to suit the interests of the coast cities at the same time. I am thoroughly convinced that we in the North-west Territories, who produce exactly the food supplies required by the miners, can never supply them in any shape or form whatever on account of the heavy freight rates we have to pay, and the many times we have to tranship, if its development is to take place from the Pacific coast alone. Being in the North-west Territories and interested from a personal standpoint, I have been very happy indeed in having been honoured by being appointed chairman of this committee, in order that I might bring out these facts in as practical and intelligent a way as possible, not only for the information of the government, but also for the information of the public, and also to justify the action that this honourable House saw fit to take contrary to the policy of the government who are responsible to the people directly. But this honourable House occupies a position, as one of the branches of parliament, and when we do not think that proper economy is being applied to the development of our resources, when we find that the rich mining lands of the Yukon territory have been given away to a company to the extent of 4,000,000 of acres, instead of being held by the government for the development of that country, then I think that the Senate was quite justified in calling a halt in order that more light might be thrown on what the necessities are in the development of that district. The evidence we have adduced is the same class of evidence that the government themselves sought for in developing the Teslin Lake route, so that it cannot be denied that it is the most practical we can get. The hon. senator from London (Sir John Carling) is to be congratulated upon having moved for this committee which has brought into existence this pamphlet that we are now laying before the House for their adoption. The evidence is completed and printed, and it

only awaits the adoption of the report to be published as a blue book.

Hon. Mr. MILLS—How many of those men who gave testimony have been in that country?

Hon. Mr. BOULTON—The Hon. Mr. Reid lives in Quesnelle, in the heart of the country. He supplies the miners up there himself. Bishop Grouard has lived all his life there.

Hon. Mr. MILLS—Where?

Hon. Mr. BOULTON—As one of the resident missionaries to the Indians to Peace River, the Liard River and the Yukon River, down to the mouth of the Mackenzie. He has been there since 1862. Mr. Oliver, of Edmonton, lives on the border of the country, at the terminus of our railway communication to the North-west. Mr. Bostock lives in the mining country. Mr. Marcus Smith, civil engineer, has spent fifteen years of his life surveying in that conntry, or superintending surveys.

Hon. Mr. MILLS—Which country?

Hon. Mr. BOULTON—The Yellow Head Pass and the Stikine River, the Pine River Pass and easterly from there to Prince Albert.

Hon. Mr. MILLS—He has not been in the Yukon country,

Hon. Mr. BOULTON—No, but the whole of that country is of the same character. If there is any difference, the portion of the country which he has not been through is more favourable than any he has seen. All the evidence went to show that the country grows more level the further north we go. The highest pass through the Rocky Mountains is the Kicking Horse Pass which the main line of the Canadian Pacific Railway crosses; the next highest is the Yellow head Pass, and the lowest of all is Pine River Pass. The further north they went the more level the country became or rather the large mountains seem to dip to the north.

Hon. Mr. MILLS—But they were not there?

Hon. Mr. BOULTON—They were across the country to the Skeena.

Hon. Mr. MILLS—That is in north British Columbia.

Hon. Mr. BOULTON—Mr. Dawson has been through that Yukon country. Mr. Jennings has been up as far as the head waters of Teslin Lake. Mr. McConnell of the Geological Survey has been all through that country. Mr. Pambrun's knowledge is confined to the Pelly River, which empties into the Yukon. Dr. Wills has spent three years in Dawson City. The evidence of Mr. Jennings is that there is no practical difficulty in building a railroad in any part of that country, that it can be built for $20,000 a mile.

Hon. Mr. POWER—Did he not correct that and say $25,000?

Hon. Mr. BOULTON—No, he said twenty thousand dollars a mile on a cash basis; That is to say, if the government were to undertake it without having any desire to make a profit out of it, the road could be built and equipped for well within twenty thousand dollars a mile. If you let it to contractors, it depends upon how much you want the contractors to make. Of course the greatest economy is necessary in the development of that route. It is not a country that can afford to stand high rates or transportation charges or extravagant railroad contracts, or watered stock, or anything of that kind; but if we were to make up our minds to develop that country for the sake of the trade that can be obtained and the transportation that can be carried on, there is as fine an opening as any country could desire to have with rich rewards to the producing and trading public. We have built the Canadian Pacific Railway and what is the result? The country developed by the construction of that road is bearing a charge of $24,300,000 annually. That is the earning power of the company, $24,300,000. That money is supplied by the people who support the Canadian Pacific Railway, and it is distributed through the whole country to the extent of whatever is expended in the country. Now that shows the value of encouraging transportation; but unfortunately the Canadian Pacific Railway has been allowed to be constructed upon a very extravagent basis and a very large portion of the receipts go out of the country, and the people are burdened greater than they are able to bear

with the heavy charges to the extent of $24,300,000 of these earnings.

Hon. Mr. MILLS—I notice, Hon. Mr. Reid, one of your witnesses says that the Ashcroft route is preferable in all its bearings to any route he knows of.

Hon. Mr. BOULTON—Of course Mr. Reid lives at Quesnelle, and Ashcroft is his station. It is 220 miles from Quesnelle to Ashcroft. He lives on the direct route, and naturally he is an advocate of that route. The only thing is that if we were to use that route for the development of Canadian trade to the east, you would have to add the additional 450 miles from Calgary to Ashcroft; that makes the distance something like 1,600 miles as compared with the other routes. Mr. Bostock came to give evidence in the same line as Mr. Reid. Mr. Bostock lives about sixty or seventy miles to the east of Ashcroft, and they are anxious to see that station made the jumping off place to go north. It would be taxing the North-west Territories heavily to make that route an available one for the transportation of produce. The Edmonton route is really the route if you wish to consider the value of connecting the agricultural districts of the North-west with the mining industries in the country. A pack trail would facilitate transport to the interior very much at a slight expense, to the head waters of the Pelly. The surveys to be undertaken by the government, for which provision has been made in the estimates, will throw additional and accurate light upon this important question, and is an evidence of the importance the government attach to it. I do not know, unless hon. gentlemen have questions to ask me, that I have anything further to state. The report is complete and the evidence is very interesting, and a table of distances has been given. In reference to the table of distances, I may say I have another table of distances from Montreal to Calgary and down the Mackenzie River, which is not included in this evidence, and I think I will give it here :

	Miles.
From Montreal to Calgary	2,144
Calgary to Edmonton	190
Athabasca Landing (wagon)	96
Grand Rapids (river)	200
Portage (tramway)	2
Rapids to Fort McMurray (boat)	90
Lake Athabasca	200
Cross Lake Athabasca to Slave River	12
Junction of Slave and Peace River	30
Smith Landing	90
Portage Rapids (wagons)	16
Fort Resolution, Great Slave Lake	150
Making a total of	3,220

to Great Slave Lake; then across Great Slave Lake north-west and enter the Mackenzie River; then Fort Simpson, mouth of Liard River; Fort Norman, Fort Good Hope; mouth of Peel River; ascend Peel River to Fort Peel or Mackenzie thereon; Hudson Bay Company's post portage crossing to Yukon by dog train and the Porcupine River, and then descend Porcupine River to Yukon. There is another table of distances in addition to the one in the evidence already taken, and that takes the Mackenzie River to its mouth and crossing over on to the Porcupine River, and then down the Porcupine to the Yukon below Dawson City in Alaska. With these remarks, hon. gentlemen, I beg to move the adoption of the report, which is as follows :—

Your committee beg leave to report that they have taken the evidence of the following gentlemen who are by their professional knowledge or by virtue of their residence, capable of giving practical and reliable information of the facts which your committee was desirous of obtaining, namely :

The Honourable Senator Reid, of Quesnelle, Cariboo, British Columbia.

Bishop Grouard, who since 1862 has resided in the Mackenzie Basin as missionary.

Mr. Oliver, of Edmonton; member for Alberta, in the House of Commons.

Mr. Bostock, of Kamloops, member from British Columbia.

Mr. Marcus Smith, Civil Engineer, engaged in surveys in 1879 and 1880.

Dr. Dawson, Chief of the Geological Service.

Mr. Henry McLeod, Civil Engineer.

Mr. St. Cyr, of the Surveyors' Branch of the public service, engaged in 1898 in exploratory work on Teslin Lake and the Tuya to the east.

Mr. Jennings, who was engaged in Canadian Pacific Railway surveys, and last year from Teslin Lake to the Stikine.

Mr. McConnell, of the Geological Service.

Mr. P. C. Pambrun, who was born at Lesser Slave Lake and has spent his life in that country.

Dr. Wills, late of the Mounted Police Force, and Lt.-Col. Lake, Quartermaster General.

There are several routes to the Yukon from the east side of the mountains. One is from Edmonton north to the valleys of the Nelson, Liard and Pelly Rivers. The next is by way of Pine River Pass fifty miles south of Fort St. John, on the Peace River, to Fort Macleod. The other is by way of the Yellow Head Pass to the same point, Fort Macleod near the headwaters of the Parsnip River in the Omenica district. There are three ways of reaching the Peace River. The one is by Athabasca Landing, thence west to Lesser Slave Lake. The other is direct to Lesser Slave Lake, and so on to Dunvegan and Fort St. John. The other is by way of Dirt Lake on the Saskatchewan, a point about seventy miles west of

Edmonton, north-westerly to Fort St. John. From Edmonton to the junction of the Baptiste River with the Athabasca River would be a route common to a junction with Yeliow Head Pass and Fort St. John or Pine River Pass. It is estimated that about four hundred and sixty-five miles of railway constructed would by way of Baptiste River mouth, north-west to the Peace River and south-west to Tête Jaune Cache, on the Fraser River, forty miles west of the Yellow Head Pass, make available a very large stretch of navigable waters on these two rivers. Either a pack trail or a wagon road can be obtained from Fort St. John, west of Dunvegan, north to Fort Nelson, thence down the valley of the Nelson to its junction with the Liard; up the Liard to the height of land which divides its headwaters from the headwaters of the Pelly, which river empties into the Yukon at Fort Selkirk. The distance from Edmonton to Fort Selkirk by this route, from scaling the map and adding ten per cent for curvature, is estimated by Dr. Dawson and Mr. Jennings to be 1,290 miles.

This pack trail would enable drovers to take in cattle and horses. Cattle wintered in the Peace River Valley could be driven in early and delivered in good condition at a reasonable price. The country passed through is well supplied with feed.

The richest gold deposits lie on the west side of the mountains. Cariboo, Omenica, Dease Lake and the Klondike have all established a character for themselves. At the Liard head there seems to be a gap, and the eastern range of mountains from that point seems to have been bodily lifted more to the east, leaving a divide at the headwaters of the Pelly and Liard. This divide appears to be a rich gold bearing country.

The evidence further goes to show that the whole of that region is covered with a low grade of pay gravel which only requires the economy supplied by railway communication to convert it into a large profitable field for enterprise and trade. Quartz mining has yet to be developed by the same means. A railway projected through the Pine River Pass or the Yellow Head Pass, proceeding north-westerly across to a port on the Pacific Ocean, following in a general line Sir Sandford Fleming's survey for the Canadian Pacific Railway in 1879, would develop the principal mining districts, and a branch north from that line to Fort Selkirk and Dawson City, could be made common to an approach from a Pacific port and from the east. A more thorough exploratory survey seems desirable before establishing any point. Your committee are of opinion that the Teslin Lake route is too far to the west for the most profitable through route for either east or west, and believe that a route by way of the Black River or Dease River might be found to be better.

The evidence of some of our most experienced men go to show that the projection of a railway upon Sir Sandford Fleming's surveys in the seventies, when he was the chief engineer of the government railways, will lead up to and project through the mountains a second transcontinental railway developing a large, valuable agricultural area and mining region of the utmost value to the trade and transportation of Canada. Those who know the country well are fully aware that the further north you go to a certain line, north of the Saskatchewan River, the richer the soil, and the better the sample of wheat.

Your committee are of opinion that the trade to an ocean port will so greatly supplement the local intervening trade in the mining regions, that such a railway will be beyond a doubt self-sustaining and profitable for the trade of Canada.

Moreover, your committee were influenced by their desire to bring the agricultural area of the western prairies into as close proximity to the mining industries as possible.

The evidence further goes to show that there is no practical difficulty in pushing railways anywhere through the mountains at a cost of $20,000 per mile cash basis. That the projection of this route might first start from Edmonton. That a route from Edmonton or Ashcroft to Fort Selkirk are about equidistant, but to the Ashcroft route would have to be added 450 miles between Calgary and Ashcroft on the Canadian Pacific Railway as a trade route from eastern Canada and 200 miles from Vancouver to Ashcroft.

That a transcontinental line would throw arms to the south and north, to connect important points.

That a route by way of Vancouver, the ocean, and Teslin Lake to Dawson City is 2,211 miles with four transhipments, or to Fort Selkirk 2,036 miles, as against 1,290 from Edmonton and no transhipment. To give the city of Vancouver and the Canadian Pacific Railway an opportunity to compete on anything like even terms, with a route from the east by way of Edmonton, the shortest line of railway from the coast to Fort Selkirk is essential. According to published reports, that route is from Pyramid Harbour direct to Fort Selkirk by the Dalton trails, the distance being only 295 miles, or 245 miles to a point on the Yukon below the Rink Rapids, fifty miles from Fort Selkirk, thus making the railway service from Calgary about 1,000 miles and the ocean service 1,000 miles with two transhipments, as against 1,290 miles of through railway from Edmonton to Fort Selkirk by an interior route. This would seem to indicate that for the immediate requirements of our North-west mining country at the lowest railway mileage at present available by any route, friendly arrangements should be made with the United States for the removal of any troublesome restrictions to traffic passing into the interior of the country through United States territory or a United States port. That any immediate link from the Stikine north should be so located that it will form the best connection for a joint railway coming from the south-east and south-west and constructed of the standard gauge of four feet eight and a half inches.

That no restriction should be put upon the development of the route from Pyramid Harbour. A roadway from Battleford to Cold Lake thence to Fort McMurray, thence to Peace River, passes through a good agricultural country from Mr. P. C Pambrun's evidence. The distance between Battleford by way of Fort McMurray and the Peace River by route being only 812 miles. A route from Prince Albert to the same point, Fort McMurray, which possesses great advantages for the prospector is furnished by the Board of Trade of Prince Albert, which evidence your committee draws attention to. It sets forth that ninety miles of wagon road will open up almost unbroken navigation to Fort McMurray and the Liard on the Mackenzie.

The censensus of all the evidence is very favourable to the whole country traversed by the routes from Prince Albert westward, either north or south of the Saskatchewan to the Peace River. Mr. Pambrun told the Committee that he grew on thirteen acres last year at Battleford, 533 bushels of wheat, oats and barley, but there was little cultivation for want of a railway. The same witness said in 1841, the year he was stationed at Fort Liard for the Hudson Bay Company, he eat bread made from wheat grown at that northern point. The reports all show that feed is luxuriant on the Nelson and the Liard route to Fort Selkirk. That an abundance of timber, fish, game, minerals, etc., and the elements of successful agriculture exist up to and beyond Peace River.

Your committee commends to your attention the desirability of projecting an interior route at once, which will open up, and make possible the development of large mining interests which beyond any

doubt exist between Edmonton and the eastern boundary of Alaska and bring the rich agricultural regions of our prairie country into the closest proximity to those industries.

We append a table of distances furnished by Mr. Jennings, the engineer employed by the government to explore the route from the Stikine River to Teslin Lake, and a man of large experience in the location and construction of railways in the Rocky Mountains. We also place great reliance upon the evidence of Dr. Dawson of the Geological Survey Department and Mr. Marcus Smith, officers whose official and professional knowledge are of great advantage in forming an initial idea of the large interests which await Canadian enterprise, and the difficulties that have to be encountered in their promotion.

TABLE OF DISTANCES GIVEN BY DR. DAWSON.

ROUTE 1.—From Edmonton, east of the Rocky Mountains to Liard River and thence to Old Fort Selkirk.

	Miles.
Edmonton to Old Fort Assiniboine, Athabasca River	75
Old Fort Assiniboine to west end of Lesser Slave Lake	135
Lessee Slave Lake to Peace River at mouth of Smoky River (Peace River Landing)	65
Mouth of Smoky River to Fort St. John	145
(*Note.*—A saving of about fifty miles in distance might probably be made by going in nearly direct line from Old Fort Assiniboine to Fort St. John.)	
Fort St. John to Liard River near mouth of Nelson River	310
Liard River near mouth of Nelson River to mouth of Dease River	195
Mouth of Dease River to mouth of Finlayson River	130
Mouth of Finlayson River to Pelly Banks	50
Pelly Banks to Hoole Cañon	35
Hoole Cañon to Old Fort Selkirk	200
Total	1,340
Or, deducting fifty miles, as above	1,290

ROUTE 2.—From Edmonton to Yellow Head Pass, thence by Upper Fraser River to Giscombe Portage, thence by Finlay and Black Rivers to mouth of Dease River, joining route 1 there.

	Miles.
Edmonton to Yellow Head Pass	240
Yellow Head Pass to Giscombe Portage	205
Giscombe Portage to mouth of Finlay	150
Mouth of Finlay to mouth of Dease (about)	370
	965
Add distance as by route 1, from mouth of Dease to old Fort Selkirk	415
Total	1,380

Route 3.—From Ashcroft Station, Canadian Pacific Railway to old Fort Selkirk, Yukon district, following the western line of valleys in British Columbia.

NOTE.—Other stations on the Canadian Pacific Railway, such as Savona or Kamloops, might be adopted as starting points without much difference in the through distance.

Ashcroft to Quesnel (distance by wagon-road 230 miles)	185
Quesnel to Fort Fraser	115
Fort Fraser to Hazelton (Forks of Skeena)	165
Hazelton to Telegraph Creek (Stikine)	255
Telegraph Creek to head of Teslin Lake	145
Head of Teslin Lake to mouth of Teslin River	165
Mouth of Teslin River to old Fort Selkirk	140
Total	1,170

MR. MARCUS SMITH'S TABLE OF DISTANCES.

Between Prince Albert and the Coast.

	Miles.
Prince Albert to Athabasca Landing by a route north of the Saskatchewan	335
Thence to Smoky River	210
" to Pine River Pass	160
" to Parsnip River	105
" to Pack River near Fort Macleod	8
" to Forks to Skeena	230
" to Glenora on Stikine	300
Prince Albert to Telegraph Creek	1,348
From Forks of Skeena down Skeena valley to Port Simpson	176
Prince Albert to the coast by the most northerly route	1,224

Between Edmonton and Forks of Skeena—

	Miles.
Edmonton to Yellowhead Pass	267
Thence down the left bank of the Fraser River above Fort George, near the great bend of the river	228
Thence to crossing near Fort Macleod	82
Thence following that line to the Forks of the Skeena	230
	807
Forks of Skeena to Port Simpson	176
Edmonton to coast	983

TABLE OF DISTANCES GIVEN BY MR. JENNINGS, C.E., FOR THE COAST ROUTE.

Calgary to Vancouver (rail)	650
Vancouver to Wrangel (ocean)	700
Wrangel to Glenora (river)	135
Glenora to Teslin Lake (rail)	165
Teslin Lake to mouth of Hootalinqua	200
Mouth of the Hootalinqua or Teslin River to Dawson	361
	2,211
Ocean, lake and river transport	1,396
Railway transport from Calgary	815
	2,211
Telegraph Creek, south to Port Simpson	450
" " Observatory Inlet	300
Railway transport from Calgary via Port Simpson and Teslin Lake to Dawson	1,831
Railway transport from Observatory Inlet via Port Simpson and Teslin Lake to Dawson	1,681
Ocean transport, Vancouver to Port Simpson	500
" " Observatory Inlet	575
From Pyramid Harbour or Lynn Canal via Dalton Trail to five miles below Five Finger Rapids	245
Five Finger Rapids to Fort Selkirk	57
	302

Your committee believe that a perusal of the evidence will justify the conclusion which they now have the honour of presenting to the Senate.

Your committee recommend that in addition to the usual number required for the ordinary distribution, fifteen hundred copies in English and five hundred copies in French of the report and evidence be printed for general distribution.

Hon. Mr. POWER—In the process of the canonization of a saint at Rome, there is one person who is described as the devil's advocate, and I propose on the present occa-

sion to act the part of the devil's advocate to a certain extent. The hon. gentleman in his speech sets out certain views which he wishes this honourable House to accept, and he wishes this House further to go to considerable expense as a result of accepting those views. Now, I propose to say a few words with a view to showing that the hon. gentleman's recommendation is not altogether such as should commend itself to this House. In the first place, this committee moved for by the hon. knight from London (Sir John Carling) was appointed to inquire into the feasibility and probable cost of opening up direct communication between the railway system of Canada and the navigable waters of the Yukon and also as to the advantages which would flow therefrom to the trade of Canada. Now there is no question about the feasibility of opening up direct communication between the railway system of Canada and the navigable waters of the Yukon; and I presume that advantages would flow therefrom to Canada. But the railway system of Canada extends right through to Vancouver; and I do not think that the hon. gentleman gives any details as to the advantages which would flow to the trade of Canada from the construction of a railway. He said something about the development of the agricultural resources of the North-west, but he did not say very much about the trade of Canada. The committee were not appointed for the purpose of finding out what railway would best develop the agricultural regions of the North west, and I do not think the report of the committee carries out the purpose for which it was appointed, as set out in the motion for its appointment. The hon. gentleman did drop a word or two in the earlier part of his speech which showed the spirit in which he went into this inquiry. He said, of course the object was to show that the Edmonton route was the best.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. POWER—The hon. gentleman said "hear, hear;" I thought possibly I might have misapprehended his meaning, but it appears that I did not. Here is a committee appointed with judicial functions to make an impartial inquiry as to various routes, and the hon. gentleman who is chairman of the committee, and who, I must say, supplied nearly as much evidence as all the witnesses together—that is judging from the report of the committee—avows that his object was to show that one particular route was the best.

Hon. Mr. BOULTON—The shortest.

Hon. Mr. POWER—Before the evidence came in: and any one who reads the evidence will see that the chairman of the committee had this preconceived idea in his head that a route from Edmonton up through the Peace River country and then north-west from that was the route he believed in. That being the case, hon. gentlemen, we could not expect to get very valuable information from a committee acting under those circumstances. The hon. Minister of Justice asked a question as to the number of witnesses who had been in the country. The truth is that the amount of evidence that was not hearsay, which was the evidence given by persons who were themselves witnesses of the things they speak of, is very limited. You eliminate the evidence of Mr. Jennings, which evidence is substantially contained in the report submitted to the government some time ago, and eliminate the evidence of Dr. Dawson and Mr. McConnell and one or two others, and all the rest is hearsay. The evidence of Mr. Marcus Smith is interesting and valuable in a way, but after all that is only evidence as to the practicability of a line of railway through the Pine River Pass to Fort Simpson.

Hon. Mr. McCALLUM—I think that is the majority of the evidence you refer to now.

Hon. Mr. POWER—One of the great objects, apparently, of the committee and of the report is to show that there is a great deal of valuable agricultural land in the Peace River region. Nobody doubts that, but that is not what the committee were appointed to find out. The committee which was appointed here in this House some years ago, at the instance of the hon. senator who was afterwards lieutenant governor of Manitoba, (Dr. Schultz) and is now no more, collected a great deal of information bearing on the character of that country, showing that the Peace River country and portions of the country on the Mackenzie were fairly good agricultural districts. But hon. gentlemen, we did not want to find out about that. We have a great deal of agri-

cultural country already which we cannot get population for. We do not want to look for more country, what we want to do is to get the agricultural land, which has been opened up by railways populated.

Hon. Mr. BOULTON—That is in Prince Albert, Edmonton and Manitoba.

Hon. Mr. POWER—It is not necessary to build a railway which will cost at the lowest figure about $30,000,000, for the purpose of peopling the region round Prince Albert and Edmonton. While it is fair and reasonable that we should spend a good deal of money on the North-west country, we have done very nearly enough in the past. We built the Canadian Pacific Railway at a very large expense, and now the hon. gentleman stating that he looks at the matter from a broad standpoint, wants to spend $30,000,000 or $40,000,000 more to build another trans-continental railway across to Fort Simpson, with branches running up to the Klondike regions on the one hand and down to the Kamloops region on the other.

Hon. Mr. BOULTON—Is that what you call being the devil's advocate?

Hon. Mr. POWER—Well, I think perhaps the hon. gentleman was the devil's advocate there: but that is what the hon. gentleman proposes. I have been trying to show the character of his report, and what his objects are. Hon. gentlemen, I think this country has already a reasonably large debt which is not diminishing.

Hon. Mr. McCALLUM—Hear, hear—increasing every day.

Hon. Mr. POWER—This country has incurred a disproportionately large amount of debt in opening up the western country, in supplying that country with railway facilities, and I think that any reasonable Canadian will look with anything but favour upon a proposal to spend perhaps $40,000,000 more in building another trans-continental railway with a branch running hundreds of miles north, and another branch hundreds of miles south.

Hon. Mr. BOULTON—To get $100,000,000 of gold out of it.

Hon. Mr. MILLS—You could get that by an expenditure of three millions.

Hon. Mr. BOULTON—No.

Hon. Mr. POWER—The hon. gentleman says we will get $100,000,000 gold. I have indicated the animus with which the chairman of the committee appears to have gone into this inquiry. The hon. gentleman told us that the only positive recommendation in the report of the committee was that no restriction should be put upon the development of the route from Pyramid Harbour. Then the hon. gentleman undertook to show, what is clear enough, that ocean carriage is much cheaper than rail carriage. A railway is being built and will be completed this season, as I understand, from the Lynn Canal, not perhaps all the way to Dawson City but the Lewes River.

Hon. Mr. BOULTON—What is it to cost the country?

Hon. Mr. POWER—It is not costing the country anything.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. POWER—We are having this mode of communication opened up, which the hon. gentleman says is the best mode of communication for doing business, to the Yukon country and it is to cost the country nothing, and the hon. gentleman comes with a proposition that we should spend thirty or forty millions to connect Edmonton and Prince Albert with the Klondike region. It is simply necessary to make those two statements to show how, as I think, visionary and unreasonable the proposition of the hon. gentleman is.

Hon. Mr. BOULTON—We do not expect the Liberal member for Halifax to help us out

Hon. Mr. POWER—The Liberal member for Halifax is usually willing to help in anything that is going to benefit the country, provided the country is not paying too much for its whistle. The only thing they have committed themselves to is that there is no necessity for this long 1,300 miles of railway, that the work will be better and more effectually done, getting in and out of the Yukon country by a short railway from Lynn Canal, which is to be constructed without any cost to the country, and I consequently really do not see that there is any

great object in publishing all the evidence which has been collected by the committee, that is, in any other way than as part of our minutes. I do not propose to say much more about this report. As the thing stands now we are not badly off. We have a Canadian railway, the Canadian Pacific Railway running to Vancouver; there are steamships now running from the terminus of the Canadian Pacific Railway to the Lynn Canal, and, when the railway which the hon. gentleman so highly speaks of is constructed there will be a line in from Lynn Canal to the Klondike region. That is all that the country needs just now. It is to be regretted that the Lynn Canal is in territory occupied by the United States. Just at the present moment it may be a matter of no very great consequence, because our neighbours are disposed to be friendly to us, and they have entered into an agreement to allow bonding privileges from Lynn Canal into the Klondike country, and for all practical purposes just now things are very much as if the Lynn Canal were in Canadian territory.

Hon. Mr. LOUGHEED—Do I understrnd my hon. friend to favour the construction of a road from the Lynn Canal and to be opposed to the prohibition placed upon the same by the government?

Hon. Mr. POWER—The hon. gentleman should not understand his hon. friends do anything of the kind. I am taking the view now of the hon. gentleman from Shell River, and, as far as I am concerned individually I think just for the time being probably we are not so badly off. From this report, which gives a good deal of information but not of the most definite and precise character, and from the fact that the report makes almost no recommendation, except this one with respect to the Lynn Canal, the conclusion which I draw and the conclusion which I think any one who listened to the debates in the two Houses on the government bill which was defeated some time ago with respect to the Yukon Railway, would draw, is that we do not know enough about the matter just yet to finally and positively decide what is the best line to adopt. I think that the better way on the whole, the better course for the government and parliament to adopt is to let things go as they are now, let this English company build in from Dyea and let the government meanwhile cause surveys to be made and information to be collected, so that, at the beginning of next session, if the Yukon country continues to manifest the same mineral wealth which it has manifested in the past, parliament will be in a position to deal intelligently and with reasonable certainty in the matter, that they will know what they are doing and will not be in any sense working in the dark. But while I feel that a good deal of interesting and somewhat valuable information has been secured by the committee, I cannot subscribe to the views of the chairman of the committee, and if this report is printed in the ordinary way in the appendix of our journals, that is really as much as we ought to do with it.

Hon. Mr. McCALLUM—I do not know that I can add very much to what the hon. gentleman from Shell River (Mr. Boulton) said to the House, but I am glad to know this, that the senior member for Halifax (Mr. Power) is perfectly satisfied now that nobody is going to starve in the Yukon country this year. When he says that the hon. member for Shell River is going to put this country to an expenditure of thirty or forty million dollars, where does he get the information? Does the report say that? The report contains evidence, not for immediate use, but probably for the future, and he is saying too much. I know that the members in this House who support the government want to bring politics into the Senate all the time.

Hon. Mr. POWER—I did not bring in politics.

Hon. Mr. McCALLUM—I am not referring to the hon. gentleman from Halifax just now, but I am glad to hear from him that everything is lovely now, that we do not want a railway into that country. It justifies the action of the Senate in throwing out that monstrous bill. The hon. gentleman's language justifies that; and I do not wonder at the hon. gentleman being dissatisfied, because the leader of this House, at the time that the hon. knight from London (Sir John Carling) moved for his committee, said that no friends of the government should go on that committee. Why, hon gentlemen, it is

almost insulting the supporters of the government in this House. To show that, I have here in my hand what he did say, and if it is necessary I can read it. He said they should not go there, they know too much now, they should not know anything about this country. He said: "I know it all and we do not want any information." Probably the hon. member from Halifax does not want any more.

Hon. Mr. POWER—Yes, I do.

Hon. Mr. McCALLUM—He knows all about the country; but when he says the committee recommends an expenditure of forty or fifty millions, he shows that he knows very little about it. When the cry was about the people going to starve in that Yukon country, the Senate thought proper to look into the matter to see if there could not be a way found to give relief to the people in that region, either by opening up a pack trail or a wagon road into that country, or in some other way. I do not want to be unjust to the hon. Minister of Justice, but to show you how they want to bring in politics here——

Hon. Mr. MILLS—Why, it has been here for forty years!

Hon. Mr. McCALLUM—And you bring more of it in than ever I saw here before. You want to divide on political lines all the time. You told your supporters in this House that they should not go on that committee, that you have all the information you want, and you did not want them to know anything. But as a member of the House I want to know what I am doing; I want to vote intelligently, and hereafter if I live, I want to see a railway into that country. Let us see what the hon. gentleman said:

Hon. Mr. MILLS—My hon. friend showed a great deal of wisdom upon the project submitted by the government to this House, and so he desires further light.

That, I suppose, is what the hon. knight from London spoke of.

I have not the slightest objection that light should be had. I have not the slightest disposition to prevent my hon. friend from London getting all the information he may desire. But I say that the information he seeks is not information which will enable him to utilize the navigable waters of any other road which he may build for the purpose of maintaining our advantages of trade in the Yukon country.

What great advantage were they going to get by giving away 4,000,000 acres? I have not seen it yet.

For the purpose of maintaining our advantages of trade in the Yukon country. That to my mind is perfectly clear.

That is, to his mind, and he wants it to be understood it is clear to every supporter of the government.

And I would say that any hon. gentleman who supports the government who goes upon a committee making such a declaration, would be assisting my hon. friend and those associated with him in undertaking to leave upon the public mind the impression that the project which is indicated here is to be a substitute for that line of policy which the government submitted to the consideration of parliament. I say it is no substitution at all; it cannot be a substitution.

He did not want them to go there. He wanted to keep them away from that committee but I believe some of them went there. They were not such slaves as he wanted to make them.

Hon. Mr. BOULTON—One of them went there who was not a member of the committee.

Hon. Mr. McCALLUM—That is right: he showed that he wanted information. The Minister of Justice did not want him to get information. I said on one occasion that the hon. gentleman was wise in his day and generation, but he does not want others to be as wise as he is himself. My hon. friend continued:

It would practically either destroy the prospect of mining in that country, or it would destroy our control over the trade and over the government of the country. My hon. friend and those associated with him may undertake by majority in this House to control the country and the direction of the public policy in regard to it, but I wish to call his attention to this—and he has had a good deal of experience in the affairs of government—that this is a new departure in our constitutional system.

I do not wonder at the hon. gentleman and his supporter, the hon. member from Halifax, objecting to this report. But when the hon. member from Halifax says that the report recommend an expenditure of forty millions of dollars in building a railway into that country, he is mistaken. He says the country is not in a position to do that: I agree with him. Instead of the expenditure of this country diminishing, it is increasing and we cannot afford to enter upon new undertakings under the circumstances. We must economize. If the government would only carry out the promises they make to the people of this country and economize, they

might before long be able to build a railway to the Yukon district. It is an advantage to the public to have this evidence before them and to know which is the best way to go into that country hereafter. The hon. Minister of Justice does not want them to know that. He knows it all himself, but the people of this country must have some knowledge also if they are to sustain his policy: otherwise they will not support him. They will not go it blind as he wants them to do, he desires that they shall have no information.

Hon. Mr. MACDONALD (B.C.)—I was a member of the committee, but as the hon. chairman held his meetings frequently at night, I was not able to attend all of them, there are parts of the report in which I do not concur, especially the portion with reference to a line from Pyramid Harbour. But if the policy of the government is not to do anything in opening a route to the Yukon I should give access from any point on the coast from which any one wishes to build a railway. If it is the intention of the government to have an all-Canadian route it would be different. This report does not make any strong recommendation. It furnishes information of the country for the government. The strongest advocate for the route from Edmonton to Yukon district expects nothing more than the opening up of a pack trail for horses and cattle. The idea was that that could be done, and that cattle could be driven in from the North-west, and that miners could take their outfit and prospect and mine on the way going in to the Yukon. That was the chief idea that this committee had when they first commenced their meetings. Evidence was placed before us that a a pack trail could be opened for about thirty thousand dollars from Edmonton to the Yukon country. A member of the House of Commons, Mr. Oliver, who knows a great deal about the country, informed us that a route could be cut through—a pack trail—for about thirty dollars a mile. He said, however, that a thorough survey would have first of all to be made. I gave notice of the following question which I now ask :

When the report of the committee appointed to inquire into the feasibility and probable cost of opening up direct communication during the present season between the railway system of Canada and the navigable waters of the Yukon is under consideration, what is the intention of the government with regard to opening up communication with the Yukon district from the Pacific coast, and is it the intention of the government to supplement the money grant of $4,000 per mile made by the legislature of British Columbia to aid in the construction of a railway from the coast of British Columbia to Teslin Lake?

Hon. Mr. MILLS—The question before the House I think is the adoption of this report, and my hon. friend has interjected a question with regard to another matter quite beside the report. The hon. gentleman from Shell River (Mr. Boulton) has submitted to us a report and the evidence which accompanied it, and that is the matter which I suppose is now before this House for consideration. I need not call the attention of the House to the fact that the evidence taken is not relevant to the motion for the investigation which my hon. friend from London (Sir John Carling) submitted to the House; and of the evidence, by far the greater proportion of it is hearsay of men who never saw the country. I called my hon. friend's attention at the time this motion was made to the fact that there was a sum in the estimates for the very purpose of exploring those different routes and for inquiring into the feasibility of each, but a majority of the House supported the motion of my hon. friend, and they were not willing to wait. They wanted to take immediate action, and this report is the result of that action, and while there is a clergyman, and a member of the Geological Survey staff, and a physician, who have been in that country and who know something about it, these are about the only persons who are in a position to speak from their personal knowledge.

Hon. Mr. BOULTON—As to what portion of it?

Hon. Mr. MILLS—As to the portion of the country with which connection is to be made, the Yukon country. My hon. friend must bear in mind that what was proposed by this government was to find out which was the most accessible means of establishing communication with the Yukon country connecting with the railway system of Canada.

Hon. Mr. BOULTON—These engineers have surveyed that.

Hon. Mr. MILLS—No, my hon. friend is mistaken. There is one of these routes that has been explored by an engineer. There is a party who resides on one route, the Hon.

Mr. Reid, who gave testimony that the shortest route that could be got was by Ashcroft—that it was a preferable route in all its bearings to any route that he knew anything of, but what other route he knew about was not disclosed. But my hon. friend, the chairman of the committee, says that that evidence is of no account, and it is of no account for the reason that the route with regard to which Mr. Reid testifies is a route upon which Mr. Reid resides, and therefore he has a bias in favour of that route and that bias is sufficient to make his evidence of no value.

Hon. Mr. BOULTON—I never said anything of the kind.

Hon. Mr. MILLS—Substantially, that is what the hon. gentleman said, and instead, as chairman, of giving a statement of the testimony in favour of each of the routes, there is not a syllable with regard to the value of any one of them except the route from Edmonton northward. I have this much to say with regard to that: the route from Edmonton northward, I have no doubt, is a route running through an agricultural country of very considerable extent, but as my hon. friend behind me (Mr. Power) has pointed out, there are immense areas of agricultural land through which railways now run, very much nearer to the east than the Peace River country, which are still unoccupied, and so there is no pressing, no overpowering necessity of opening up the Peace River country merely for agricultural purposes. What I supposed was of great value in this inquiry arose from the fact that thousands of people were going into the Yukon country. They were going there; they were not being enticed to go by the government or by parliament. They were not being bribed to go. They were voluntarily going there, and what we proposed was to furnish them, at as little cost to the public treasury as possible, with a route into that country, by which they might find easy ingress and egress, and which would diminish to them the cost of getting into the country and proportionately improve the public revenues of the country. That proposition, of course, was not acceptable to this House, and my hon. friend from Monck (Mr. McCallum) has, in his usual winsome manner, undertaken to convince me that he was not actuated in his opposition by the slightest feeling of political partisanship or anything approaching it. My hon. friend occupies a position of absolute neutrality between those favourable to the government and those that are opposed to the government. Now, that may be my hon. friend's position in his own estimation, and if he says so, I will not call it in question. But I will say, that I believe no hon. gentleman, either in parliament or out of parliament, was ever so deluded as my hon. friend is in coming to any such conclusion, for stronger political feeling and bias, whether my hon. friend is cross or whether he is good natured, never was, I venture to say, exhibited in a parliamentary body. It may be my hon. friend thinks that no good can come out of Nazareth, and no good can come out of any proposition which the present administration may make to parliament.

Hon. Mr. McCALLUM—I have not seen much of it lately.

Hon. Mr. MILLS—My hon. friend ought to say the prayer that was uttered by the prophet when the young man could not see: those that were for them were more than were against them. He said "Lord, open the young man's eyes, that he may see." If I were a praying man I would be disposed to make the same sort of prayer in favour of my hon. friend. But my feeling of inability to convince my hon. friend would be such an exhibition of want of faith in the success of such a prayer that I do not suppose it would be at all availing.

Hon. Mr. McCALLUM—Faith moves mountains.

Hon. Mr. MILLS—But my hon. friend is more difficult to move than any mountain. Let me say this, that the proposition to get ingress to the Yukon country—for this country to which the people are going and out of which they are taking the gold, if it requires action at all, requires action that will produce an immediate result—the proposition to go in from Edmonton and to build 1,300 miles of railway in order to reach that country, I think is one that might do very well at a period before the flood, when men lived nearly a thousand years, but in this day, when the life of man is about three score and ten, I am afraid too much time would be spent before we would have

access to the country if we were, in the first instance, dependent upon a railroad built from that point. Then, my hon. friend who has made this motion has spoken of the building of a railway by the Dalton trail. Well, I was opposed to that. I have not changed my views. There are political considerations with regard to that route that are, in my opinion, paramount, but if we carry out the views of the chairman of this committee, who has made this report, and establish free communication by way of the Dalton trail, does my hon. friend think that a route such as he proposes to construct here at the present time, a route which he says will establish a sort of highway between a trail and an ordinary wagon road, by the expenditure of some $300 a mile would enter into competition with a railway built from the Lynn Canal? With free ingress in that direction, does not he think that the food supply, the bacon, hams and flour, would not come from Seattle and from Portland on the Pacific coast, and that the men—if you had settlers—and you have not got them into the Peace River country—that the men who would go in there would find they were competing with those who, on account of the faciiities for transport on the one line, would have such an advantage over them that the Yukon would be no market for them at all.

Hon. Mr. BOULTON—$300 a mile would enable the cattle to be driven in on foot at the lowest cost.

Hon. Mr. MILLS—But there is something more actually required, and they would hardly be in a condition to make food for the population by the time they would reach the districts where the hon. gentleman proposes to drive them.

Hon. Mr. BOULTON—Yes, they would be in good order.

Hon. Mr. MILLS—Those who are cultivating the soil with the expectation of finding a market in Europe and with the facilities for sending their grain eastward, are likely to settle in those districts which are most convenient for the purpose of getting the product of their industry to that market, and what the hon. gentleman has marked out as the primary object in these proposals seems to me not to promise very much fruit, and certainly not to promise any very important contributions to the colonization and settlement of the country. The love of gold is drawing tens of thousands of people into that country, and it was important to us to furnish them facilities to get there and to give them the opportunity of getting their supplies at a moderate rate. The less their supplies cost them the more they would be in a position to purchase and the larger would be the amount of revenue the government would receive. I believe up to the present time, expensive as the government of that country has been, the revenue of the Yukon country exceeds its cost, or has up to the present time, by about $200,000.

Hon. Mr. BOULTON—Who paid that?

Hon. Mr. MILLS—The men who purchased supplies and brought in their mining material.

Hon. Mr. BOULTON—From the United States.

Hon. Mr. MILLS—It does not matter where it comes from, the revenue gets into the public treasury, and my hon. friend does not keep his attention upon what the inhabitants that were going into this country were aiming at, and furnishing facilities for a larger number to go in, in order that the people of the country might have their burdens lessened by the contributions that were made by those who were a transitory population. Instead of doing what I have pointed out, my hon. friend proposes to dissipate the energies of this country and to endeavour to entice men to go where they are not likely to go at all. If you had a large population going into the Yukon country there are thousands of those people that would, when they get tired of mining, go into the Peace River country, go into British Columbia, scatter over the rest of the Dominion and become permanent inhabitants of this country. Here was an opportunity, when the people were coming of their own accord and when gold was the attractive force that was drawing them into this country, to secure a larger flow of population into this country than we were likely to get under other circumstances. My hon. friend throws that away and talks of finding a market in the Klon-

dike country for the products of the Peace River country where there are no inhabitants yet, and where men would have to be for two or three years before they would do more than produce what is necessary for their maintenance, and he expects by a dilatory process of that sort to secure the trade of that country that will find other channels and other connections long before his enterprise could be fairly set on foot, and when the opportunity that occurs to us will have been lost. My hon. friend opposite (Mr. Macdonald) has asked me whether we are proposing this session to avail ourselves of the proposal of British Columbia to contribute $4,000 a mile. That contribution proposed by British Columbia, I understand, is not so much a gift, a bonus to the railway company, as an investment for the government of British Culumbia for revenue purposes. That is the proposition. The government of British Columbia proposes to receive certain profits upon the investment of the railway company. I am not at all sure that a proposal of that sort would produce results, and what is more, supposing we were to come down with a proposition, my hon. friend knows that at this moment the House of Commons, that represents the people of this country, the vast majority of whom are on this side of the Rocky Mountains, are not prepared to make a money contribution. Their assumption was that the Klondike region, into which these people were going and searching for gold, ought to bear the expense of its own government, and ought to be prepared to bear the cost of establishing communication on behalf of the people who go there. I say that that is the feeling and it is a right one. My hon. friend moved the six months' hoist to the proposition the government had made. He has not, up to this hour, indicated, nor have those who voted with him indicated, to the government that any other proposition that the government might submit would be received in any other way than that which they had already submitted and was rejected. My hon. friend knows that that is so. My hon. friend from Richmond (Mr. Miller) in speaking not very long ago, called attention to what the House of Lords did under certain circumstances. What was the proposition? They said "we want you to give us certain information before we proceed any further." I could point out a dozen instances wherein the House of Lords have differed from the government and they have indicated what their solution of the difficulty would be. There has been no other solution suggested to us by my hon. friend and those who voted with him, except that they were prepared to establish a railway from the Pacific coast through United States territory. And now my hon. friend has asked me whether we are prepared to make another proposition and I say to my hon. friend I think the government are not.

Hon. Sir MACKENZIE BOWELL—I do not desire to enter into a discussion of this subject at the same length my hon. friend has, in discussing this question, more particularly at this hour of the night. He has gone over the whole ground, and dealt with the vote that was cast in this House some time ago, as well as the subject that is now before us. I may say, in reference to the speech of the hon. gentleman from Halifax (Mr. Power) that I do not think the report merits the condemnation which he has heaped upon it in so unmeasured terms, neither do I believe he was justified in attributing to the hon. member for Shell River——

Hon. Mr. POWER—I do not remember having used any unmeasured language.

Hon. Sir MACKENZIE BOWELL—I do not know what the hon. gentleman understands by unmeasured language. He accused the hon. chairman of the committee of entering upon this investigation with an animus that led him to certain conclusions.

Hon. Mr. POWER—I quoted his own authority and he admitted that I was right.

Hon. Sir MACKENZIE BOWELL—I quoted your words, and if you deem it prudent to withdraw them I have no objection. The hon. gentleman was not justified in attributing animus to any member of this House in the course which he may think proper to pursue, whether we agree with him or not. I do not hesitate to say that I do not agree with the hon. gentleman in some of the conclusions at which he has arrived, but I should be very sorry to say that because he has strong convictions on a question which he thinks is in the interest of the country, and places them on record with a fearlessness that does not characterize a great many of the members of the House when they speak, that he should be accused of improper motives——

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman must not make charges of that kind against me. I did not accuse the chairman of improper motives. I said he entered into the inquiry biased, and the hon. gentleman admitted that he did.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman did not use the word biased; he said he entered into the investigation with an animus and that means more than being biased. We are all biased to a certain extent. I do not think my hon. friend the Minister of Justice was justified in the lecture he delivered to the hon. gentleman from British Columbia (Mr. Macdonald). He should remember that when this question was put on the notice paper, the hon. gentleman allowed it to stand, repeating again and again that he would allow it to stand till the consideration of this report was brought before the House, when he would take the opportunity to put the questions. I do not think he acted unfairly, nor could he be accused of interjecting any matter not pertinent to the question before the House. The hon. Minister of Justice said that if he was a praying man, he would offer up a prayer for the hon. gentleman from Monck. I thought at the time that the hon. gentleman from Monck might be thankful that the hon. Minister of Justice was not a praying man, because there is another quotation which reads somewhat in this way: "The prayers of the wicked are an abomination to the Lord, etc." And if that be the case, probably the prayer would not help my hon. friend.

Hon. Mr. MILLS—I do not belong to that class.

Hon. Sir MACKENZIE BOWELL—I hope not. I would not like to say the hon. gentleman did belong to that class. The hon. gentleman from Halifax quoted the terms of the resolution moved by the hon. gentleman from London, and said that this report did not bear out the instructions which well given to the committee. It does not bear it out to the extent I should like to have seen them borne out, and which the evidence would have justified. The resolution asks the committee to inquire into the probable cost of opening up direct communication between the railway system of Canada and the navigable waters of the Yukon. They have given the probably cost, based on the engineers' reports, and the engineers are presumed at least to know what they are talking of. It also says "and also the advantages which would flow therefrom to the trade of Canada." I find one paragraph in this report which declares distinctly that the committee is of the opinion that the trade to an ocean port will so greatly supplement the local intervening trade in the mining regions that such a railway would, beyond doubt, be a self sustaining and profitable one for the trade of Canada. That is carrying out the instructions to the committee at least to that extent; and so far I think the committee were justified in making that statement. My hon. friend the Minister of Justice stated that the witnesses were men who had very little knowledge on which to base the evidence that they gave, because they were not residents of the country except one or two. If my recollection serves me rightly, he indicated that those two belonged to the Geological Survey.

Hon. Mr. MILLS—And the bishop.

Hon. Sir MACKENZIE BOWELL—The Hon. Senator Reid lives in the Cariboo district, and has lived there a very long time. Mr. Reid gave no evidence except that which he knew himself of the country in which he lived and through which he had passed, and what he had heard and knew of the country beyond that. That is all he pretends to give. Bishop Grouard, who has since 1862, resided in the Mackenzie Basin, as a missionary, gave very valuable information as to the character of that country. And why did they inquire into the character of the country? So as to ascertain whether a road going exclusively through the North-west Territories would furnish a market for the products of that section of country. My hon. friend said—and so did the hon. gentleman from Halifax—you have land enough—without opening up that section of the country. Why, if that had been the policy pursued by the people of the neighbouring republic and ourselves, so far as the North-west Territories are concerned, we should not have aided in the construction of the lines of railway that now exist in the North-west. Was there not land enough, I should like to know, in Manitoba and the North-west with-

out constructing the road which goes to Dauphin Lake and northward? Was there not land enough to the east and west without building the Edmonton road? Why, the whole policy of every government, having a prairie country in particular to develop, is to construct railroads which are essential to the settlement of the country, for the simple reason that the people cannot get into the country without these roads, and if they do get into the country without them—they are unable to dispose of the products of the soil upon which they settle. Mr. Bostock's knowledge could only be that which any of us could obtain by reading. Mr. Marcus Smith surveyed for months and months, ah, years, in that country, and was occupied in surveying the very route which my hon. friend refers to—the trans-continental route passing through the Yellowhead Pass. I do not think that the Yellowhead Pass—although the time will come when it will be utilized—is the route which should be adopted in order to reach the Yukon territory and the gold-bearing lands of that region, at this moment. Mr. Jennings and Mr. St. Cyr knew precisely what they were talking about. Then we have the evidence of Mr. Pambrun, who was born at Slave Lake and has lived there the whole of his life, a very intelligent Scotchman who knew what he was talking about and could give practical illustrations of the character of the country, and its productive qualities; showing beyond peradventure that the construction of a road by that route would be a great advantage to the country and open up trade. The Minister of Justice, says if you are to build this road we shall have to live a thousand years. I have lived long enough to have heard, when the Canadian Pacific Railway was under consideration, his former leader declare in the Commons, that you could never get trade enough over the Canadian Pacific Railway to pay for greasing the wheels of the trains; I heard him state also that all the wealth of Great Britain was not sufficient to construct the road within ten years. We know how long it took. I heard also Mr. Thompson, a railway man who was then representing Welland, and who had been constructing railways for years, declare that before you could finish the road all the ties at the end first constructed would be rotten before you would be able to run a train over the whole line. We all know how foolish those predictions were, and we believe that the statement made by my hon. friend was quite as fallacious as that made by those who opposed the construction of that great continental railway. As my hon. friend is opposing every scheme which has been proposed to get into the North-west and Klondike country, other than that particular line which the government thought proper to adopt, and which we have every reason to believe was not in the interest of the country. We have the confession to-night of the truth of the statement that most of us made when we addressed the House upon this subject some time ago. The Minister of Justice says: "Does anybody suppose that the bacon and the provisions which are necessary for the sustenance of life in the Yukon district would ever go by this route. Would not the people of Seattle furnish these markets?" Some of us told the hon. gentleman before, that with the bonding system and with the right to enter at Pyramid Harbour and Dyea, and more particularly from Pyramid Harbour, Seattle, Washington Territory and California would compete successfully with any provisions that could be brought across the Rocky Mountains and then shipped to the Yukon district, because we must bear this in mind——

Hon. Mr. MILLS—My hon. friend is mistaken. What I referred to was the proposal to build a sort of pack road at $300 a mile that was to serve for the present purposes, and I say with such a road, according to my hon. friend's theory, we could not at all compete with a railway from Pyramid Harbour into that country from the sea.

Hon. Sir MACKENZIE BOWELL—That is correct to a certain extent, and to a certain extent only. This evidence shows that the greater portion of the route from Edmonton until you reach the navigable waters that would land the cattle and the traveller at Selkirk, the country is capable of sustaining cattle with food when travelling over that route. The hon. gentleman says there would be nothing left but bones. It is evident that he has not paid much attention to the driving of cattle over the prairies. Every one knows, who has given any attention to this subject that you can start at the Rocky Mountains with a herd of cattle and keep them in condition as you drive them to

market. I have seen scores of herds of cattle, consisting of hundreds and hundreds in a drove, that were driven from the north of Fort Macleod and from the North Saskatchewan, down to Winnipeg, and they arrived in better condition and fatter than when they started. Why? They take their time. It is true it takes considerable time to do it, but they feed along the road and the exercise which they get and the slowness with which they travel adds to the health of the cattle and improves their value.

Hon. Mr. SNOWBALL—What progress do they make—five miles a day?

Hon. Mr. BOULTON—Ten to fifteen.

Hon. Sir MACKENZIE BOWELL—The question of the hon. gentleman from Chatham led me to ask myself if he was not, to use an expression which is perhaps not the best one, "codding?"

Hon. Mr. SNOWBALL—No, I should like to find out for my own information. I was in earnest.

Hon. Sir MACKENZIE BOWELL—They travel from ten to fifteen miles a day, at least so says the member from Shell River, and he ought to know.

Hon. Mr. MILLS—They could not feed and travel twenty-five miles a day.

Hon. Sir MACKENZIE BOWELL—I have been over the prairies and have seen them driving in large numbers at a good rate of speed. I do not know that there are many men who have not lived there who have not seen as many cattle as I have driven long distances. I have some little knowledge of what I am talking about. I am surprised, with the knowledge that my hon. friend has, that he should have repeated the statement he has so often made in this House in reference to what he considers the great national necessity of preventing a road from going into the Klondike district from Pyramid Harbour, or from any point other than the Stikine. You must not forget that when you are at Pyramid Harbour you are no further from Dawson City or Selkirk, than you would be after ascending the Stikine River and journeying the 150 miles of railway to Teslin Lake. Now, what I should like to know is, whether what I have seen in the papers is correct, that the government have, with a majority in the House of Commons at their back, determined that no road shall be built into that country starting from any of these places. They say they cannot prevent the construction of the roads which were chartered last year. We are told by the hon. member from Halifax, and the hon. Secretary of State made a similar statement, that the road through the White Pass, if I remember correctly, is in the course of construction, and will be built, and the statement made to-night by the hon. member from Halifax is that it was not to cost the country one cent. Now, solvent companies offer to build roads from Skagway, or Dyea through the White Pass into the Klondike country, and they offered and pledged themselves to build roads from Pyramid Harbour into the same section of country; one charter was asked for during the present session in the House of Commons in which the company offered to deposit $250,000 as an earnest of their bona fides, if they got the charter to go on with the construction of their road. But no, they were told you shall not build it. Why? Because the Senate of Canada thought proper, in its wisdom, to differ from the ministers of the day as to the propriety of giving away three or four million acres of the gold lands of that country for a road which they all admit never will be utilized as a commercial road. It is a dog-in-the-manger policy of the very worst character. Now I have a little complaint to make, and I will make it now, I had intended to do so some time during the present session. During the discussion upon this question I asked many questions as to the bonding powers which might be conceded by the United States. The reply we generally got was that there were influences at work in Washington for the purpose of preventing any concessions being made; that was repeated over and over again by the Minister of Justice. I at that time asked him who they were, and I challenge him now to produce the slightest tittle of evidence to show that any one from Canada, or any person interested in the construction of any of these roads, used any influence with the congress of the United States, or the committee that sat to inquire into and investigate the question of the entrance into this country, in which they used any influence to prevent the bonding system to its fullest possible extent being extended to Canada. I know it has been stated, and we

were accused of disloyalty for so doing, because we doubted the correctness of that statement. All that we do know is that an emissary of the party that is now in power, did go to Washington and interviewed the committee and told them that certain concessions would be made by Canada if they did such and such things. I know my hon. friend opposite me denied pointedly that he went there on behalf of the government. If he did not, I can only say, that it was a piece of presumption on his part at least. I asked if they have any evidence to sustain or substantiate what they said. No answer was given. I asked what concession had been made. We got no answer; though according to the document which has been placed in my hands by the Secretary of State himself—and he was courteous to send me a copy of it when I asked him—it appears that on the 2nd of February, the bonding concessions by the United States were offered to Canada and they themselves had published it in a circular. Since that period an Act has been passed by the Congress of the United States granting all the privileges necessary. Two of its clauses read as follows:

Sec. 13.—That the native born citizens of the Dominion of Canada shall be accorded to the said district of Alaska the same mining rights and privileges accorded to the citizens of the United States in British Columbia and North-west Territory by the laws of the Dominion of Canada or the local laws, rules and regulations; but no greater rights shall be thus accorded than citizens of the United States or persons who have declared their intention to become such, may enjoy in the said district of Alaska and the Secretary of the Interior shall from time to time promulgate and enforce rules and regulations to carry this provision into effect

Sec. 14.—That under rules and regulations to be prescribed by the Secretary of the Treasury the privileges of entering wares and merchandise in bond or of placing them in bonding warehouses in any of the ports in the district of Alaska and of withdrawing the same for exportation to any place in British Columbia or the North-west Territories without payment of duty, is hereby granted to the government of the Dominion of Canada and its citizens or citizens of the United States, and to persons who have declared their intention to become such whenever and so long as it shall appear to the satisfaction of the President of the United States, who shall ascertain and declare the fact by proclamation that corresponding privileges have been and are being granted by the Dominion of Canada in respect of goods, wares and merchandise passing through the territory of the Dominion of Canada to any point in the district of Alaska from any point in said district."

That is all we could possibly ask. They have by statute applied the same principle, and the same rule that governed the bonding of foreign goods which is to enter their country to pass again out of the country, as is conceded to the goods which arrived from England or any other portion of the world and are entered at Boston, New York or Portland, and bonded through to Canada without the payment of duty. So that we have there all the advantages that can possibly arise from the construction of any railway, through our own territory, so long as that remains the law of the land. I believe, just so long as we extend the same privileges to the people of the United States, a privilege which has been extended to them through the whole Dominion, and privileges which no man of the party we belongs to has ever thought of repealing or taking from them, for the reason that we believe, situated geographically as we are, that it is to the advantage of both countries that there should be the freest intercourse through either of our countries from one place to the other, no matter whether the goods are from Canada or from any another point. Now, with these facts before us, why should the government coerce—because it is nothing more or less than coercion—their supporters into a policy to reject and refuse the construction of railways into that country by capitalists who do not ask Canada for one cent? I frankly say I would like to see a road built exclusively through Canadian territory. My hon. friend says "you of the opposition rejected such a proposition which the government made, and you failed in your duty to suggest a remedy." It is the first time I have heard that theory advocated by gentlemen governing a country under responsible government. If the hon. gentleman thinks that the members of this side of the House could propound a scheme by which the object he has in view could be accomplished, and a road could be constructed exclusively through British territory without being subject to the interference of any other country in the world, all he has got to do is to change sides. and we will soon propound a policy which I have no doubt, if he is not actuated by the same party spirit of which he accuses this side of the House, he would adopt. I regret to hear him accuse the hon. gentleman from Monck and those who voted with him of being actuated by partisan views. As far as I am individually concerned, I deny that accusation in toto. Speaking for myself—and I believe I can speak for every member who

recorded a vote—I never allowed partisanship to guide me in the course I pursed. My hon. friend may laugh just as he pleases. I say distinctly and positively that I believe the arrangement with Mackenzie & Mann was a most improvident and iniquitous bargain, and as such opposed it, and would have opposed it under any circumstances, and I believe the hon. gentlemen in this House are quite capable of forming opinions on questions of this important character apart altogether from their party predilections. If they cannot they are not worthy to hold seats in the Senate. The hon. gentleman has no more right to lay that accusation to our charge than we have to retort by saying precisely the same thing of himself and his supporters. What would the hon. gentleman think if I told him that some members of his own party declared the whole scheme was iniquitous, but that they would vote for it as they did not wish to injure the party? A number intimated the same thing to me, but party fidelity outweighed their better judgment. We are in a position that it is not necessary to act in such a manner, for the simple reason that we are not amenable to the ministers of the day.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Yes, let the hon. gentleman say hear, hear. It is true notwithstanding.

Hon. Mr. MILLS—Yes, it is quite true.

Hon. Sir MACKENZIE BOWELL—Nor are we in a position to be coerced by outside influences, consequently we are in a position to approach the consideration of questions of magnitude affecting its welfare and progress, apart altogether from the party bias which the hon. gentleman has accused us of possessing. When it comes to a party question I confess I am just as apt to go the same length as my hon. friend, but not any further.

Hon. Mr. MILLS—Oh, yes.

Hon. Sir MACKENZIE BOWELL—Thirty years of parliamentary life with my hon. friend has convinced me that his better judgment would often have led him to a different conclusion than that at which he arrived. Aye, more than that, his speeches have indicated that his better judgment would have led him to a different conclusion were he not trammelled by partisanship to support his party.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I could quote from his speeches, the tenor of which would have led to a different conclusion than that of the recording of the hon. gentleman's vote. So strong were some of them that my hon. friend from Marshfield, myself, and others, who were discussing these questions before the electors quoted them as an evidence of the correctness of the position which we occupied. The Minister of Justice's position is well illustrated by the cow, which gave a pail of milk, and then kicked it over. I have occupied a longer time than I intended but I thought an opportunity might not occur again of bringing this matter of the bonding privileges which have been granted to us under the notice of the House, as it is well the country should know the facts, and that they should know also that if any starvation is to take place in that country the responsibility rests on the heads of the hon. gentlemen opposite who refused to allow a road to be constructed out of the pockets of capitalists themselves, and that they must bear the responsibility when they go before the people, if anything of that kind occurs.

Hon. Mr. ALLAN—I desire to protest very strongly, on my own behalf and I think on behalf of a great many members of this House, against the language made use of by the hon. Minister of Justice when replying to the question of my hon. friend on my left (Mr. Macdonald, B.C.) as to whether it was the intention of the government to take any further steps for the construction of a railway from the coast into Yukon. The language of the hon. gentleman conveyed to my mind a grave imputation on the motives and conduct of the members of this House. I do not know whether he intended it or not. The hon. gentleman stated in effect that it was not likely that the government would bring forward any measure for the construction of a road from the coast to the Yukon because they knew it would be rejected by this House.

Hon. Mr. MILLS—I did not say that I knew it would be rejected. I said we had no assurance that it would be supported.

Hon. Mr. ALLAN—I think the language used was a little stronger than that; at all events, the hon. gentleman must admit that in effect it was that it would be useless to bring forward any such measure as there was no chance of its passing in this House.

Hon. Mr. MILLS—We would be taking a leap in the dark.

Hon. Mr. ALLAN—I think it is only fair to recollect that when that measure was brought in we were given to understand that we must take it as a whole or reject it altogether. That was put plainly enough by the hon. gentleman. We were to take it with that enormous land grant of three or four million of acres for a railway one hundred and fifty miles long, which would be perfectly useless six months in the year, with exclusive privileges granted to the contractors for a number of years, and a considerable difference between the royalty to be paid by them and that collected from the miners. And that was a bill, as I have already said, which we were told very distinctly we must accept as it was brought in or not at all. I am free to say, in addition to what my hon. friend on my right has said just now, that I am perfectly satisfied that the large majority of the members of this House were anxious to pass this bill if it could be so altered in its details as to make it one which they could conscientiously vote for. I can say for myself, and I can speak also for many of my friends, that we were extremely anxious that if it were posssible in any way, that some measure providing for the means of communication between the seaboard and the Yukon, through British territory, should be carried through the House during the present session, but we were met on the introduction of the bill with the assurance that we must take it as it stood or not at all. I suppose that now there would be nothing indiscreet in mentioning also that some of us had conversations with the contractors themselves, and when we suggested that the enormous land grant was the great stumbling block in our way, we were given to understand that the land grant was the essential thing. So that in every way we were met with difficulties of that kind which we could not see our way out of or could conscientiously overcome. I suppose I may say now also that many of us would have preferred, instead of the motion for the rejection of the bill in the shape in which it was brought before the House by the hon. gentleman from British Columbia, that it should have been coupled with some declaration that while we objected to the enormous land grant we would have been glad to entertain any amended bill if our views in that respect could be met. I do not think it is fair that it should go out to the country that in the opinion of the leader of the House we are so actuated by partisan ties and feelings that no matter what measure of this kind was sent up again from the House of Commons and introduced by the government, it was hopeless to endeavour to carry it because the Senate would not accept it.

Hon. Mr. MILLS—With regard to the matter brought to the attention of the House by the hon. leader of the opposition and the hon. gentleman from York, when I said during the discussion of the Yukon Bill that the bill was incapable of amendment, I was speaking of what was the law of parliament in the matter, that there was no difference between the appropriation of land and the appropriation of money, and the revenues of the Crown and the lands of the Crown were exactly the same. It was in reference to that that I said the bill was not open to amendment by this House. I was not at all saying that this House had not the right to make a declaration or suggestion in any direction. I was speaking simply with regard to the law of parliament. My hon. friend said the government had no right to accept a suggestion from those who dissent from the measures of the government and he said if we were incapable of proposing a policy that the majority of the two Houses would support we might retire and he would find a solution. Let me say to my hon. friend that it is all very well to speak in that way when his party are in a majority in this House, and that fact cannot be ignored no matter how moderately that proposition may be put. What I wish to call the attention of this House to is that this was not a question of conflict between the government and this House. That

is not the position. That measure was a conflict between the House of Commons and this House. The government enjoyed the confidence of the House of Commons. On this question the government spoke the views of the House of Commons. The measure was carried through the House of Commons, and when this House assumed the responsibility of rejecting a measure that related to the revenues of the Crown, I say that the House was under a constitutional obligation to point out the precise grounds on which they dissented from the measure of the government, and on what grounds they would accept or approve of that measure or what modifications they would require. Look at every measure that is brought forward by the government in the House of Lords. If it is one that is carried through by a majority in the House of Commons and they are prepared, under any circumstances, to accept or approve of such a measure, the House of Lords point out the grounds on which they differ or dissent from the views of the government and what changes they require in order that that measure may receive the support of the House of Lords.

Hon. Sir MACKENZIE BOWELL—Did they do that in the case of the Home Rule Bill?

Hon. Mr. MILLS—Certainly not; because they, in violation of the rule which had been in force, rejected the Home Rule Bill altogether. Why? Because, they said, you cannot make any modification of the Home Rule Bill which would make it acceptable to us.

Hon. Mr. FERGUSON—Precisely the same in this case.

Hon. Mr. MILLS—Precisely the same my hon. friend says. Then my hon. friend does not stand in the same position as the hon. gentlemon from York, because the hon. member from York intimated that he was ready to accept modifications. He thought the grant was too large. That was not disclosed to the House. But the gentleman from Prince Edward Island says he was absolutely opposed to the measure altogether, and the hon. gentleman from Monck also spoke in opposition to it, and said "we can do without a road very well."

Hon. Mr. McCALLUM—No, I did not say that. The hon. gentleman cannot find in the Debates that I said it. But evidently we do not want it now. The thing has proven itself.

Hon. Mr. MILLS—I am not going to discuss the matter further; it was not a question between the government in this House and the majority of this House. It was a question between the House of Commons and this chamber.

Hon. Mr. FERGUSON—I understood my hon. friend to say a moment ago that I had expressed myself as entirely opposed to any road into that country. I was not paying the closest attention, but I think the hon. gentleman made that statement. I do not desire to comment on it, till I know whether the hon. gentleman did make the statement and adheres to it that I had expressed myself as entirely opposed to any road to the Yukon.

Hon. Mr. MILLS—No. I said just now that you expressed yourself as opposed to that government bill.

Hon. Mr. FERGUSON—No, this is the first time I have spoken.

Hon. Mr. MILLS—When my hon. friend said the Home Rule Bill was rejected and no indication given as to what the House of Lords would accept, I said yes, because the House of Lords were absolutely opposed to any home rule concession whatever and the hon. gentleman from Marshfield said "precisely the same here."

Hon. Mr. FERGUSON—I said that.

Hon. Mr. MILLS—The statement was that the majority of this House had rejected the government bill absolutely and for the same reason.

Hon. Mr. FERGUSON—I now understand the reference the hon. gentleman made. But when the hon. minister introduced the measure he distinctly stated that it was a measure which this House could not amend.

Hon. Mr. MILLS—I stated that, and I stated the reason. It was with regard to a monetary consideration.

Hon. Mr. FERGUSON—I was of the same opinion that it was a measure which we could

not amend, because it dealt with a land grant and it represented the public wealth and could not be distinguished constitutionally from a money vote.

Hon. Sir MACKENZIE BOWELL—Not to the fullest extent ; we could have reduced it.

Hon. Mr. FERGUSON—I held that view when the hon. gentleman introduced the bill. But there were other respects in which it was not capable of amendment. It contained a contract, and it could not be amended, as the hon. gentleman knows very well, by any motion made in this House, like an ordinary bill. There would have to be a supplementary contract, as was submitted in the House of Commons with regard to some changes the government secured which were made there. In all these respects there was no course left open to those who disapproved of the bill but to record a straight vote against it. When the hon. minister makes these general charges against members on this side of the House, that we not only voted against that bill but that we never gave any indication or expression of our opinion to favour any route or any other measure, if the hon. gentleman would remember, or if he would take the trouble to read the debates he will find that in some of the observations I made on the question myself in the debate on the address I stated my views very distinctly in favour of railway communication in some way with that country : that I even spoke more favourably of the Teslin Lake route than I would now, after the information and light that have been thrown upon it, and that I then made an appeal to the gentlemen in the government to bring down a new measure, or to try to secure modifications of that measure. I went so far as to say, rather unguardedly, that they should bring down a measure which honest men could vote for. I qualified the remark by saying that honest men might vote for that one but they would be very misguided and that the measure was so one-sided in its character that they could not possibly expect it to receive the support of enlightened members in this House. That was the view I took then, and I think it was the view held by a majority of those who voted against that bill. I fully agree with the hon. leader of the opposition in condemning the doctrine that b cause a majority of the members of this House could not conscientiously support the arbitrary proposition which the government brought down, a proposition which they themselves told us we could not amend, the government's responsibility with regard to that country was at an end.

Hon. Mr. MILLS—No.

Hon. Mr. FERGUSON—That is the course indicated by the hon. gentleman. They brought down a measure which their own friends all over the country and the independent press without exception have condemned. I know in my own province, when I was visiting there, that friends of the government, many prominent men, told me that they highly approved of the action of the Senate in throwing out that bill.

Hon. Mr. MILLS—That is the reason you were so successful there.

Hon. Mr. FERGUSON—My hon. friend finds some way to divert attention. I may tell my hon. friend that in some meetings in Prince Edward Island, where I was, his friends avoided this question. They said they were in power and there were public works for them if they would only support the government for the next three years, and they did not want to talk over public questions at all. They avoided public questions and talked of the public works which were to be constructed. I simply rose, on the present occasion, to put myself right because my hon. friend chose to point me out as one who had taken an absolute ground against any reasonable measure, and I think I have expressed myself sufficiently.

Hon. Mr. MACDONALD (B. C.)—I did not catch the reply to my question. Will the hon. minister tell me was it to the effect that there is no intention to take any steps to open a route to the Yukon?

Hon. Mr. MILLS—We are not taking any action this session.

Hon. Mr. MACDONALD (B.C.)—Where is the question of urgency we heard so much talk of a few weeks ago? The urgency that was required then is required now. Here are 400 troops and commissioners and judges and other people to be fed and looked after, and now the government take a sulky fit

and will not move a hand. Here is the small province of British Columbia offering $1,600,000, and the hon. minister endeavours to belittle that grant by saying it is an investment.

Hon. Mr. MILLS—It is a loan.

Hon. Mr. MACDONALD (B.C.)—Whatever it is, the agents of Mackenzie & Mann offer to accept it and say that if they give them that they will sign a contract and go on with the work. They wrote to the Premier of British Columbia and told him they were ready to go on, if the subsidy were given. Whether it is a grant or a loan, if the contractors are satisfied what is the difference?

Hon. Mr. MILLS—No.

Hon. Mr. MACDONALD (B.C.)—I am told by a friend of the contractors here that if the government of this country give a similar amount of $4,000 a mile they will go on with the work. That would be a very small thing for this government to do. It is a matter they should deal with at once. The hon. minister said no person in this House made a counter proposition in this matter. Why in the House of Commons and in this House the government were told, over and over again by members that they would support a reasonable money grant to build that road.

Hon. Mr. MILLS—But the House of Commons said they would not give any money, and this House said it was to have its own way.

Hon. Mr. MACDONALD (B.C.)—The government were told a reasonable money grant would be supported and a matter of $3,000,000 at three per cent would not amount to much for this country. It would be about $90,000 a year and the road could have been built. We are told just now by the hon. minister that the Crown lands and Crown revenues are similar. I take him at his word, and if so the revenues of the Yukon would build the road. If the revenue this year is $600,000 that is equal to a capital of twenty millions. The government would retain the land and have this revenue, and they can get all the money necessary to build the road from the revenues of the country. That is a far wiser scheme than giving way the goose that lays the golden egg. If you throw the land away you can never get it back; but if you keep it, you can build the road from the revenue and still have the land. It does not take much common sense to see that. It requires no counter proposition. A scheme so simple as that is open to the government. They know the value of the country, and the value of the land and yet they wish to throw it away.

Hon. Mr. DRUMMOND—I took no part in the discussion of the bill which was rejected by this House by a large majority, but I listened most attentively to all the speeches delivered while I was here—I think most if not all of them—and I can say that the impression left on my mind was that this House was not actuated by partisan motives in rejecting the bill, but that every speaker, almost without exception on my side of the House, stated that he was not to be influenced by partisan feelings, and that he was considering the scheme and proposal before the House on its merits and was prepared to discuss it on that principle only. I, of course, hold that the Senate has an absolute right, and not only the right but it is an essential feature of its very existence, that it should be independent of partisan motives, and not only of partisan motives but of the popular feeling of the majority of the day, and should reject or approve as it sees fit, upon general principles. Now, I was personally rather averse to the absolute terms of the six months' hoist, which was ultimately carried in this House, and I ventured to suggest to the hon. member who leads the opposition, and to one or two other members, an alternative motion which would, in my opinion, have been preferable to the motion which was ultimately carried. That, as modified by my suggestion, was to this effect, that this House objected to various terms of the proposal then before it, but was desirous of putting on record the facts that it is not opposed to the measure for any other reason than what it considered its intrinsic demerits as a scheme; and while it recognized the importance of improved means of access to that country it was prepared to give its most careful consideration and approval, if possible, to any reasonable scheme which might be brought before it. I submitted that suggestion to the hon. leader of this side of the House, and also to some others, and it met with his

approval. I am bound to say he expressed himself as entirely in favour of it, and the hon. member from Prince Edward Island, in my hearing also approved of it, so that the absolute charge that this House is only influenced by motives which I must describe as unworthy is not, to my mind, proved. It was ultimately rejected, I think possibly by a great many because the impression remained that this House had only the right either to accept or reject without modification. I could not hold that view myself, but I was anxious, as I have already said, to have it put on record that this House was not swayed by any unworthy motives, and was prepared to consider a reasonable scheme. I desire to take no part whatever in the discussion of the merits of the various routes to the Yukon. It seems to me that would be out of the question at the present moment. I must say this, however, that if there was anything whatever in the statements of the influx of large numbers of settlers to that country and the possible impediments to access during the winter, that the Edmonton route would recommend itself to me largely as a matter to be kept in view and in the future probably carried out at our leisure. I had that opinion and I have that opinion yet, and if it were not that the line which was aided by parliament last session is now in progress of construction, I should look with some apprehension to the condition of things in the district, which cannot be helped by the taking up of the Edmonton route only or by the construction of a trail over which cattle can be driven, for I think the ultimate construction of a railway to some point to the eastward is a matter of years and not of months, and we are called upon to consider a matter of immediate importance. Holding these views I am only jealous at the moment for the reputation of this House for approaching such questions in a spirit of moderation and justice and of strict responsibility to the best interests of the country only ; and I should be ashamed myself and I certainly would be very much surprised if any considerable number of the majority of this House were influenced by any other motives.

Hon. Mr. BOULTON—The hon. Minister of Justice has made a reference to the Hon. Mr. Reid, and I cannot allow that remark to pass without replying to it. I merely said that the Hon. Mr. Reid lived at Quesnelle on the Ashcroft Road, and he had the same interest in developing the Ashcroft route as hon. gentlemen from Edmonton, have in developing the Edmonton route, and as other hon. gentlemen have in developing the coast route. I would not like Mr. Reid to think I had taken any unfair advantage of him. I was struck with one thing which the hon. gentleman said, that the revenue derived would be sufficient to meet all expenditure. The trend of his remarks appeared to me that he was desirous of having the coast trade of the United States market developed for the sake of revenue that the government was going to derive in the development of that country. It is contrary to all economic policy in the government of that country, it is certainly a misapplication of the ideas of protection if it was intended in that way. With regard to the discussion that we have had this evening, it has been a very interesting one and the hon. leader of the opposition has fully replied to the adverse remarks in in regard to the matter.

The motion was carried on a division.

THE MILITARY EXPEDITION TO THE YUKON.

INQUIRY.

Hon. Mr. MILLS moved that the Senate adjourn.

Hon. Sir MACKENZIE BOWELL—I would like to ask the hon. Minister whether the government have any information as to the progress which is being made by the volunteers who have gone to the Yukon. I am induced to ask that question from a telegram of the 31st May from Vancouver which appeared in the Ottawa *Free Press* of yesterday.

VANCOUVER, B.C., May 31.—Mr. Williamson, well known in Toronto, returned from the Stikine yesterday. He accounts the route not promising. Fifteen hundred are waiting along the river. Two thousand are waiting at Glenora. The Yukon troops are there, stalled, and will wait another month before proceeding. It takes five days to go the twelve miles from Glenora to Telegraph Creek. Of 84 miles from Telegraph Creek, 50 miles of almost impassable bog commences. The government is corduroying the bog.

Is there any truth in the statement as to their progress ?

Hon. Mr. MILLS—I have heard nothing in regard to it.

The Senate adjourned.

THE SENATE.

Ottawa, Thursday, 2nd June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

SONS OF ENGLAND BENEFIT SOCIETY'S BILL.

WITHDRAWN.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, returned Bill (122) "An Act to incorporate the Supreme Grand Lodge of the Sons of England Benefit Society," and reported that the promoters of the bill desire to withdraw it.

Hon. Mr. VIDAL moved the adoption of the report.

Hon. Mr. McMILLAN—I have a few words to say in connection with the withdrawal of this bill, for I wish to put my views on record. I am sorry that this society is the first to suffer when the crisis came, but the time has arrived when the Senate is coming to its senses and to some appreciation of its duty in connection with insurance in these fraternal societies. That we have been doing business too loosely is well known, and I hope that this instance will be the means of inducing the government to take action next session and introduce a measure to protect those who are insured in these societies. I am sure the policy holders would be benefited by such legislation and would uphold the government for giving them protection. That these societies have been doing loose business is very generally known. We have evidence of the fact, evidence of a character which cannot be denied. The inspector of insurance appeared before us and gave us proof that some of these companies—this particular company amongst the number—were charging only fifty per cent of the cost of carrying insurance. No doubt many others of this class of insurance companies are doing business in an equally loose manner. For that reason it is the duty of the government and of parliament to protect those who have been induced to go into these societies in order to get cheap insurance. Nothing could be more deceptive than to have people insure in such societies with the expectation that when they grow old and infirm they will be protected; and suddenly to be made aware of the fact that the society to which they have been paying premiums for years has gone to the wall. That should not be allowed to go on any longer, and for this reason I want to put my views on record that I, as one individual who has been looking into this matter for years, am opposed to such fraternal insurance companies. If they go into the insurance business let them see that there is a sufficient amount of money paid in to insure the safety of the policy holders in the society.

The motion was agreed to.

ALBERTA YUKON RAILWAY, NAVIGATION AND MINING COMPANY'S BILL.

REMISSION OF FEES.

Hon. Mr. LOUGHEED—The promoters of Bill (H) "An Act incorporating the Alberta and Yukon Railway, Navigation and Mining Company," having asked leave to withdraw the said bill and requested that the fees paid thereon, less the cost of printing and translation be refunded, I beg to move that the Senate comply with their request. This is the bill known as the Hamilton-Smith bill, with which this House is somewhat acquainted. The government to-day, in the Railway Committee of the Commons, announced their policy of opposing all Yukon bills west of the Rocky Mountains. Hence this bill falls under general condemnation of such bills. The promoters therefore, in view of that fact, withdraw the bill, and as it originated in this House I make this motion to-day.

Hon. Mr. MACDONALD (B.C.)—What reason did the government give for stopping all those bills?

Hon. Mr. LOUGHEED—I regret to say that I did not hear the reason advanced by the Minister of Railways. I have no doubt the hon. Minister of Justice will be able to communicate that fact to the House, if desirable. I was not in the Railway Committee at that time.

Hon. Mr. MILLS—Neither was I.

The motion was agreed to.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. LOUGHEED—I should like to ask my hon. friend the Secretary of State, what progress is being made with the papers regarding the Soulanges Canal ?

Hon. Mr. SCOTT—I have asked again for those papers, but have not received them yet. I cannot control the clerks in the other departments.

Hon. Mr. LOUGHEED—I am aware that the hon. gentleman cannot control the clerks in the other departments, yet this House is entitled to the courtesy of being furnished with papers when an address is presented. I am informed by parties conversant with the matter that the return can be easily prepared in three or four hours. I asked for the papers some three or four weeks ago, and I would again impress on the Secretary of State the desirability of having the papers brought down at an early date. I do not desire to direct the attention of the House every day to the fact of their not being brought down.

Hon. Mr. SCOTT—I suppose the only excuse is that during session there are a great many more demands on the clerks than usual. I cannot do more than make the request to the department.

Hon. Mr. LOUGHEED—The session is rapidly approaching its close, and if they are not prepared by the close of the session my object is frustrated.

DOMINION ELECTIONS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole on consideration of Bill (16) "An Act to repeal the Electoral Franchise Act and to further amend the Dominion Elections Act."

(In the Committee.)

On subsection 8 of clause 10.

Hon. Sir MACKENZIE BOWELL—I am not going to oppose this, but I stated at the time when this clause was under discussion, that I thought it would require a very large quantity of type to be kept standing. I have made inquiry since, and perhaps I may astonish my hon. friend when I tell him that it will require 90 tons, or 180,000 pounds; that is all.

Hon. Mr. SCOTT—We have it already in hand, the ordinary type exists, and I am advised by Dr. Dawson that the same type will do.

The subsection was adopted.

On subsection 10.

Hon. Mr. MILLER—So far as this clause is concerned, I should like to have an explanation before I am prepared to vote upon it. The clause says:

> So long as and whenever, for any reason, a certified copy of any list of voters as finally revised has not been transmitted to or received by the Clerk of the Crown in Chancery pursuant to the provisions of this section, the original and legal list for Dominion elections shall be the same as that for provincial elections.

I consider that it might be liable to this operation. We will suppose after the provincial lists have been made out, and a copy has been handed over for revision for the federal elections, and a couple of hundred names are added under the provisions of this bill of disqualified office holders, which would make the lists, of course, very different from the list as prepared for provincial elections, and suppose through any collusion this revised list, with these 200 extra names on, is not transmitted to the Clerk of the Crown in Chancery in time—it is quite possible that such a thing might take place—then the election would be run upon the original provincial lists which had not been revised and minus the additional 200 names that had been added. The clause is capable of working an injustice in this way if the officers are bad enough to do it. I do not see a necessity for the clause, and the House ought not to adopt it, for it is clearly liable to this operation. The officer whose duty it is to send that list on to the Clerk of the Crown in Chancery may, through collusion with one side or the other, send the list astray. I do not say that there was any collusion in the Russell election case, but we know that the papers went astray in that case, and the result was an election had to take place on another day with very great advantage, I have no doubt, to the party who won it. But leaving that aside, if the officers whose duty it is to send these lists on to the Clerk of the Crown in Chancery sent them astray, the election

would have to be run upon the original provincial list, minus all those names which were added.

Hon. Mr. MILLS—My hon. friend will see that he is mistaken in that, because subsection 2 of section 6 makes special provision for those parties voting, and the object of this provision is simply this: the whole experience of the Dominion in every constituency of it is that there is a very great change in the voters' lists, certainly at least ten per cent, and even though my hon. friend were right in his view—and I do not think he is—the number of office holders that would be left off would be insignificant as compared with the number of persons who would be left off by retaining the old list. Having adopted the provincial franchise, the list prepared every year must be very nearly a perfect list for the Dominion elections. But my hon. friend will see that this clause, as it stands, does not disqualify the class of persons for whom he speaks, because if you look at subsection 2 of clause 6, you will find there a special provision for those persons voting, even though their names do not appear on this list.

Hon. Mr. MILLER—I do not see it as clearly as my hon. friend does. I do not think that the circumstances that I refer to are met by subsection 2 of clause 6. That subsection would enable a person whose name was inadvertently left off the list to cast his vote, but the case to which I refer is where the name has been intentionally left off the revised list but not to provincial lists when the revised lists have gone astray. There is no provision for putting the name of such a voter on the list for Dominion elections, and subsection 2 of clause 6 does not apply, in my opinion, to the lists when they are used under subsection 10 of clause 10. I shall not press the matter just now, but before the bill gets its third reading there will be an opportunity of further considering it and, if necessary, making an amendment.

Hon. Mr. POWER—The object of the hon. gentleman from Richmond would be met if some words were added making this subsection of clause 10 subject to the provisions of subsection 2 of clause 6.

Subsection 10 was adopted.

Hon. Mr. MILLER—At this stage of the bill, I desire briefly to occupy the attention of the House while I make a few remarks in favour of the amendment of which I have given notice. I need not inform hon. gentlemen that I believe a large majority of the members of this House are opposed to the principle on which this bill is based—that is, the regulation of the lists on which Dominion elections are to be held, by the provincial legislatures. Notwithstanding that, we have not thought proper to interfere with the policy of the government in carrying out what they consider the main feature of this bill, and we have allowed the measure to go to a second reading without making any attempt to change the qualification of electors either by adding to or taking away a single vote from the lists under which the voting will hereafter be held. We have given the government completely its own way in this respect. I think it must be clearly the wish of all of us—and I think it should be the wish of the government—that, having gone so far, we ought to see that the machinery under which the election law is to be made applicable to Dominion elections should be as perfect as possible, and that it should afford all the safeguards which are necessary in order to secure a true and impartial voters' list. In the province of Nova Scotia our system of preparing the local lists is this: In the first place, the assessors for the county make out assessment rolls. Afterwards revisers are appointed in each section of the municipality, and they revise these assessment rolls and make out the local list from them. From the decision of the revising officers in all cases there is an appeal to the sheriff of the county. This whole organization, I may say, hon. gentleman is a party organization. In the first place the appraiser of property in the different counties is appointed generally on party grounds, one party or the other has the control of the municipal organization, and it is a peculiar feature in the municipal organizations of Nova Scotia that often, even where the Conservatives are in the majority in Dominion politics, the opposition manage, in the most cases, to get control of the municipal organizations. I think they are more active, more vigilant, and work harder in order to secure that end than the Conservative party do. The result is they get complete control of the revision of the lists of the provincial legislatures, and I think that is one of the

causes why, in the province of Nova Scotia, since confederation, with the exception of one term, the Liberal party has been in power. They have always had the control of what might be called the local machine for the revision of the electoral lists for the provincial elections. With regard to a statement which has been made elsewhere; that the election law of Nova Scotia has been a long time on the statute-book, and that the people seem to be satisfied with it and have never made any attempt to change it, I may say that since confederation the Conservative party has never had but one term of office in the local legislature. That was under the Holmes-Thompson government and that government was perfectly imbecile to pass any legislation whatever to remedy either municipal, electoral or other grievances, in consequence of the fact that they had a hostile majority in the legislative council. On one occasion a bill was introduced during that regime to qualify Dominion officials who were disqualified by the local legislature. It passed the House of Assembly by a large majority but was summarily, I may say, kicked out of the legislative council after about fifteen or twenty-five minutes consideration. So that the government of that day considered it would be folly to attempt any amendments of a constitutional character when they were sure to be met with the hostility of the legislative council and be defeated in that body. I say the Liberal party in Nova Scotia are generally more vigilant in securing the local organization than the Conservative party. They appoint appraisers of property. They appoint revisers, and as the local government has been in power nearly all the time since confederation, nearly all the sheriffs are Liberals and many of them are violent partisans. In the other House an incident took place which had a speaking effect on my mind. When it was asked how many Conservatives had been appointed to the office of sheriff of Nova Scotia of late years, the Minister of Finance said: "I rejoice to say that since 1872 not one Conservative has been appointed to the office of sheriff." Now, when a gentleman removed from party politics to the high position that that gentleman occupies in the other branch would show so much party spirit in a little incident of that kind, you can imagine the spirit of party that must exist in the rank and file among the coterie in Nova Scotia. It is for this reason that we have no confidence in the machinery by which the local electoral lists are to be made, the lists upon which the members of the House of Commons are to be elected. I am going to ask by this amendment that you give us the same protection in Nova Scotia—and I am going to speak only of Nova Scotia, because although my motion includes New Brunswick and Manitoba there are gentlemen from those provinces who will speak for them. I make a request which I think will commend itself to the sense of justice of every man who hears me and every man in this country that you give us the same security that the law which these gentlemen are putting on the statute-book will be honestly administered. And I am only going to ask the same protection and safeguards that are enjoyed in that respect in Ontario and Quebec. In Ontario there is an appeal from the lists made out by the revisers to the County Court judges. In the province of Quebec there is a similar appeal to the Superior Court judges, and I believe there is a similar appeal in British Columbia to the County Court judges. All I ask by my amendment, is that you give us a similar protection in Nova Scotia. I cannot understand how any one can oject to a proposition so fair and reasonable. The object of my amendment is to improve the bill. There is no fair minded man who will say that, after we make this amendment to the bill, it will not improve it and therefore I cannot see on what ground there can be any opposition to it. The sheriff in former times, up to 1883 in Nova Scotia was chiefly a ministerial office, but where he had judicial functions he was in a much better position to discharge them than the sheriff of the present day. Up to 1883, under the law of Nova Scotia the sheriffs were appointed on the recommendation of a committee of the judges and the executive council, and they were generally men of a superior type. In 1883 the law was altered by which the local executive, in order to get complete control of the municipal machinery, passed a law taking the appointment of sheriffs into its own hands, and since that time the sheriffs are appointed by the local executive and, as a rule, these men are partisans. I will just call your attention to a letter which was addressed to the leader of the opposition in the other House during the present session, to show the way in which the law

operates in Nova Scotia in some places. This letter was written by an ex-sheriff of the county of Victoria and reads :

DEAR SIR,—The lists of this county were cooked, so that between 350 and 400 Conservatives were left off the list, and no one expected an election. Then they sprang the election. I am credibly informed it was the case in all the other counties. I was sheriff of this county for ten years, and because I did fair and would do no crooked work for the Liberals, I was dismissed and a man put in who has now to answer to a court of law for his crooked work. He did away with the reviser's lists in two districts and made two new lists after cutting some 70 Conservatives off, and it is in the hands of a man like this that the pure Liberals want to put our lists.

Hon. Mr. McMILLAN—To whom is that letter addressed ?

Hon. Mr. MILLER—It is a letter addressed by an ex-sheriff of the county of Victoria to Sir Charles Tupper and read in the House of Commons. I am sorry that my hon. friend from Cape Breton (Mr. McDonald) is nothere, because he had in his own experience a case fully as bad as this. My hon. friend, the leader of the opposition, stated a case in his personal experience, but the case of my hon. friend from Cape Breton is ten times as bad as that. It was a case in which he called at the office of the individual who had charge of the lists, on the last day for adding names, with a list of names to put on under a certain qualification, and was told that they could not be put on. He went away, and the next morning came to the office and found that 200 or 300 names had been put on by his opponent, Mr. Newton McCoy, by the very individual who had told him such names could not be put on, as he could not interfere with the list. All I ask by my amendment is to protect us from such unfair dealing as this, that you give us an appeal to the judiciary, the same as is enjoyed in Ontario and Quebec, and I do not think any reasonable man can object to that. There may be some objections to my motion; it may be said, and has been said, elsewhere, that we are interfering with the principle of the bill, that it is the intention of the bill to bring the local laws into operation in order to furnish us with a Dominion franchise. If that had been adhered to, there might be some force in this contention. But I wish to call attention to the fact that this no longer is the case. In the first place, I wish to say my amendment does not add a vote to or take away a vote from the voters' list. It does not interfere with the enfranchising or disfranchising of any one. But the Nova Scotia law has been interfered with, for provision is made in this bill for adding a very large class of voters. Now, how can it be said that we ought to adhere strictly to the procedure under the local laws in preparing the voters' list when the very principle on which the voters' list is founded has been so much interfered with by the bill itself and by the policy of the government ? There is no sense in that argument. If they had not interfered with it, there might be some force in it, but whether sufficient to induce the House not to interfere it is unnecessary for me to say. Then it is said my amendment will work confusion. I cannot see how it will work confusion. When the lists are made out for the local legislature, there are two copies : one is set aside for the provincial elections, the other is handed over for the Dominion elections to be revised under this law. We do not touch the list for the provincial election in revising the lists for the federal election. We merely deal with the list that is intended for the federal elections. How, therefore, can there be any confusion ? Another objection has been started, namely, that there is doubt whether parliament has legal power to deal with this question as contemplated by this amendment. That doubt was started in the other House, but no lawyer of authority ventured to assume the responsibility of standing by it. The Prime Minister spoke on it and showed how dangerous it might be and what evil might accrue from it, and all that sort of thing, but took very great care not to commit himself as a lawyer to the statement that it was not within the power of this parliament to so amend the Act as any one will see who refers to his remarks. I wish to caution the House against any use that may be made of these general assertions. It is the policy of the promoter of a bill, when he has not solid arguments to depend on, to raise imaginary arguments to endeavour to frighten people with some injury or harm that is possible to occur if such a course be pursued, and very often the unthinking are frightened ; but every thinking man who revolves the case in his own mind can see whether there is solid foundation for this sort of argument or not. Now, when we had the Yukon Bill before us, my hon. friend the Minister of Justice, told us—he had not much real argument to stand on in that discussion and every allowance should be

made to him if he drew on his imagination to some extent—but he told us that what we did was a dangerous thing to do; we did not know what we were doing; there might be starvation and rebellion up there, and the whole country might pass from British control; and we were threatened with dire disasters which would occur unless we passed that bill. We were not frightened by those arguments, and we did not pass that bill, and we have had no starvation or rebellion in the Yukon district. Things are going on pretty well there, so well that the government has not considered it necessary to introduce another Yukon Bill. I think, under all these circumstances, the committee will be disposed to pass this amendment. There is no argument to be urged against it. The objections that have been urged are merely the three that I have just stated, namely, that it would create confusion, that it is doubtful whether we have the power to do it, and that it would interfere with the provincial system which it is the desire of this bill to adopt. Now, with regard to the system prevailing in Ontario and Quebec let me read just a few words—I am not exactly in order in reading the debates of the present session, but perhaps the committee will permit me to do so—used by the Prime Minister in the debate on this bill in another place. He said :

> Now, I am free to admit that the system which prevails in Nova Scotia, in New Brunswick, and in Manitoba for the matter of that, is not as complete as I would like to see it. In the province of Quebec I have lived under a system which has prevailed for many years, and which has given the right of appeal to the judicial authorities in respect of the preparation of the lists ; and I must say that so far as my experience goes, it has worked well and satisfactorily. I believe the same system has prevailed in the province of Ontario, and it has also worked well and satisfactory.

Here is the testimony of the Prime Minister himself that the system you possess in Ontario and Quebec is a good system, and that the system we possess in Nova Scotia, New Brunswick and Manitoba is not good as a system. Under these circumstances, I do not think there can be any hesitation on the part of the committee in adopting the amendment which I moved. I would say one thing more. There are two ways of treating this House when an attempt is made to force through legislation; one is by open intimidation, and the other by coercion—if such and such a thing is not done such and such another thing will not be done. We have to consider this bill independently of anything of that kind, and I hope my hon. friend who represents the government in this House will not refuse to uphold my amendment. I hope that this House will give us the protection of the judiciary in making out our lists, for I believe that in Nova Scotia the Conservative party is in a majority to-day, but they will not take a corporal's guard out of that province unless they get this protection. The motion which I am about to make was prepared by able lawyers in the House of Commons, and it was moved there by the hon. leader of the opposition, and they have taken the responsibility that the phraseology and the matter of the resolution would cover exactly the required provisions. Therefore, when I move this amendment, I expect it to carry as it is, if the House thinks proper to adopt it at all. I move the following as clause A after subsection 10 of clause 10 :—

> Notwithstanding anything in this Act, or in any Act heretofore enacted, or hereafter to be enacted by the Legislature of any province, there shall be in the provinces of Nova Scotia, New Brunswick and Manitoba, for the purpose of revising and amending the voters' list to be used in the election of members for the House of Commons an appeal from said lists as prepared by the registration clerks and revisors to the respective judges of the county courts in each of the said provinces for the different counties in which the polling divisions for which such voters' lists have been prepared are respectively situate.
>
> Such appeal may be, at the instance of any voter or person entitled to be a voter in the polling division, the voters' list for which is appealed from on all or any of the following grounds, viz. : that the names of voters are through inadvertence or otherwise omitted from voters' lists or wrongly stated therein, or that the names of persons are through inadvertence or otherwise inserted in the voters' list who are entitled to be voters, and shall be made to the judge of the county court at any time within twenty days after the voters' list at first made up shall be filed with the officer who, under the law of the province, has the custody of the same, and notice of such appeal shall be given in form "C" in the schedule hereto annexed, by posting the same up in at least three public places within the polling division, and by publishing the same for at least ten days previously to such appeal in some newspaper published in the county and circulating in the said polling division ; and if no newspaper is published in the county, then in a newspaper published in the nearest county having a newspaper published therein, provided that in the case of an application to strike off names from the voters' list, such notice shall be mailed, duly registered, with postage prepaid, at least one week previous to such appeal, to the address of such person or persons, if known to the appellant. The judge shall hear the appeals on affidavits, or if requested by the appellant or by the person opposing the appeal on evidence *viva voce* under oath, and may make an order in writing directing that the name of such person as voter shall be struck from or added to said list, and in case of more than one appeal from the same voters' list, the judge shall embody in the one order the results of

his adjudications in respect to all such appeals, and such order shall be filed with the officer who has the custody of the said voters' list, who shall in pursuance of said order, strike off from or enter upon said list the names of persons as voters, and such voters' list, so amended, shall be the voters' list for the polling division.

"C"

Province of county (or city) of
Polling division (or subdivision) of
I hereby give notice that on the day of A.D. 1 , I intend to apply to the judge of the county court of at to have for the purposes of elections of members for the House of Commons of Canada the voters' list for polling district (or subdistrict) amended by (adding to the same the names of the persons mentioned in schedule "A" or striking therefrom the names of the persons mentioned in schedule "B," or by changing the names A B C D, &c., to E F G H, &c.)
Dated at this day of A.D. 1
(Signed) X. Y.
Appellant.

The voters' list shall, except in the provinces of Nova Scotia, New Brunswick and Manitoba, be those prepared by the several polling divisions so established and which on the sixtieth day next preceding the day fixed for the nomination of candidates for such Dominion election were in force or were last in force under the laws of that province for the purpose of provincial elections, and in the provinces of Nova Scotia, New Brunswick and Manitoba, shall be the voters' list as amended under the provisions of section of this Act, which were prepared by the registration clerks or revisors for the several polling divisions so established for the purposes of provincial elections and were filed at least sixty days previous to the day fixed for the nomination of candidates for such Dominion election with the officer having by law the custody of the same.

Hon. Mr. KIRCHHOFFER—It is with a great deal of pleasure that I rise to second the amendment introduced by the hon. gentleman from Richmond on behalf of what I consider to be the most distressful province, politically, that we have in this Dominion—I mean the province of Manitoba. I freely recognize the difficulty that there is in framing a Franchise Bill, which shall satisfy all the varied conditions which exist in the different provinces of which our Dominion is constituted, and inasmuch as it has been sometimes our faithful duty to criticize adversely the actions of this government, I give my meed of praise to the Solicitor General for his efforts to make a good bill. Whether he has been successful in doing so or not time alone will tell, because it is only through the working of any such measure that its demerits or weaknesses can be brought to light. But in the House of Commons it was evident both parties sought to have a good bill and they worked together to accomplish that object, the opposition in no carping manner, offering amendments, and the government cheerfully accepting whenever they seemed to accomplish the object in view. Why, then, they declined to grant the relief asked for in this amendment and introduce the provisions which are in force in Ontario and Quebec, and which are so manifestly in the best interests of justice and fairness, I am at a loss to determine; but I intend to try and show to this House how absolutely necessary it is that this amendment should be adopted if we are ever to get a fair list in Manitoba. That is all we ask—a fair list, one which will give expression to the free and independent voice of the electorate of that province, and not one upon which a large proportion of the electorate have been disfranchised on account of their known political leanings—because that is what has actually occurred in that province. You may think that I speak in an exaggerated manner about the iniquities which have been practised in Manitoba. Wait until I get through, and there will be few members of the House who will not admit, not only that I have been justified in my statement, but that I have not been severe enough. The party which has prepared the lists in that province has had a political life of ten years. They have kept themselves in power partly by adopting methods which ordinary governments have been known to adopt for retaining office. And their existence for that length of time is due to two things, the Manitoba school question and the voters' lists. Of the former I do not intend to speak at all, but with regard to the latter I want to make some explanation to this House. Hon. gentlemen will probably think that when the Brandon enumerator got up his voters' list that he would take some basis upon which to work, the municipal list, or assessor's rolls, or the last voters' list for the Dominion or for the local election. Not a bit of it. This gentleman sits down and commences his official life in the most modest and humble way with a clean sheet of paper. Upon it he inscribes the name of every man in the district of his own political persuasion—a list which he and his friends had been preparing for the last few months. As long as it is a Grit name, he asks for no proof—he requires no application or qualification—he seeks no identification but he takes every name that is produced to him by Tom, Dick and Harry of the Grit shibboleth and puts him upon the list, but not a single name does he put on of the

Conservative party of that district without first being furnished with a written application and a statutory declaration of qualification. This almost seems incredible, but I tell you that this is the actual condition of affairs that was discovered by Mr. Macdonald the Conservative member for Brandon and myself, and the rest of the Conservative committee when we went to that enumerator for the purpose of comparing the list with him and showing what names he had left off it. There was not a single Conservative name on the list—not even the names of Mr. Macdonald and myself, and, what is more he refused to put our names on the list unless we made application and put in a statutory declaration of qualification. He explained his refusal in this way: he said, "although he did know that Mr. Macdonald and myself were British subjects, 21 years of age, and that we had resided in the district for the time required by law, that he had not the same general information with regard to others, and that he thought the only safe plan was to require those applications and statutory declarations from all parties. When at a later date we put this gentleman into the witness box at the court of revision and he was furnished with a list, a list with all the Grit names of that district, and asked how it happened that those names came to be placed on his list, he said at first that they must have been put on by applications and statutory declarations of qualifications. When asked to produce them he could not, and finally he had to admit that those names had been placed there, either through his own knowledge of the circumstances, or handed in to him by people in whom he said he had confidence. We would not have objected to this had the same sauce which was used for the goose been served with the gander; but we did object that Conservatives should be put to such trouble to have their names put on the list when it only needed that a man should be a Grit to be put on the list without application or statutory declaration. Shortly before the time came for these lists to be made up, the Greenway government abolished the list of the justices of the peace in that province, thereby, at one stroke, doing away with all the Conservatives who might accidentally have been left on that list. They then issued a new list upon which only the names of their own political sympathizers appeared. Hon. gentlemen can easily see, therefore, the trouble, the difficulty, the expense that attached to our getting a sworn declaration for every man who had to be put on the Conservative side of that list, because we were obliged, in order to get those declarations, to go to the lawyers and the notary public who happened to be in that part of the country, and you can easily see that in a constituency 250 miles long and 100 miles wide, sparsely settled, and where those officials are scattered over such a large area, the extraordinary difficulty we had to prepare that list. Of course, any man who is well acquainted with a district should be able, of his own knowledge, and with the ordinary means at his disposal, to make up three-fourths of that list fairly, but with regard to the other fourth—and this is where our great difficulty lay—we did not know even the names of the parties or where they resided. We had heard of, say, John Smith, in a certain township. The best efforts of our detectives failed to locate anybody of that description who had resided there within the time required by law. We offered the court the best evidence that could be procured, that our detectives had searched that country from one end to the other and had failed to find any trace of such a person. We were refused the evidence of municipal clerks and people of the greatest respectability who had resided there many years, that no such persons could have lived there without their knowing it. We brought that out before the revising officer, and he plainly said that that was all very well, but unless we produced evidence that we had personally served the parties with notice the names would stay on the list. and they stayed there. He knew when he laid down that rule that he was laying down a rule that was an impossibility. That is one of the ways in which the revising officer worked this matter for us, and the result was that in the city of Brandon, the night before the election, a train load of hoodlums and personators was brought from Winnipeg, and next day every one of these fictitious names was voted on by parties who came there, whom none of us knew and who took the oath unblushingly and then went no one knew whither. That is the way they worked the racket in introducing impersonators. Lest you should think I am stating only what occurred in Brandon, and that such things could not occur in other parts

of the province, I have here a declaration by a Dr. McFadden, a member of the local legislature, which shows that the same racket was worked for him in the constituency which he represents, Emerson. That was hard was it not? That is the way in which that part of the list is fraudulently prepared. But one of the principal modes of trickery which is practised on our voters' list is that with regard to the Icelandic vote. I am not able to explain why it is, but these people in their own country, before they come out here, are all what they call Liberals, or something which has the same meaning to them, and when they come to this country their leaders, who have for many years been officials of the Greenway government, have no difficulty in explaining to the new-comers that that is the way they have to vote in Manitoba. When we look over the voters' list in the city of Brandon, of course we know very well the different Icelandic names that are on our list, but occasionally we come across a batch of them that we know nothing about at all. On one occasion we found over a score of Icelandic names on our list which none of us had ever heard of before, and we appealed against these and asked the enumerator how he came to place them on the list. He triumphantly explained that this was done, as he had done with the Conservatives, by a writ ten application and statutory declaration. We asked him to produce these, and though he was very loth to do it, he was obliged to. It turned out that every one of these was made before a Mr. T. T. Macfarlane, a Grit heeler, of the city of Brandon, who had been appointed a justice of the peace for this purpose. Examined under oath, this man admitted that he had gone down, accompanied by a Greenway Icelandic official, to the immigration shed, where an immigrant train of Icelanders had just arrived, and had taken with him in his pocket, prepared for use, a number of these applications and statutory declarations. He admitted that he had never seen any of these people before, that he asked them no questions and never read over the declarations to them before they were signed before him; that he did not know if one of them spoke a word of English, and yet all these people were put on that list, and when we tried to strike them off, the same objection was made by the revising officer, that unless we personally produced these people before him, or produced evidence that they had been personally served with a subpœna to appear there, he would not allow their names to be struck off, and as by this time they had all accepted situations and scattered all over the country as hired men, we were unable to find them in order to serve them with subpœnas, and the result was that I, with the large interest I have in that country, had my vote killed by one of these new comers, who had only just arrived in that country and who knew nothing about our language.

Hon. Mr. PERLEY—Not even a British subject.

Hon. Mr. KIRCHHOFFER—No, not even a British subject, naturally. Under the late Norquay administration the revising officers were the county court judges; under the Greenway government the revising officers are the bitterest and most unscrupulous partisans in their party. That is the qualification. A man will not be appointed unless he possesses those qualities. They are nearly all young lawyers, smart, bright fellows, accustomed to fighting in court day by day, to twisting and straining every point to make it appear the best for their own side. They have been returning officers at the polls, and scrutineers at the polls, and they are thoroughly imbued with the strongest kind of partisan feeling and party spirit, and they do the best, as you may naturally suppose—I do not blame them for it—for their own side, to make as favourable a list as they can to keep their own party in power. What I say is that they have no responsibility, they have no care beyond making up that list in the way they were appointed to do, and I say the appointment of any partisan, I do not care who he is, or by what government he is appointed to the position, which is actually a judicial position, is a disgrace. I say that no government should be allowed to do it. It may be that a change will take place and that the party that I am in sympathy with, will have the same privileges placed in their hands, and with what they have had before them they might undertake to do the same thing. I say it would be a disgrace to allow any party to be in a position to do it—to turn what is really a judicial position into one of the bitterest partisanship. I do not say that at all times every

revising officer appointed in that country has acted in an unfair way. We have a notable instance in the city of Brandon, where on one occasion the revising officer was Mr. G. Henderson, a very eminent Liberal lawyer there who now occupies the position of district registrar. Henderson acted in a manner that was fair and impartial and judicial, and made up a list which the most biassed person could not but admit was a fair list. What was the result? Mr. Henderson has never been employed since. His crime was accentuated by the fact that the Conservative candidate was elected under the list he prepared. Such a crime as that could only be met with one result, and Mr. Henderson was turned down and has never been employed since. I say that these revising officers should always belong to our judiciary, I care not by what government they have been appointed. I would just as soon that our Manitoba lists were revised by Judge Prendergast, whose name has been mentioned here very frequently as a Liberal appointee, as by any judge whose antecedents have been entirely Conservative. And why? Because we are able truly and proudly to say that our judicial bench is above suspicion, that they recognize the responsibility of the high offices to which they have been appointed, that they are guided by the long line of tradition which they can afford neither to sully nor to disgrace, and further, that they are appointed for life and can afford to be fair and honest and honourable, to be impartial and judicial without incurring the penalty of dismissal. I say that that is the reason and one of the greatest reasons why we should see that the position of revising officer should be given to a county judge. As long as the present system exists, you will find the same difficulty and the same trouble in getting a fair list. This is the sort of list made up in that fraudulent way that you are asked to incorporate as a Dominion franchise, the list by which the members shall be elected to this Federal House. I say that not one of these fraudulent practices which are allowed by the revising officers would be attempted, or assisted in, or connived at, or winked at by any judge that could be appointed as a revising officer in that country, and therefore I say if, after the warning, if after what I tell you as to the way in which those lists are made up, this House allows this bill to go through without this proposed amendment they will know that the province of Manitoba will return a solid list of Liberal supporters elected by the revising officers. That is the position of it.

Hon. Sir MACKENZIE BOWELL—Who are the revising officers under the late Dominion law?

Hon. Mr. KIRCHHOFFER—Nearly all young Liberal lawyers in the city of Winnipeg.

Hon. Mr. BOULTON—But under the late Dominion franchise?

Hon. Mr. KIRCHHOFFER — County court judges.

Hon. Mr. MILLS—No; not always.

Hon. Mr. KIRCHHOFFER—I think in every case in Manitoba.

Hon. Mr. MILLS—A barrister of six years' standing.

Hon. Sir MACKENZIE BOWELL—Wherever there was a judge in Ontario he was appointed in every case.

Hon. Mr. MILLS—In London there were two judges, but James Fraser was appointed.

Hon. Sir MACKENZIE BOWELL—The county court judge was appointed for another division, and there were not county court judges enough.

Hon. Mr. MILLS—There are not county court judges enough in Nova Scotia, if my hon. friend adopts that rule.

Hon. Mr. KIRCHHOFFER—I should like to tell the House of the constituency of South Brandon, the constituency which I used to represent in the local House. In that case a voters' list was published and posted up one day and the court of revision was held the next day. None of us knew anything about it. The revising officer and the enumerator met together at a country school-house. They were the only persons present. They opened the court. There were no appeals, as you can easily imagine, and they closed the list, and declared that it was perfect, without any appeals. When we came to see the list some time afterwards, we found that over

200 Conservative names had been left off, many of whom resided in the immediate neighbourhood of the enumerator, and were well known to him, met him every day, people who had lived there twelve and fifteen years. It was a put-up job between the enumerator and the revising officer. In the city of Brandon, when one of our lists was being made up, we every day checked off with the enumerator the names that were placed upon the list, and the last day at 11 o'clock at night, I was personally present when the list was compared from beginning to end with the enumerator. And after that we certainly thought we had done everything that could be done to protect ourselves against any danger to that list. When the list was published we counted 200 names of those that had come to us that very night which were left off, and when we tried to reinstate those before the court of revision, we were unable to do so in almost every instance. That is an illustration of the way in which the franchise which the government wants us to adopt has worked in Manitoba. Mr. Greenway, knowing the untenable position he occupies in this regard, has been obliged to make some show of yielding to popular demand and popular clamour, because I can assure hon. gentlemen that there is a great clamour throughout the country for a fair list. Surely that is not something that we should have to ask and beg and seek for and be refused in a country such as this. But Mr. Greenway has been obliged to throw out a little line of suggestions as to what is likely to be done in order to make that right. I will read what the hon. Minister of Interior says about it, the late Attorney General of the province, a gentleman whose schemes have kept us under the iron heel of despotism for so many years, and who thoroughly understands its value to him from a party point of view. He is speaking about the different provinces, Nova Scotia and New Brunswick :

> As far as Manitoba is concerned, I have lately been informed—I do not speak with any degree of positiveness, but I believe it to be a fact—that the government out there have agreed to amend the Election Act so that an appeal to the judiciary should be given under that Act.

You will observe how carefully he guards himself against being responsible for his statements. He has "lately been informed," and he does not "speak with any positiveness," but he thinks it is likely that at some time the Greenway government may make an alteration which will govern the appointment of the revising officers to the county court judge. When the hon. gentleman made that guarded statement, he knew as well as I did that Mr. Greenway was not going to do anything of the sort. If Mr. Greenway had even told him he was going to do it, he would not believe him any more than I would, because we all know Mr. Greenway very well, and have had so much experience of the way in which his word can be relied upon, that we know all about that.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. KIRCHHOFFER—But you will see how ingenious and suggestive he was in putting forward this little line of suggestion as to the course that was going to be adopted by the Greenway government. I tell hon. gentlemen it is nothing more or less than a huge bluff. There is no intention of doing anything of the kind, and I do not want hon. gentlemen to be deceived or have the wool pulled over their eyes by any such statement as that, because there is not the slightest intention of doing it, and it is the duty of this House not to take anything on chance but to guard our rights and see that we give justice and fair play to all. There is no real reason urged against the passage of this amendment. All that they say is that it may work a wrong to the general principle of adopting the local voters' list. Supposing it does, what of it? Which is better, to work a wrong to an abstract principle or to work a wrong which disfranchises thousands upon thousands of the electors of this country? The same suggestion was made by Shylock when he was demanding his pound of flesh, and what was the answer put into Bassanio's mouth by Shakespeare :

> Do a great right, do a little wrong, and curb this cruel monster of his will.

That is all I ask.

Hon. Mr. POWER—I suppose, if any hon. member on this side of the House were to speak with the warmth which the hon. gentleman from Brandon has manifested, that probably he would be held open to the charge of being in a white heat.

Hon. Mr. KIRCHHOFFER—Red heat

Hon. Mr. POWER—I do not say that of the hon. gentleman. Evidently the hon. gentleman's local experience does influence the manner of his speech, and I think that we had better consider the matter from a more impersonal standpoint than that which the hon. gentleman has adopted. In the first place, while I recognize that the attitude taken by the hon. gentleman from Richmond two or three days ago was a justifiable one, that this House need not pass the Franchise Bill if it did not please, although it was a matter which did not directly concern this House, I can not agree with the attitude assumed by the hon. gentleman today that it is a perfectly right and proper thing for this House to undertake to go into the details of the Franchise Bill and deal with those details, adding here and subtracting there. I think the illustration from the Imperial Parliament to which the hon. gentleman referred us, will bear me out in that respect. The House of Lords did not, as a matter of fact, make a single amendment in the Franchise Bill which came before them in 1884, but the House of Lords, as they had a perfect right to do, said "We shall not consider this measure until we are satisfied that the government of the day propose to accompany it with a redistribution measure which shall not be manifestly unjust to the Conservative party."

Hon. Mr. MILLER—Does my hon. friend desire to be understood as saying that the House of Lords had no right to make any amendment?

Hon. Mr. POWER—No.

Hon. Mr. MILLER—We have been making amendments to the bill from the very start.

Hon. Mr. POWER—That does not say we are right. My contention is that the House of Lords does not go into the details of the Franchise Bill and make amendments, and I take the case the hon. gentleman chose. When the Conservative leader in the House of Lords who was also the leader of the Conservative party, when the Marquis of Salisbury was satisfied from statements made by the leader of the Liberal government that a fair redistribution measure would be introduced, the Representation of the People Act was allowed to pass, and not a single amendment was made to it in the House of Lords.

Hon. Mr. BOULTON—In the English parliament they use the franchise for partisan advantage.

Hon. Mr. MILLS—Not so much as here.

Hon. Mr. POWER—Now, hon. gentlemen, that is an important consideration. I think it has generally been recognized that money bills and franchise bills are bills which this House has the right to reject, and of course it has a technical right to amend the Franchise Bill if there is any glaring injustice in it, but the parliamentary practice and etiquette, so to say, has been that Upper House does not interfere with the details——

Hon. Mr. McMILLAN—Do you not call this a glaring injustice?

Hon. Mr. POWER—I shall try to deal with that later on. The ground taken by the premier in the other House is a perfectly reasonable and proper ground. He based his objection to the amendment which the hon. gentleman has proposed, and which was proposed in the other House on the ground that it conflicted with the principle of the bill. The principle of the bill was that the provincial franchises should be used for the purpose of Dominion elections; and if you say, as to certain provinces, we shall not accept the provincial franchises but shall subject them to certain amendments and provisions of our own, you are departing from the principle of the bill. That is a good and reasonable and tenable objection to the amendment. Hon. gentlemen seem to forget for the moment that this is not the first time we have had the provincial franchises for parliamentary elections in Canada. From the year 1867 until 1885 we had the local franchises, and I have not heard that any serious complaint was made in respect to the manner in which the local officers did their duties in preparing the lists. The only serious complaint made, as regards the province of Nova Scotia, was that certain Dominion officials were disqualified by the local law, and that they were improperly disqualified. Into the reasons for disqualifying those officers I shall not enter now. I did deal with it at one time, but I shall not now. All I say is that, looked at from the point of view of the local government of that day, there was a good deal of justification for the action which was taken

by the local legislature ; and with respect to the case cited by the hon. gentleman from Richmond (Mr. Miller), the case in which his colleague from Cape Breton was concerned, it must be borne in mind that in that general election of 1872, the Conservatives had a majority of the members from Nova Scotia ; and as far as regards the province at large, I have never heard any serious complaint of the conduct of the revisers or of the sheriffs. I wish to say a word or two about New Brunswick. There are other gentlemen who can speak with more knowledge of New Brunswick than I can. However, I happen to have in my hand the latest New Brunswick Act with respect to elections; and I think hon. gentlemen should bear this in mind with respect to that province. New Brunswick I suppose is the only province in the Dominion where there are no parties in local politics. They have a government there which is made up of Liberals and Conservatives and there is no reason to suppose that the local lists of New Brunswick would be made up otherwise than fairly as between the two parties, and I find that chapter 38 of the Acts of New Brunswick for last year contains this provision :

If at any time after the voters' lists have been deposited with the county secretary, as provided in section 36 of the said Act, the sheriff shall be satisfied that through a mistake in copying or any other error or oversight, names have been omitted from any voters' list, it shall be the duty of the sheriff to make application to the judge of the county court for an order authorizing him to add such names to such voters' lists, whereupon the judge shall, after notice to the assessors and revisers of the city, town or parish on the voters' list of which the sheriff thinks the names should be, if the judge is satisfied that the names submitted to him by the sheriff or any of them should be added to such list by reason of their having merely been omitted through mistake in copying or other error or oversight, make an order that such names or any of them shall be added to such list, and the sheriff shall thereupon add to such list such names as the judge has so ordered to be added, and thereupon the list or lists with the name so added shall be as good and valid in all respects as if such names had been included in such lists or lists by the revisers.

2. The provisions of the aforegoing section shall apply to voters' lists prepared and filed with the county secretary before the passing of this Act as well as to those who may be so prepared and filed hereafter.

Now, hon. gentlemen, considering the fact that in New Brunswick they, in local politics have no parties, this provision is sufficient to guarantee that the lists in New Brunswick will be fair and correct lists. With respect to Manitoba, all I can say, hon. gentlemen, is that it seems to me that out in the west they do things that perhaps we would not do in this cooler blooded eastern portion of the Dominion. We have had from the hon. gentleman from Brandon (Mr. Kirchhoffer) a statement, no doubt a reliable one, but no doubt coloured by the hon. gentleman's own strong political views and by the local feeling under which he evidently spoke, of what has been done on one side. It just happens that in the newspapers of the last few days we have had a little inkling of what was done on the other side in Manitoba. We have had the evidence of Mr. Howells, Q.C., of what was done by the Conservative side, not in a local but in a Dominion election. I think the Liberal side of the House need not be afraid of the comparison of the state of things depicted by Mr. Howells, and in that the comparison they will show to advantage.

Hon. Mr. BERNIER—Two wrongs do not make a right.

Hon. Mr. POWER—I was not saying that ; I was simply using it to illustrate the principle that out in the west they are more intense and do things that we cooler blooded people would not do.

Hon. Mr. LOUGHEED—Even $12,000 could not secure a conviction ?

Hon. Mr. POWER—I suppose the difficulty was there were some of those Conservative westerners on the juries. The hon. gentleman from Brandon talked about revising barristers. I thought while he was speaking that some of his observations would have applied to some of the revising officers appointed under the late administration. I know that in the province of Nova Scotia there were some county judges who were not appointed revising barristers, and they were men who were perfectly upright and fair and honourable, and there was no reasonable excuse for not appointing them except the government wished to have friends of their own to revise the lists. I shall not say anything more about Manitoba. Other hon. gentlemen know more about it than I do. The hon. gentleman from Richmond told us, and told us very properly, that we should act independently of threats. I think this House has in the past generally acted in a fairly independent way and I am not aware that the government, or any member of the government, speaking on behalf of his colleagues, has uttered any threats against the

Senate. The threats which appear in certain newspapers are not things that the Senate should take any heed of. To my mind it is an undignified position for the Senate to assume.

Hon. Mr. MACDONALD (B.C.)—On the floor of the House of Commons such a thing was done by a minister.

Hon. Mr. POWER—I am rather careful about the statements I make in the House. As a rule I think hon. gentlemen should be careful about statements they make, and some hon. gentlemen I must say are not very careful. Now, I tried to be careful. I said that the government as a government had not uttered any threats and that no member speaking on behalf of his colleagues or of the government had done so. I understand that on one occasion one member of the government, perhaps a little warmed up, as the hon. gentleman from Brandon was this afternoon, and speaking outside of Parliament said something that might be construed into a threat against this House; but we do not look upon it as an act of the government or as a thing this House should notice. The hon. gentleman from Richmond said we should deal with the bill independent of threats. I say so too. I say that we should deal with this measure as fairly and reasonably as we can, and deal with it from a business point of view. Now with respect to those local lists, the hon. gentleman from Richmond made a reference to one case which happened away back in 1872. Things have improved in Nova Scotia since then; and, as I said, up to 1885 when the Dominion Franchise Act was passed, there had really been almost no public complaint of the manner in which the lists were made up in Nova Scotia. The hon. gentleman read a letter from an ex-sheriff of the county of Victoria. I may say that the county of Victoria has been, in the past at any rate, sometimes very like a western county, and more extreme things have been done by both parties—certainly by the Conservative party—in the county of Victoria than in any other county in the province. The hon. gentleman from Richmond wished this House to adopt his amendment on the ground that the Liberals were more active in municipal politics than the Conservatives in Nova Scotia. Now, hon. gentlemen, my authority is just about as good as that of the hon. gentleman from Richmond, and the feeling amongst the Liberals in Nova Scotia is that the Conservatives are much more active in municipal elections than the Liberals.

Hon. Mr. PRIMROSE—That is not the case in the county of Pictou.

Hon. Mr. POWER—That is the hon. gentleman's impression; and every hon. gentleman knows that before an election comes off the members of one party think the members of the other party are doing a great deal more and working a great deal harder than the members of their own party. Now, what is the law in Nova Scotia? It would perhaps be well to find that out first before we undertake to condemn it in this wholesale way. In the first place, I might deal with the sheriffs in Nova Scotia. In New Brunswick the sheriffs are appointed in the manner indicated by the hon. gentleman from Richmond, as the sheriffs had been appointed in Nova Scotia in former years. In the last Revised Statutes of Nova Scotia we find how the sheriffs are appointed there. The first section of chapter 15 of the revised statutes says:

> The Governor in Council shall, from time to time, as occasion may require, by commission under the great seal of the province, appoint and commission a fit and proper person to the office of sheriff of each county, and shall, in like manner, fill up any vacancies as they occur, and every sheriff so appointed shall hold office during good behaviour.

Now, hon. gentlemen, it is a fact that, as a rule at any rate—there may be one or two exceptions—but as a rule the sheriffs in the province of Nova Scotia who hold office during good behaviour—they hold their office practically upon the same tenure as the judges hold their offices—are respectable and upright men, and to my mind men who are just as likely to honestly and fairly hear appeals from the electoral lists as county judges. What is the law in Nova Scotia? I have stated there was no general or serious complaint with respect to the manner in which the lists were made up by the assessors and revisers in Nova Scotia before the year 1885. In 1885 the Dominion Franchise Act was passed; in 1889 the local law was altered and an appeal was given from the revisers to the sheriff. Now, if the House will bear with me I wish to read a little of the law with respect to this appeal to the sheriff. Section 29 of chapter 1 of

the Act of 1889, which is the Act respecting the provincial elections, says :

The sheriff of the county shall attend at his office on the twenty-first day of March in each year for the purpose of hearing any appeals that may be made from the action of the revisers in making up the lists ; and he may hear such appeals at any time up to and including the thirty-first day of March ; and if he is satisfied from evidence under oath, which he is hereby empowered to receive, that the name of any person has been improperly left off or placed on the list he shall add to or strike off such name, provided, however, that in the case of any application to strike off a name it shall be shown that at least five days' notice was given to the person objected to either personally, or by leaving such notice at his last place of abode.

And here I may be allowed to observe that the hon. gentleman from Brandon seems to think that the revising officers in Manitoba acted very improperly in not striking names off without giving notice to the person whose name was proposed to be struck off.

For the purposes of this election the clerk of the municipality shall deliver the list of electors to the sheriff, who, after determining the appeals, shall return them to the clerk. The sheriff shall have power to summon witnesses to attend at the time and place above appointed to give evidence on the hearing of such appeals and to administer an oath, and to examine the parties and such witnesses on oath ; and any person who shall be summoned and shall neglect to attend without good cause shown therefor to the sheriff, or attending shall refuse to be sworn or give evidence, shall, upon summary conviction thereof before a justice of the peace, be liable to a penalty of twenty dollars, and every witness attending shall be entitled to receive the same fees and travelling expenses as witnesses attending before justices of the peace in civil suits, to be paid by the person at whose instance the respective witnesses may be summoned.

And in order that the sheriff, who is appointed as I have said during good behaviour and who takes the oath of office when appointed, may be reminded again of the importance of doing his duty, section 30 provides as follows :

The sheriff before entering upon his duties in the hearing of such appeals, shall be sworn to the impartial performance thereof, in the form following, and the oath may be administered by any justice of the peace, or by the warden or clerk of the municipality.

I. ....., sheriff of the county of ..... , do solemnly swear that I will, without favour or partiality, discharge the duties assigned to me, in hearing appeals from the decision of the revisers of electoral lists ; that I will place no name on the list of electors for the said county, and will strike no name off the same except as directed by the law under which I have been appointed.

Then section 31 reads :

If the sheriff neglects to attend to the duty imposed on him by the foregoing section, or if he shall wilfully place on the list the name of any person not properly qualified, or shall wilfully strike from the list the name of any person properly qualified, he shall be liable to a penalty of two hundred dollars in each and every case, to be recovered in the supreme or county court by any person who may sue therefor.

Then section 32 provides :

The sheriff shall keep a record of proceedings on the hearing of such appeals, and he shall forthwith after completing the lists, make a report of his doings to the provincial secretary, showing the number of appeals made to add or strike off, the number of names added or struck off, with any remarks thereon that may be necessary to clearly explain his proceedings, and the Governor in Council shall, after the receipt of such reports, fix the compensation to be allowed to the sheriffs for their services in hearing and determining such appeals.

The next section makes provision with respect to non-residents, and then there is a provision with respect to counties having two municipalities. Then finally :

The lists shall be made up, signed by the sheriff and deposited with the clerk of the municipality on or before the 10th day of April, in each year, and shall thenceforth be the registrar of electors for the county.

Now, hon. gentlemen, I do not hesitate to say that in my humble opinion, the law in Nova Scotia with respect to the electoral lists is on the whole a more satisfactory law and one which in its practical working is better than that in any other province. And I do not think that any hon. gentleman here would allege that, during very recent years, any charges of serious misfeasance have been made against a sheriff. As a matter of fact, I doubt very much whether there have been five appeals to the sheriff in the province of Nova Scotia since that Act passed in 1889. There is very little dissatisfaction with the lists as made up by the revising officers, the same parties who revised before 1889. So much for the law as it is. I do not think that any good ground has been shown why this House should undertake to interfere with the lists as they exist in the province of Nova Scotia. I may be permitted to make a few observations with respect to the wording of the amendment proposed by the hon. gentleman from Richmond, and I wish to point out that the amendment, as submitted to the committee, does not apply to the province of Nova Scotia. It says : "An appeal from the said lists." I direct the attention of the hon. gentleman particularly to this, because this amendment seems to have been prepared by gentlemen who are not aware of the existence of the Act of 1889.

Hon. Mr. MILLER—Is it possible that Mr. Borden and Sir Hibbert Tupper do not know ?

Hon. Mr. POWER—I think it highly probable that Sir Hibbert Tupper and Mr. Borden do not know. They have not paid much attention to what has been done in the local legislature :

An appeal from said lists as prepared by the registration clerks and revisers to the respective judges of the county courts in each of the said provinces, &c.

There is nothing said about the sheriff at all, and the list is not complete in Nova Scotia till the sheriff has made his official report, so we do not take the provincial list at all.

Hon. Mr. SCOTT—Are they all signed by the sheriff?

Hon. Mr. POWER—Yes; so that you do not really take the official list at all, you take the list prepared by the registration clerks. Our lists are not prepared by the registration clerks; they are prepared by the revisers. That is one point. Then I wish to direct attention to another matter. I am talking about this as a business question, and trying to point out the difficulty and inconvenience which will arise. There is an appeal on any of the following grounds :

That the names of voters are through inadvertence or otherwise omitted from voters' lists or wrongly stated therein, or that the names of persons are through inadvertence or otherwise inserted in the voters' list who are not entitled to be voters, and shall be made to the judge of the county court at any time within twenty days after the voters' list at first made up shall be filed with the officer who, under the law of the province, has the custody of the same.

This appeal is made to the judge of the county court twenty days after the list is made up. In Nova Scotia the list is made up on the 10th April; twenty days from that date brings you to the end of April, and a party has to the end of April to give notice of his appeal. Under this amendment, the parties objecting have till the 30th April to give notice of the appeal. The notice is given in the form of the schedule, and is to be posted up in at least three public places, and published at least ten days previously to such appeal in some newspaper published in the county. So that brings you down to the 30th April. Then, in the end of the clause there is a provision that the lists, as finally made up and revised by the county court judge, shall be :

Filed at least sixty days previous to the day fixed for the nomination of candidates for such Dominion election with the officer having by law custody of the same.

Let us look at the practical result of that. The local lists are now made up finally and signed by the sheriff on the 10th April. After that you have twenty days during which an appeal may be made. Then there is no knowing how long it may be before the county judge can deal with the appeal, because in Nova Scotia there are only seven county judges for eighteen counties, and some of the judges have to deal with three large counties, and it is very clear that a considerable delay must take place before these appeals can be heard. I think a month is a very short time to allow for the appeals before the county judge, so that will bring you to about the first of June. Then you take the sixty days which the latter part of the clause provides shall intervene between the time the lists are finally made up and the elections, and you could not have an election in the province of Nova Scotia before the first of August on the lists of the current year.

Hon. Mr. MILLER—Sixty days need not intervene. The lists are not to be changed within sixty days of the election. The hon. gentleman is astray.

Hon. Mr. POWER—The hon. gentleman is entirely correct. I am pointing out what the practical operation of this amendment will be when you come to deal with it in connection with the 60 days. The lists have to be completed and filed at least 60 days previous to the day fixed for the nomination of the candidates. It will be seen that if the election is to be held in any year before the first of August, it must be run, not on the lists of the current year, but on the lists of the previous year, and it seems to me that would be a much more serious objection to the voters' list than the bare possibility that some name or some few names might have been left off or put on the lists made up by the revising officers from the assessment roll and confirmed by the sheriff.

Hon. Mr. PERLEY—What time is the list made up in New Brunswick?

Hon. Mr. SNOWBALL—Different circumstances govern it.

Hon. Mr. PERLEY—No, it is a uniform date. It is done under a statute of the

province. The revising officers do not meet until October.

Hon. Mr. POWER—It has not been alleged anywhere that serious misdoings occurred in connection with the lists in the province of Nova Scotia before 1885, when the Dominion franchise law was introduced. I might make this general observation, that in the United States, which we do not take as an example altogether, the elections for Congress are conducted on the local lists, and in the new constitution which was discussed and agreed on some months ago at Sydney, Australia, the convention decided that their electoral lists for the commonwealth of Australia should be the lists of the several provinces, or, as they propose to call them, their states. We had this system in operation in this country for 18 years and it worked satisfactorily on the whole, and there is no reason why it should not work satisfactorily again. When I say it worked satisfactorily I mean that it worked on the whole better than the one which supplanted it.

Hon. Mr. DEVER—I wish to express my gratitude to the hon. gentleman from Richmond for his kind interference in the affairs of New Brunswick. I have no doubt the province will be grateful to him for his legal and philanthropic efforts on its behalf. But it is the first time that I have heard there was any grievance in New Brunswick of importance with reference to the revising of the list of voters in that province. The local legislature of New Brunswick, as hon. gentlemen know, is composed of Conservatives and Liberals. They live in unity. The government is fairly divided between the two parties, and the voters' list no doubt is made up under the influence of both of those parties. I am not aware that the government of New Brunswick or the representatives of New Brunswick has found any fault or asked this parliament to interfere in their behalf. Much less do I think they asked the hon. gentleman from Richmond to do so. The representatives from New Brunswick in the parliament of Canada I know are well pleased with the present bill. They are satisfied that it will work well and that it will be satisfactory to a very large proportion of the people of New Brunswick. This being the case I trust that the House will not interfere with our wishes. It will be my duty as one of the representatives from New Brunswick to protest against this interference with our domestic affairs. We in New Brunswick were confederates and anti-confederates. Those who carried confederation came to the parliament of Canada. We have not had these disturbances, annoyances and disputes that unfortunately I have listened to every day between Liberals and Tories and other parties. There we sit apart as confederates and anti-confederates. We live in harmony and are good friends and if we dispute for an hour or two about a vote we make it up without any disturbance. With reference to the hon. gentleman from Brandon, who made some remarks about the way the voters' list of New Brunswick had been constructed, I wish to say that the voters' list of St. John, a city with a population of over 50,000, is under a revising barrister, and I know that the people of St. John are satisfied with that gentleman. The sheriff, under the new system of elections, is a Conservative and I do not see that the Conservatives in this parliament have any right to complain if that gentleman is to be the revising barrister henceforth. He was a strong Conservative appointed by a government which was part Conservative and part Liberal, and has given general satisfaction. I might say a great many more things on this subject, but I want to confine myself simply to New Brunswick. I wish to say that until the representatives of New Brunswick find fault with this new method, I do not think it is the duty of other gentlemen who are strangers to us to intermeddle with our affairs. On that basis I appeal to hon. gentlemen not to interfere with this bill. It is going to make a uniform voting system all over this country.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. DEVER—Yes. There are no people who could be better judges of the system under which they vote than those who belong to the local legislature, who have the power and privilege of making the voters' list.

Hon. Mr. MILLER—Did not a majority of the members of the House of Commons from New Brunswick vote against this bill which is now before us?

Hon. Mr. DEVER—I am not aware of it.

Hon. Mr. MILLER—And in favour of the amendment I have moved?

Hon. Mr. DEVER—I want to say this much, that accidentally a large number of the members from that province have no right to be there, and would not be there if there was a proper revision of the voters' list.

Hon Mr. LANDRY—Hear, hear.

Hon. Mr. DEVER—They got in there by rather suspicious means—by means of men who had been appointed by a Tory government. Sleeping dogs had better be left alone, because a great deal could be said that might not please hon. gentlemen in this House. However, I do not want to raise any disturbance. I simply wished, on behalf of New Brunswick, to say that it is only fair to allow the real representatives of New Brunswick, to have the right to speak for their province, to represent the people of that province. These are my views, and I trust I have not given any offence. If the Nova Scotia members choose to adopt this amendment, I have no objection. In fact, I have no objection to the representatives of Manitoba favouring it, but I speak for the province of New Brunswick, and I was not going to say a word on the subject until I found that the hon. gentleman from Richmond who introduced the amendment, and who at first seemed to be inclined to withdraw that portion of it relating to New Brunswick, did not change it, and I felt it my duty to stand up here and oppose it.

Hon. Mr. KING—I do not propose to take up the time of the House discussing this matter further than to make a few remarks about the application of this amendment to New Brunswick. There is nothing clearer than, in the matter of preparing the voters' lists in New Brunswick, the people have all to say about it, and the government of that province has very little to say about it. The voters' lists in New Brunswick for local elections are prepared by our county councillors by two representing the parish and another appointed by the council.

There is no appeal to the sheriff, as in Nova Scotia. It is true the sheriff has a right, under the law, to strike off the names of men who are dead, but there is an appeal in New Brunswick from the list as prepared by the revising officer to the county court judge.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. KING—Section 1 of the New Brunswick Election Act reads:

> If at any time after the voters' list have been deposited with the county secretary, as provided in section 36 of the said Act, the sheriff shall be satisfied that through a mistake in copying or any other error or oversight, names have been omitted from any voters' list, it shall be the duty of the sheriff to make application to the judge of the county court for an order authorizing him to add such names to such voters' lists, whereupon the judge shall, after notice to the assessors and revisers of the city, town or parish on the voters' list of which the sheriff thinks the name should be, if the judge is satisfied that the name submitted to him by the sheriff or any of them should be added to such list by reason of their having merely been omitted through mistake in copying or other error or oversight, make an order that such names or any of them shall be added to such list, and the sheriff shall thereupon add to such list such names an the judge has so ordered to be added, and thereupon the list or lists with the name so added shall be as good and valid in all respects as if such names had been included in such list or lists by the revisers.

Hon. Mr. MILLER—That is an appeal from the revising officers.

Hon. Mr. KING—Yes, by the sheriff to the county court judge, and if the amendment is carried in this House I take it that it will be simply an appeal from the county court judge back to the county court judge again, because, if, through any oversight, names are left off the list, there is a chance to have them restored by application to the county court judge. It is not necessary for me to defend the action of the government of New Brunswick with regard to the electoral franchise of that province, because I may say no abuse has arisen under that law. There may have been some occasion for this amendment, but if there is I never heard of any complaints with regard to the working of the Act. Of course, as provided against here, sometimes in copying a name might be omitted, and this provision, I think, meets every difficulty that might arise in the province. As was pointed out by my hon. friend on my left a while ago, in New Brunswick we have perhaps not the best kind of government, but a government which suits us pretty well—a government composed of Liberals and Conservatives—and we have had much the same franchise since confederation, and I have yet to hear of any complaints in the province with regard to the working of that Act. I think I will be borne out in that statement by the

hon. gentlemen in this House who come from that province. Personally I would not be opposed to the appeal. I think we have it there. I do not think it is necessary to have that second appeal in New Brunswick, and I would ask my hon. friend to leave out that province. I am not going to say anything about Manitoba, or the other provinces. The hon. gentleman from Brandon has told us stories about what was taken place in his province. Perhaps if the stories on the other side were told there would be equality. In New Brunswick there is not the slightest necessity for any change in the Franchise Act, and I think Liberals and Conservatives alike will resent any interference on the part of the Senate with their Franchise Act. The Government is composed, as I said before, of about an equal number of Liberals and Conservatives. If it should happen that either party felt aggrieved with the way in which the lists were made up when applied to Dominion elections in that province, I am quite sure that the gentlemen representing the Conservative party in the local government are capable of taking care of the interests of their party if an attempt were made to interfere with their rights. It would be resented at once by the Conservative members of the government and the condition of things which has existed there would be materially changed. We would have a coalition government no longer. We would have party government in the province of New Brunswick. We have not had that in the past, but if the present local premier were to resist an attempt of that kind made by his colleagues, the line would be squarely drawn at once and we would have perhaps what we ought to have. But I do not know as to that, we are satisfied with the present condition of affairs. We have a government who are prepared to do right with Liberals and Conservatives in that province. I do not think this amendment will meet with their approval.

Hon. Mr. MILLER—How does the hon. gentleman account for the action of the people's representatives in the House of Commons from that province? I am credibly informed that representative from that province, including such men as Mr. Foster, voted for this amendment.

Hon. Mr. KING—I cannot account for it. I do not think they represent the people in that province. I will say that much.

Hon. Mr. MILLER—But we have to take that fact ourselves.

Hon. Mr. KING—I think as a provision is made in the local Act of New Brunswick for an appeal to the county court judges, that New Brunswick should be exempted from that amendment.

Hon. Mr. PERLEY—I quite agree with most of the remarks made by the last speaker. I was a councillor in New Brunswick, in Sunbury, for seven or eight years, and we had two more distinct parties then than they have now. It was not a coalition government but a party government, so to speak, and in all that time I cannot call to memory one case where they had a protest after election as they had in Ontario. The law was administered by the municipal council who elect the revisers, and they fix up the lists, and I do not hesitate to say that the list, to my knowledge, was always considered fair, and there never was any wrangle or quarrel over it. When the franchise list was first made up by the council, for one or two years there was a meeting of the political parties; some asked to have names put on, and others asked to have names struck off, but in a year or two there was entire confidence in the municipal councillors, and never any question about it. With regard to New Brunswick, I quite endorse what my hon. friend has said, and I do not think there has been much change made in the law since I left there. We have heard time and again of the ballot stuffing in Manitoba and of the manœuvring there, and we have heard the statements made by the hon. gentleman from Brandon. I have heard it repeated over and over again outside of this House by men in that country, and if we believe the hon. gentleman from Brandon it is quite enough to warrant the government to take cognizance of the statements and I believe the government will take cognizance of them, because when a statement is made by an hon. gentleman on the floor of parliament as plainly and distinctly as the statement we have heard to-day, the government will see that it is their interest to provide that such a matter is properly guarded

against and steps taken to see that such acts are not perpetrated again. I am confident of that. There is no government in any country under the sun who could listen to statements made in such a clear and concise manner, with the details which have been given, and undertake to defend such a proceeding. I hope and trust that this government will take notice of this case. I think in New Brunswick the difficulty is a small one, but in Manitoba it is a very serious matter, and I hope this government will let that amendment apply to Manitoba, if they do not to the other provinces, so that we may have the difficulty removed.

Hon. Mr. MILLER—I wish to state that I can readily see why the members from New Brunswick in the other branch of parliament desire to have this applicable to their province, from the imperfection of the law. I wish to call the attention of the committee to the limited scope of investigation provided by the New Brunswick Act:

If at any time the voters' lists have been deposited with the county secretary as provided in section 36 of the said Act, the sheriff shall be satisfied that through a mistake in copying or any other error or oversight names have been omitted from the lists.

These are the only cases. If names are improperly on they cannot put them off. I can understand why the members of the other House would desire the larger and more comprehensive principles of this amendment. The second clause of my amendment reads:

Such appeal may be, at the instance of any voter or person entitled to be a voter in the polling division, the voters' list for which is appealed from on all or any of the following grounds, viz.: that the names of voters are through inadvertence or otherwise omitted from voters' lists or wrongly stated therein, or that the names of persons are through inadvertence or otherwise inserted in the voters' list who are not entitled to be voters, and shall be made to the judge of the county court at any time within twenty days after the voters' list at first made up shall be filed with the officer who, under the law of the province, has the custody of the same, and notice of such appeal shall be given in form "C" in the schedule hereto annexed, by posting the same up in at least three public places within the polling division, and by publishing the same for at least ten days previously to such appeal in some newspaper published in the county and circulating in the said polling division; and if no newspaper is published in the county, then in a newspaper published in the nearest county having a newspaper published therein, provided that in the case of an application to strike off names from the voters' list, such notice shall be mailed, duly registered, with postage prepaid, at least one week previous to such appeal, to the address of such person or persons, if known to the appellant. The judge shall hear the appeals on affidavits, or if requested by the appellant or by the person opposing the appeal on evidence *viva voce* under oath, and may make an order in writing directing that the name of such person as voter shall be struck out from or added to said list, and in case of more than one appeal from the same voters' list, the judge shall embody in the one order the results of his adjudications in respect to all such appeals, and such order shall be filed with the officer who has the custody of the said voters' list, who shall in pursuance of said order, strike off from or enter upon said list the names of persons as voters, and such voters' list, so amended, shall be the voters' list for the polling division.

The committee will see how much more comprehensive this clause is than the section of the New Brunswick Act, and I can readily imagine that very little redress could be got by an appeal to the judge under the New Brunswick Act, and I doubt whether there is any provision under that Act to enable the judge to strike off names improperly on the list.

Hon. Mr. SNOWBALL—The people of the province of New Brunswick, who are so deeply interested in the matter, seem to be perfectly satisfied with the law as it exists, but my sympathy is greatly aroused by the extraordinary statement made here, not only by the hon. gentleman from Richmond, but by the hon. gentleman from Brandon and the hon. gentleman from Prince Edward Island. If we are to believe what we have heard the last two or three days, it is an army of missionaries that is wanted in these different sections. We have heard that the election oath is not considered an oath at all, or something equivalent to that, and that on Prince Edward Island voters go from side to side of district dividing lines and subscribe to any oath asked.

Hon. Mr. PERLEY—When the hon. gentleman makes that assertion it is with regard to his own party, and not the Conservative party.

Hon. Mr. SNOWBALL—I never heard of such a thing in New Brunswick, and the hon. gentleman has not heard of it.

Hon. Mr. PERLEY—That is correct.

Hon. Mr. SNOWBALL—I am not going to make any suggestions about what will be applicable to Manitoba or the other provinces, but I do know with regard to New Brunswick. The statement was made by the hon. gentleman from Richmond that in one constituency in Cape Breton—and I am glad it is not in Nova Scotia proper, so that you need not be afraid in passing through

the province of falling in with that class of people—that three hundred or more Conservatives were struck off one list, by a partisan election officer and, more than that, he could tell us a case ten times worse. That would be a case where three thousand Conservatives names were struck off one list. Of course it may be true. I do not know. This clause may be wanted in some sections of the Dominion, but it is not at present required in New Brunswick. We have a coalition government there, and we have a Conservative sheriff in St. John, that has been represented by hon. gentlemen from that locality as most honourable and efficient. In Northumberland our sheriff is also a Conservative, and there is not a gentleman between here and that county that I would sooner trust my affairs with than that sheriff. We have not had him there during an election. He has only been appointed lately. In the province of New Brunswick we never hear of any difficulties arising under our present law. I simply rose to-day to support the position taken by those hon. gentlemen who desire to sustain the present law in New Brunswick, and my advice is not to submit to any deviation from the electoral lists as provided by the provincial law.

Hon. Mr. MILLS—I may say the government have no intention of agreeing to the amendment proposed by the hon. gentleman from Richmond. We cannot accept that amendment. It would practically destroy the principle of the bill. I have listened with a great deal of astonishment to the observations addressed to this House, especially by the hon gentleman from Brandon. The hon. gentleman has spoken of the law in the province of Manitoba as though it were peculiarly atrocious, a law violating every principle of fair dealing between parties, and that in that province it was absolutely impossible, under the present law and under the present administration, for a Conservative elector to have any certainty that he could get his name upon the voters' list. What is the law with regard to the revision of the list in the province of Manitoba? And that law is, so far as the appointment of revising officers is concerned, almost exactly the same as the law that is now in force in the Dominion. The law of the Dominion authorizes the government to appoint a county court judge or a revising barrister, one who is not a judge, for the purpose of revising the list. That is exactly the law in the province of Manitoba. They may take a county court judge. They may appoint a barrister of at least three years' standing, and the barrister, or the judge, the one or the other, must be the revising officer in the province of Manitoba for the purpose of revising the voters' list. So that the law which the hon. gentlemen have supported in this regard as the law for the Dominion, is the law in this particular that is being denounced as an atrocious law when it is enacted by the province of Manitoba. That is the position of things. Then the hon. gentleman has spoken about the difficulty of putting a name upon the list and the difficulty of getting a name off. I pointed out early in the session that that is the law with regard to the preparation of the voters' list for the Dominion. If a gentleman thinks there is a name on the list that ought not to be there, he must give notice before he can take it off. The person whose name is objected to must have an opportunity of being heard and of showing that he possesses the qualification. It would be a novel proceeding to introduce if you are enforcing the present law. While some complaints have been made about the imperfection of the machinery of the existing law of the Dominion, no one has ever said, and I have never heard the expression used until I heard it from the hon. gentleman from Brandon today, that it is a peculiarly atrocious thing, when a man has his name upon the voters' list, to give him notice that you intend to object to it remaining there before you can undertake to have that name stricken off. The hon. gentleman said a good deal with regard to the unfairness of the revising officers. I am not calling in question the hon. gentleman's word, but I have seen exactly the same thing under the Dominion law in the province of Ontario. I remember four years ago, the last time the revision took place in Ridgetown, a large number of names were struck off by the revising officer, and when the new list came out all of those names were printed upon the list, all that were struck off and which, when the revising officer had his attention called to it he said: "I sent the list down to Ottawa with the names off and they were put on at the Printing Bureau," and the judge had his attention called to the fact. "But you knew those names were struck

off and yet you certified to the list with those names restored."

Hon. Mr. FERGUSON—Was he a judge?

Hon. Mr. MILLS—He was a judge. I remember very well at the same time in the House of Commons, when reference was made to the list from the county of Chamb'y, where Mr. Préfontaine was elected, attention was called to the fact that at the Printing Bureau here a large number of names had been added to the list as it was revised in the county of Chambly, and Mr. Ouimet, a member of the administration at the time, defended the list and said those people ought to have their names there. I say that abuses of this sort will exist. They do exist under perhaps any system you can devise, where there are unscrupulous men, and men of very strong partisan feeling, will go a long way if they think they can serve their party, and a due protection against mischief of that sort is vigilance on the part of those who wish to see a fair electoral list and the rights of all parties under the constitution preserved. Let me call attention to another thing; we have counties in the province of Ontario, where, if you take the list of 1891—the East Riding of Elgin for instance—you will see that the number of voters on the list are between one-third and one-fourth of the entire population. If you take those under 21 years of age off, and none of them can be put upon the list, you take away a little more than one-half of the entire population. Then if you divide the remaining half into two parts, one-half are women who cannot be upon the voters' list, you have one-third, at most, of the male population 21 years of age and upwards. Now, if you had manhood suffrage you could not have had as many names upon that list as there were standing upon it as it was finally revised.

Hon. Mr. McKINDSEY—Non-residents?

Hon. Mr. MILLS—My hon. friend says non-residents, and a great many of them were persons who were aliens, who had become citizens of another country, and yet that occurred in a list that was subject to revision by a county judge.

Hon. Sir MACKENZIE BOWELL—Was an appeal made to a county judge and did he continue them on the list?

Hon. Mr. MILLS—There was an appeal made and they were continued on the list, and they were continued largely because the county judge made exactly the same sort of objections which the hon. member for Brandon said were made by the revising officers in the province of Manitoba.

Hon. Sir MACKENZIE BOWELL—I did not hear what he said, so I do not know how that is.

Hon. Mr. MILLS—Let me say we have accepted the provincial lists, and I say here we have the revision in the provinces of Ontario, Manitoba and British Columbia by the county judges or the district judges, and they have in Manitoba by county court judges or by a barrister of at least three years' standing. Now why does my hon. friend direct himself against Manitoba? He supported the Dominion Election Act and yet my hon. friend says—

Hon. Mr. MILLER—Did not the hon. gentleman give you ample reasons for that?

Hon. Mr. MILLS—Certainly not. The hon. gentleman's reasons lay against the manner in which the registration clerks discharge their duties, and the registration clerks are not touched by the motion of the hon. gentleman.

Hon. Mr. FERGUSON—The hon. gentleman appears to have entirely overlooked the fact that there is this difference between the Dominion Franchise Act and the Manitoba case, that where in the Dominion a person who is not a judge is appointed a revising barrister, there is an appeal. There is not that in Manitoba.

Hon. Mr. MILLS—There is no appeal, the hon. gentleman says—

Hon. Mr. FERGUSON—There is no appeal in any case, I presume.

Hon. Mr. MILLS—And I do not see that there is any advantage in that. Will my hon. friend tell me now in how many cases there have been appeals under the Dominion Elections Act from a revising officer, who was a barrister, to a county judge?

Hon. Mr. FERGUSON—We always think if there is a right of appeal that it is a great check upon a revising officer.

Hon. Mr. MILLER—It serves as a deterrent.

Hon. Mr. MILLS—I know what the deterrent is. We saw it in the city of London. There was a revising barrister there who was not a county judge. He decided that some two hundred names ought not to go upon the list, and an appeal was taken to the county judge and the county judge put them on, and everybody admitted, and the judge of the superior court held, that these names ought not to go on, and perhaps nothing has ever happened in the province of Ontario that did so much injury to a judge as that did to that judge in the city of London. Now I say this, that my hon. friends have made out no case at all. Take the case of Nova Scotia. There has been a succession of governments there, and have they undertaken to substitute the county judges for the sheriffs? No, certainly not; because they had only one county judge for about three constituencies.

Hon. Mr. MILLER—I have told you why.

Hon. Mr. MILLS—Yes; the hon. gentleman mentioned one case.

Hon. Mr. MILLER—That is the only term that the Conservative party in the local legislature had power since federation—between 1878 and 1882.

Hon. Mr. MILLS—The principle was adopted by the Conservative party in Nova Scotia.

Hon. Mr. MILLER—In connection with the sheriffs?

Hon. Mr. MILLS—I understand so, and I think I can show that my hon. friend is mistaken in this before we have done with it.

Hon. Mr. MILLER—Will my hon. friend allow me to explain? In 1883 the appointment of sheriffs was given to the local executive. An appeal was given to the sheriffs from the revisers in connection with the local lists for the first time in 1889, and the sheriffs were appointed first in 1883.

Hon. Mr. MILLS—Let me call attention to the condition of things in the city of Halifax. I find that under the law there the revision is annually made by an official appointed by the city council, and the local government have nothing in the world to do with it, that the city council authorize the revision by a party whom they appoint, and if that is so how can the local government—

Hon. Mr. MILLER—That is an exceptional constituency in Nova Scotia.

Hon. Mr. MILLS—Very well, we have yet to find men who have come here for the purpose of showing that any serious wrong has grown out of the condition of things existing in Nova Scotia in this regard.

Hon. Mr. MILLER—Very serious. The Liberal party have held power almost uninterruptedly since confederation under those lists.

Hon. Mr. MILLS—So they have in the province of Ontario, but it has not been due to any tampering with lists, because the lists are not under their control.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. MILLS—As I am anxious to get on with the measure, I shall detain the House but for a very few moments. The hon. gentleman for Brandon called the attention of the Senate to the difficulties that occurred in Manitoba with regard to the admission of names to the list, and with regard to their being put off the list. But any one who has attended a court for the purpose of having the list properly revised knows that the decisions he complains of are the recognized rules that are followed by the revising officers everywhere. There is universally the same practice in the province of Ontario of which he complains in the province of Manitoba. I have always been of the opinion, and that is one of the advantages in adopting the local lists, that it is far less expensive and troublesome to make a new list than to undertake to revise an old one. In making a new list, when the matter is in the hands of a municipality, the assessment roll is the basis. When the court of revision have before them an assessment roll and they find that a man who was on as a tenant the year before, and who, because he was a tenant for certain properties the year before, was also transferred to the voters' list, when they find he is not on the new assessment roll as a tenant, his name is dropped, making a new list and

so the candidates on both sides, or the representatives are not put to the expense of undertaking to examine that party, who may be outside of the constituency altogether, or examine the owner of the property for the purpose of proving that he is no longer a tenant interested in the property. The assessment roll may disclose that a new tenant has taken the place of the old one. My experience in all the revisions that have so far taken place has been that the cost to a representative, or to a party on the opposite side, to get names off the list that were improperly on, is more than the cost of everything else connected with the revision of the list put together. In my opinion, one of the very great advantages in adopting the provincial system is that you get rid of that expense, and you have simply to make a new list, which consists in nothing more than copying names from the assessment roll, and the addition of those parties who are not there and who perhaps ought to have been there, but who are known, where we have six or seven municipal officers acting together, to one or other, or all of those present. You seldom have a municipal body in which both parties are not represented. It is very seldom, except in some towns and cities, that political considerations enter into the elections of municipal offices. Each candidate is anxious to secure all the votes he can, and in order to accomplish that object, he seeks to make as many friends amongst those who may differ from him politically as he can from the other side, and so in every municipal council there are representatives of both the political parties and the interests of both parties are usually served in that way. I know in many instances that the whole revision takes place before the whole municipal body and there is no appeal whatever to the county judge, because the work is so satisfactorily done in the municipal council that it is seldom necessary to appeal. I remember but one instance, in the constituency that I for thirty years represented, where the assessor was a man of very strong political feeling and prejudices, and he left off all the farmers' sons on the opposite side from the assessment roll. It was thought the better way to do in his case was to bring an action against him in the court under the law, and that was done. The late M. C. Cameron was judge in the case, and this man seemed to be under the impression, because Mr. Cameron had been a member of the Conservative party at one time, that he did not take much risk in standing a trial before him ; but when he heard Judge Cameron address the grand jury at the opening of the court, he thought it better to escape. He went to Detroit and I do not know that we have ever had, on either side in the constituency, any trouble arising in that way after that judicial proceeding. Now, if hon. gentlemen will look at section 31 of the Manitoba Act they will find that the whole provision with regard to the revision of the list differs scarcely at all from the provision in the Dominion law as it now stands. My hon. friend opposite me here mentioned to-day that if the case was one tried by a revising barrister, under the law an appeal might be had to the county judge. There are very few instances in which that is ever resorted to. I only know of one, and as I said before that did not turn out very fortunately for anybody. Where a lawyer of fair standing is appointed, I do not know why, if that is found convenient or necessary—because the country is large and the judges are few in number, as in the case of Manitoba—I do not know why he may not be trusted. I remember in 1873, when Sir John Macdonald was in office, when it was proposed to establish the first court for the trial of controverted elections, provision was made for the appointment of *ad hoc* judges, and those *ad hoc* judges were barristers of at least six years' standing. Now, if you could entrust the trial of controverted elections to others than judges of the regularly constituted courts, to those who were in practice and who, apart from the particular judicial duties imposed upon them, were still practising barristers, surely the principle might be applied to the revision of the voters' list. If you can trust a barrister of six years' standing to be an *ad hoc* judge, you may trust him to revise a voters' list in order to establish who may or may not be on that list. I apprehend if the hon. gentlemen will examine into all those cases where there are variations it will be found that those variations have grown out of the circumstances of the population, and are really matters of convenience. Now, in the province of Nova Scotia you have but seven county judges, and if you omit the judge at Halifax, six. You have 18 counties, and as my hon. friend (Mr. Power), mentioned

this afternoon, to require the revision of the voters' list over the whole province by those judges would occupy an inconveniently large portion of their time. I am of opinion that the system——

Hon. Mr. MILLER—Their work is very light, indeed, now outside of the Halifax court.

Hon. Mr. MILLS—However that may be, I apprehend that that system was adopted, not from any political consideration, because I find that at the beginning it was acquiesced in by both parties and adopted as a matter of convenience, and I think that whenever the appointment of the judges is more, or equally convenient, the appointment of judges will take place. Hon. gentlemen will remember that the appeals are, in the vast majority of cases, exceedingly few. I venture to say that the appeals all over this Dominion do not constitute three per cent—perhaps not one-third of that—of the entire number of voters upon the voters' list, and that being so, we are, I think, justified in looking to the question of convenience. As it is, we take out sixty days after the list reaches the printers, in order to give time for printing the entire lists of this Dominion, and if you impose those duties solely upon the county judges in the province of Manitoba and in the province of Nova Scotia, you would be obliged to add more than sixty days more to the time that would be required in order to get the lists ready to be sent to the clerk of the Crown in Chancery. I think, then, looking at all the considerations that we are bound to give weight to, that the law as it stands on the whole is satisfactory—that, at all events, if it is found not to be so, the local legislature, who represent the people specially concerned in making these lists right, who are themselves personally affected, will influence that legislature quite as strongly as they can possibly influence the House of Commons here. That law, as it stands, has met with the approval of the legislative assembly in every province of this Dominion. They have made it what it is, and it has met the approval of the House of Commons here, the people's representative in the legislature of the Dominion, and it does seem to me that it would be taking a most extraordinary step if this House, consisting of members appointed by the Crown, should undertake to alter and change the law in a fundamental particular that concerns the constitution mainly of the other House. This House is the judge, the sole judge of its own privileges; but this House assumes that the second chamber have no greater interest and no greater authority in dealing with the electoral lists than this House itself has. Now, I do not admit that. I do not question the power of this House to amend an election law with regard to its verbal phraseology; but I do deny its constitutional right to alter that law or amend it in a fundamental particular. The party that is at the present time in the majority, that has bestowed its confidence upon the present administration, went to the country in 1896 upon the adoption of the local law of the provinces for the purpose of the electoral franchise. That was one of the issues submitted to the country. This measure that is now before parliament is before the House in fulfilment of the mandate that was then given by the majority of the electors in this country to the present administration.

Hon. Mr. BOULTON—That was not the issue.

Hon. Mr. MILLS—My hon. friend says it was not the issue That is simply a preposterous interruption. My hon. friend knows it was as much an issue as any other one that was contained in that series of resolutions adopted in this city by the three thousand representatives of the Liberal party from every portion of this Dominion in 1893.

Hon. Mr. McCALLUM—It was one issue.

Hon. Mr. MILLS—Unquestionably it was one; I do not pretend to say it was more than one, and if there is any meaning to be attached to the doctrine of our constitution, when a party submits its policy to the country and an election takes place upon the issues thus presented, and it is sustained by a majority of the electorate, then it is bound to undertake to fulfil its obligations, and the second chamber has no constitutional right whatever to interpose an obstacle in the way. Now that is the doctrine settled under the English constitutional system in 1882. That is the doctrine accepted, and it is most elaborately and clearly set out by Mr. Leckie

in his work on Modern Democracy. He points out the functions of the House of Lords, and he shows the difference between the powers of the House of Lords in respect to all questions upon which public opinion has not been sought, and the questions upon which public opinion has been sought. Take the case of the abolition of the Established Church in Ireland. Mr. Gladstone proposed a resolution on that subject in the House of Commons, approving of the abolition of the Established church. What was Mr. Disraeli's position? He said: "What you propose is a fundamental change in the constitution of this country. We, as a parliament, have a right to legislate; the measure which we adopt to-day may be changed to-morrow, but when you propose to alter in a fundamental particular the constitution of this country you ought to have a mandate from the country itself." Mr. Gladstone acquiesced in the doctrine laid down by the leader of the opposition. A dissolution took place; an appeal was had to the nation; the result of that appeal was a majority returned in favour of abolition. It was well known that nine-tenths of the House of Lords were opposed to the disestablishment of the Irish Church: they favoured the continuance of church and state in Ireland. They thought that authority of government would be weakened by the abolition; but did the House of Lords set up the private opinion of its members against the verdict of the nation? Did they express an opinion at variance with that verdict? Not at all. The House of Lords acquiesced in it, and although they may have undertaken in minor particulars to amend the resolution——

Hon. Mr. MILLER—And it is a minor matter that we are amending this bill now.

Hon. Mr. MILLS—I entirely dissent from my hon. friend's view in that particular. I say it is a matter of fundamental importance, and that being so, the verdict of the country has been pronounced, and while this House may alter or amend that bill in some particular the better to perfect it and carry out the object of the bill itself, they are not at liberty to amend the bill in any particular which will alter its character. What is the character of the bill? That the qualification of the voter and the means of ascertaining it and the preparation of the list are such as the local legislatures have been——

Hon. Mr. MILLER—Is that the case with Nova Scotia under this bill?

Hon. Mr. MILLS—Certainly it is the case of Nova Scotia. My hon. friend knows quite well that the Dominion government fought the government of Nova Scotia, and my hon. friend knows that there were over four thousand men on the Intercolonial Railway that were marched like soldiers to the polls to vote against the local government, and in order to obtain a fair expression of opinion it was necessary that there should be, for local purposes, an independent electorate. That rule does not apply in the same degree to us, at all events it does not apply under the present administration, for there is no intention to control the individual vote of any voter or official.

Hon. Mr. McKAY—My hon. friend is not justified in saying that they were driven to the polls.

Hon. Mr. MILLS—Does my hon. friend forget the twenty-four thousand shingles.

Hon. Sir MACKENZIE BOWELL—That has nothing to do with it; however it was in New Brunswick anyway.

Hon. Mr. MILLS—We know what it meant. It is like Joseph's dream; they had a figurative interpretation.

Hon. Mr. BOULTON—The hon. leader of the government in this House referred to an interruption of mine as a preposterous interruption when I said that the question of the franchise was not the issue in the general election. In 1893 there was a convention of the Liberal party which laid down a platform. In that platform I am prepared to acknowledge that the change in the old franchise law was set forth; and I do not know that it even went so far as to say it was to be based upon the provincial list. The question, so far as the provincial list is concerned, is a perfectly right one in so far as we should use the provincial list as the basis, but I do not know that it was propounded as a policy of the Liberal party that we should abandon the national position of the question and relegate entirely the control of our franchise to the provinces; that we should let go that principle, which I think is a sound principle and a principle we should retain, to maintain the national

character of our franchise and the national character of this parliament in every way. The hon. leader of the government says, it having been made a part of the platform of the Liberal party, that therefore it was preposterous for me to interrupt him as I did. Now, hon. gentlemen, since 1893 a complete change came over the minds of the people in regard to the issue the general elections were fought upon, and that was the settlement of the Manitoba school question. That was the great issue, at any rate in that province where the large majority was obtained by the government by which they were sustained and brought into power. Outside of the province of Quebec I think that the balance between the two parties was almost even, in fact, if I remember rightly, in almost every province there was a slight Conservative majority and the majority upon which the government attained power was entirely the support they obtained from the province of Quebec on the settlement of the school question, and, therefore, when I say that it was not the issue, and when I say that the country did not take the ground that the hon. leader of this government is taking at the present moment, were it not sustained outside of the school question, I do not think the words "preposterous interruption" are justifiable under the circumstances, when all the provinces outside of the province of Quebec, when the school question overshadowed everything else, gave an even balance, there is no great preponderance of voting power so far as this particular question of the franchise is concerned. Now, hon. gentlemen, with regard to the amendment itself, while I have the greatest respect for my hon. friend who sits in front of me here, I do not think myself that it is wise for us to make this amendment; and I will give you my reasons for thinking so. In the first place, I think the law itself is defective in a great many instances as a Franchise Act, to succeed the one that has been abolished. The main feature of it, according to my mind, is the absence of that national character that I think should be retained. The amendment is only for the purpose of altering the Franchise Act in one or two minor particulars, that is to say, as regards the provinces of Nova Scotia, Manitoba and New Brunswick. My hon. friend from Wolseley (Mr. Perley) was formerly a representative from New Brunswick, and he thinks that the alteration should not been made in so far as the province of New Brunswick is concerned. I do not know that we are justified in making any alteration in so far as Manitoba is concerned. And why? Because the law in the province of Manitoba with regard to an appeal to a judge or a revising barrister, is identically the same as the Dominion law which was passed by the former government, and therefore, if the laws are exactly the same in that particular which we were working under before the present government came into power, I do not think that we are justified in making a change in that direction. The fault is not in the law of the province of Manitoba. It is the fault of the government. It is the fault of a government who desire to utilize the franchise in order to perpetuate power by corrupt means, if the statements made by the hon. gentleman from Brandon are correct. I myself live so far in the interior, away from the large centres of population, that I am not acquainted with these matters so much as my hon. friends who live more in the centres of population; but if the statements are anywhere near correct that were made by the hon. gentleman from Brandon, it shows that it is not the law that is defective in regard to the matter, but it is the appointment of corrupt men who will utilize the power that is placed in their hands for a short time in order to manipulate the franchise in the interests of the government and in the interests of the party.

Hon. Mr. BERNIER—If such a bad use has been made of the law in our province, is it not well to improve upon it?

Hon. Mr. BOULTON—When we come to discuss broad questions of this kind we have to take precedents into account. Our own law, which has been in force a number of years, is the same as the provincial law. Well, our own law is bad in this respect.

Hon. Mr. McCALLUM—We should improve the law.

Hon. Mr. BOULTON—It is a question how far it is wise for us to make the change. We do not anticipate that the province of Manitoba is going to be in the hands of the present government for ever. I hope we have not got into that system by which a government, having once reached the treasury benches, is there for the life of two or three generations. If that is the case, the people

have got into a very unfortunate position, so far as their party instincts are leaving them to be blind to the interests of the country, if they are enabled to hold office by patronage or pelf or whatever it is called. I do not believe that public feeling has come to that. I believe there is a feeling, which is lying dormant now, which only needs to be roused to lead us into higher channels. In the province of Manitoba it is not so much the fault of the law, as it exists there, but it is the fault of the government who appoint men who use that law to the disadvantage of the people in the use of the franchise. I do not pretend to know anything about the province of Nova Scotia. As I understand, that province has a law by which the sheriff is the judge and the man that is appealed to. How far this amendment will improve that position I am not prepared to say. They are both public officials. The sheriff is a public official, and I have heard it is an annual appointment.

Hon. Mr. POWER—No, during good behaviour.

Hon. Mr. BOULTON—I understood it was an annual appointment.

Hon. Mr. POWER—No.

Hon. Mr. BOULTON—If it is a life appointment during good behaviour, he stands very much in the same position as a judge so far as his independence is concerned.

Hon. Mr. MILLER—He is appointed during the pleasure of the government.

Hon. Mr. POWER—During good behaviour.

Hon. Mr. PERLEY—In New Brunswick they are appointed annually.

Hon. Mr. DEVER—No, they are not.

Hon. Mr. PERLEY—Oh, yes.

Hon. Mr. BOULTON—It resolves itself down to this; while I would be ready to support the amendment to correct what the hon. gentleman considers a weakness so far as that province is concerned, is it wise for this House to return the Franchise Act at this late period of the session with an amendment which the government refused in the Lower House, and which the leader of the government in this House has also refused? What would be the result of our action in regard to that? The result of the action would be to send the Franchise Bill down with a small amendment, and then we enter into a conflict with the House of Commons at this late hour of the session. The Commons will send it back to us, refusing to accept that amendment.

Hon. Mr. SCOTT—That is quite right.

Hon. Mr. BOULTON—If the hon. leader in this House represents the views of the government in regard to that matter, what is going to be the position of this House if we pass that amendment and send it down to the House of Commons and it is sent back to us? We have either to accept the refusal of the Lower House and pass the bill, or else we have to throw it out altogether. Is this House prepared to accept the responsibility of that? The Plebiscite Act, which is one of the planks in the platform of the Liberal party, is contingent upon the passage of this Franchise Act, I think.

Hon. Mr. MILLER—Not at all.

Hon. Mr. SCOTT—Yes, certainly.

Hon. Mr. MILLER—It need not be.

Hon. Mr. SCOTT—The promise was given that the vote should be taken on this.

Hon. Mr. MILLER—What trouble would there be in amending the Plebiscite Bill in order to have the vote taken on the local lists?

Hon. Mr. SCOTT—Lists prepared five years ago.

Hon. Mr. MILLER—That is what I meant when I alluded to attempts to coerce this House.

Hon. Mr. BOULTON—However, that is what I understood. At any rate, leaving that point out of the question, it is for us to consider how far it is wise for us to urge such a small amendment. If the hon. gentleman had gone further and attempted to say that the present government has taken away the national character of the franchise, which is an essential, a constitutional point, I say this House would be perfectly right in taking cognizance of it, I do not agree with the hon. leader of the House in that particular respect when he says we have the power, but it is a most unusual power to ex-

ercise, to interfere with the franchise which pertains only to the Lower House. But when such an essential point as altering the character of the franchise is brought up, I say we would be perfectly justified in taking that position. Unfortunately, the government has brought down these important measures just on the eve of prorogation. I have been told that prorogation is to take place on Saturday, and that would leave only two more days.

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. BOULTON—The statement was made on the authority of members of the government, but I know it cannot take place. I know that the Senate has to finish its deliberations, and no matter how long it may take, we must have time to consider the important measures which are still to come to us, the postal and other bills. Prorogation cannot take place until the Senate has passed upon these measures. With regard to this particular bill, after hearing the debate, I may say that my sympathies are with the hon. gentleman from Richmond.

Hon. Mr. MILLER—I would sooner have your vote.

Hon. Mr. BOULTON—Well, if my judgment led me in that direction, after hearing what I have heard, I think I would not like to be a party to sending this bill back to the House of Commons at the present moment, with the prospect of its being returned, and we would not know what to do.

Hon. Mr. McCALLUM—I wish to say a few words in reference to something which was said about this being a question before the electors at the last election. It was one of the issues, but there was very little said about it. There were several other issues. Are the government going to carry out all the promises they made before the people of this country, or only one of them? What were the promises they made to the country? They promised economy in all the public service. They promised that all works should be let by tender to the lowest bidder. Are they carrying out those promises to-day? They are giving contracts to their friends in the country without calling for tenders, and I say now that I will have much pleasure in supporting the amendment offered by the hon. gentleman from Richmond, for the reason, that if we cannot get what we want, we should try and improve what the government have given us, in order to give the people of this country some chance of recording their votes without being influenced by the government of the day. The position now is that the government of this country, composed of thirteen, fourteen or fifteen gentlemen, are declaring to the world by their action that they are not able to devise and produce a Franchise Bill in order that the electors of the country may return members properly to the House of Commons. And why? They hand it over to the local legislatures, thus declaring that they are not able to do it themselves. At the same time, I am bound to endeavour to improve this bill, and I think the proposed amendment will have the effect of improving it. It makes no difference, as far as I am concerned, whether the House of Commons send it back or accept the amendments. I am not carried away by the same feelings and fears as the hon. gentleman from Shell River. I am here to do my duty to the people of this country, and I shall discharge my duty as far as I can. I take this course in the interest of the people of this country in order to give them fair play, and I think this amendment will have that effect. This is a very important question; it is just a question whether we are going to have an honest election in this country or not. If we pass this bill without amendment as urged by the hon. gentleman from Shell River, do hon. gentlemen suppose we would have an honest election?

Hon. Mr. BOULTON—I do not want it to go through, but the amendment will not stop it.

Hon. Mr. McCALLUM—It will improve it. Certainly an appeal to the judges will improve it. The government of this country declare by their action their inability to give a Franchise Act to the people of this country to enable them to record their votes honestly, and they hand the responsibility over to the local legislature. If my vote will improve the bill by assisting to pass this amendment, I shall be glad to record it, and I would say to the government that I hope they will carry out the other pledges they made to the electors of this country. But they have not done so and they will not. I do not desire to impute motives, but it seems to me the only object of this

bill is to enable them to handle the franchise so that they can keep themselves in power. They should not be afraid of the honest electors of this province, and should give them a chance to record their vote. I consider I would be doing a wrong if I let the bill go through without this amendment. Some people say "Let them go, give them rope enough and they will soon hang themselves." I will not wait for that. I want to do my duty honestly from day to day to the people of this country, and I consider I shall be doing it by supporting this amendment.

Hon. Sir MACKENZIE BOWELL—I desire to say a few words in reply to the position the hon. Minister of Justice has taken as to the effect of the proposed amendment tothis bill. He has made the statement, that it is a direct and positive interference with the Franchise Acts of the local provinces. I concur in the position taken by the hon. gentleman in reference to the duty of an Upper House after a principle has been confirmed by the people. Therefore I shall not discuss that question with him. I may say to my hon. friend from Shell River, however, that his argument was in opposition to any interference with the franchise altogether. His argument was in favour of a uniform Dominion franchise, with which I am in full accord. But the party now in power went to the people with that as one of the planks of its platform, and the people, we have a right to presume, having elected them, affirmed the principle of returning to the local franchises, and for that reason I shall not consider myself justified, as a member of the Upper House, in moving the rejection of the bill. If it occupied the position of the other bills which we have rejected, if it stood in the same position as Acts which were passed by the House of Commons in England, the principle of which had never been submitted to or approved by the people I would then join with the hon. gentleman from Shell River, and if no one else would move its rejection, I would not hesitate to take the responsibility of doing so myself. We know that this, among other planks of the liberal platform, was approved of by the people, and though the parliament of Canada to-day are taking a retrograde step, in my opinion, it is in accord with the popular will as evinced by the last election. My hon. friend touched upon other matters, to which I shall refer briefly afterwards. If I were to term the arguments and statements made by the hon. Minister of Justice as disingenuous, I do not think I should be using too strong language. My hon. friend says that the Senate of Canada has no right to interfere with the Franchise Bill that has been approved by the House of Commons. He admits, however, that we have the right to amend the law so far as it affects the carrying out of the principle of recording the votes and of securing an honest ballot, if possible. Now, he says that to pass this bill would be a direct interference with the election law—he did not say the Franchise Act —but the election laws of the province. There is a difference, because the laws upon the statute-book clearly define the distinction between the franchise and the election law. The franchise is given to the people upon certain conditions, whether they be of age, property qualification, as in the province of Quebec, or manhood suffrage, as it is virtually in the province of Ontario. Then there is an election law placed on the statute-book for the purpose of carrying out the provisions of the Franchise Act. All that the amendment which my hon. friend from Richmond offers, proposes to do, is to perfect, as nearly as possible, the election laws of the country, and it does not interfere directly or indirectly with the franchise.

Hon. Mr. MILLS—It interferes with the lists.

Hon. Sir MACKENZIE BOWELL—I should like to know in what way. The law in my own province will illustrate the necessity for this amendment as well as any other. A man has the right to vote, provided he is on the assessment roll. It provides that if he is improperly put on the election list another elector may apply to the court of revision to have his name taken off. If they refuse to do it, he can take an appeal to the county court judge as to his qualification, not as to how he shall record his vote. It does not interfere with the Franchise Act in any manner whatever.

Hon. Mr. SCOTT—The question is whether he shall have a vote or shall not.

Hon. Mr. MILLS—It is interfering with the voters' lists.

Hon. Sir MACKENZIE BOWELL—That provision is made in all the laws of the different provinces. It is only a different mode of reaching that end. My hon. friend has no right to be on the voters' list, if he be not of age, for instance. If he is on the voters' list and is not of age, he has no right to vote, and consequently his rights are not interfered with by his name being struck off the list. If he is an alien he is in precisely the same position. Now, the only proposition that the amendment makes, and which my hon. friend from Richmond intends, is to ascertain the fact whether that man is entitled to vote, or whether he is entitled to rights of franchise under the law of the province, as it exists. That is all he asks to do. If it is such a sacred right—if the provincial lists are so sacred that they are not to be touched, and it has become almost, according to the speech of my hon. friend, sacrilege to interfere in any way, or by any means, with the voters' lists, why have they placed in this very bill before us a clause which interferes directly with the Franchise Act and the right to vote and the disqualification of voters in one province? The law of Prince Edward Island says that a man occupying such and such a position, shall not have the franchise. That man has no more right to vote under the laws of Prince Edward Island than if he were a minor or an alien. But this bill says he has a right to vote, thereby interfering directly with the provision of the Franchise Act of provinces in which a certain class of people have been disqualified. Yet they tell us it is a sacrilegious act to appeal to a judge to have justice done if an injustice has been done. I gave a practical illustration the other day in reference to my own case. That was an actual, palpable case in which the officer, whose duty it was to make the assessment, served me with a notice, and when I looked at the notice I saw that Mackenzie Bowell was assessed for a certain lot for a certain amount. I did not object to the value placed on the lot, because it gave me a vote, and I had been assessed at that rate for a number of years. But that assessor, before returning it to the municipality, reduced that assessment, for no other purpose than to disqualify me from having a vote in that riding. What other object could he have had? The object of every assessor and township council is to collect as much as possible from property, and wherever it can raise the value of property owned by what they call absentees—that is gentlemen who own property in other than the riding in which they live—they put the assessment up as high as possible so as to get as much taxes out of them as possible, so there could have been no other reason. My hon. friend says if in a case like that in Nova Scotia you give the voter a right to appeal to the county judge for justice, you are interfering with the fundamental principle of the Franchise Act.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I do not know how any man of common, ordinary reasoning powers—I will not say common sense—could come to any such conclusion, unless he is prepared to take this position, that the election law which governs and controls the manner in which you shall vote, is of the same character as the law which gives you the right to vote. If the two are similar and analogous then my hon. friend is right, but we know that it is not so. We know that the one has nothing at all to do with the other. On the contrary, the amendment that is proposed is for the purpose of securing for the elector the right which he should enjoy if any attempt is made to take it from him; and instead of it being an interference with the Franchise Act, it is an amendment to secure to each and every individual the right which he possesses as a free subject and which the law should give him. But, in the case of Prince Edward Island, the Minister of Justice is giving votes contrary to the Franchise Act, contrary to the laws of the provinces which say that certain persons shall not have a vote; yet he says that if a man has been deprived of his vote, in Nova Scotia or Manitoba, he shall not have an opportunity of appealing to the courts to have his name recorded. I cannot, for the life of me, understand how a simple proposition of this kind, to secure beyond a doubt or peradventure, the rights of each individual, can be considered an interference with the great and fundamental principle of a right under the Franchise Act. The object of the amendment is nothing more nor less than to secure to a man who has a right to vote that right when an attempt is made to deprive him of it. The hon. Minister of Justice says that the government is not prepared to accept this amendment. The government is not

prepared to accept anything that is suggested, if it is not in accordance with their particular view and idea. I take it that the duty of the legislature, where they do not go beyond the powers vested in them, whether in the House of Commons or in the Senate, is to make laws of this character, particularly where they affect the right of the people to exercise their judgment in making the law as clear as possible, in order to secure the rights to which each individual is entitled. That is the way I view it. The hon. gentleman says if you pass this amendment he will drop the measure altogether. So far as I am concerned, individually, I prefer a Dominion franchise on the principle of uniformity rather than the disjointed system proposed here, having a different standard of voting in each province, but the government having decided to change the system; every member of the Senate, whatever his individual opinion may be in reference to the general principle itself, has assented to the change and our only desire is to make the law as distinct, plain and equitable as it possibly can be made. That is the only object of the amendment of my hon. friend from Richmond, and I repeat that that amendment is no more an interference with the voter, nor so much, as the amendments which have already been accepted by the hon. gentleman who has intimated to-night, that he is prepared to accept some of them so as to make the bill workable in some of the provinces, in which, as the bill is now presented to us, it would be impracticable to operate. My hon. friend, as usual, with that solemn shake of the head, dissents from that point.

Hon. Mr. MILLS—It is an extravagant statement.

Hon. Sir MACKENZIE BOWELL—The House knows whether amendments have been made since the bill came here, and we know that the Minister of Justice stated to the hon. member from Marshfield (Mr. Ferguson) that he would accept amendments not interfering with the principle of the bill, which would make it more workable in Prince Edward Island, though in some cases it would be different from the laws of that province, because they are made for an open vote, whereas under the Dominion statute it is to be a vote by ballot. Why, I should like to ask, is that interfered with? If the people of Prince Edward Island believe in open voting—as I do, though I know I have often got votes under the ballot than I would not have got otherwise—if the principle of adhering to the local laws is so sacred, why is open voting departed from in Prince Edward Island? Is that not a much greater interference with the right of the voter than the proposition made by the hon. senator from Richmond? It may be that they prefer the ballot in Prince Edward Island. If they do, why should not the local legislature place it on their statute-book? But you are going to give the voters in Prince Edward Island, a secret vote for Dominion elections, while the law of the province provides for an open vote. I do not object to that. I do not know but it is an improvement, because it makes the law to that extent more uniform throughout the Dominion, but I say it is a direct and palpable interference with the mode of voting in that province. We do not propose to do anything of that kind by this amendment; all we propose to do is to secure the rights and privileges of men who can be, have been, and will in the future, be deprived by violent and unprincipled partisans when they have an opportunity of doing it, of the right of casting their vote. The hon. gentleman from Halifax (Mr. Power) used the usual *tu quoque* argument in reply to the hon. gentleman from Brandon. He asked what did Mr. Howell say in reference to the iniquitous Conservative party in Manitoba. Supposing all that was said by Mr. Howell was correct, and the iniquities to which he referred had been perpetrated by the Tory party, and they put it in juxtaposition with the wrongs and fraud of the Grit party, does that make it right?

Hon. Mr. POWER—I did not use it as an argument; I used it as an illustration.

Hon. Sir MACKENZIE BOWELL—I admit there is no argument in it; it is not very often the hon. gentleman indulges in a thing of that kind. You made the statement simply in reply to my hon. friend behind me, who pointed out how voters might be deprived of their vote, and to show that the Tories were just as bad as the others. If ninety-nine hundredths of what was alleged by Mr. Howell to have taken place were true, then every man of them ought to have been sent

to jail. I quite agree with my hon. friend there, and in that respect there is this difference between the two. The member for Brandon stated facts within his knowledge as to the frauds which had been perpetrated, the manner in which they accomplished their end, and Mr. Howell stated at the Public Accounts Committee that certain wrongs had been done for which he received over $12,000 as a fee to try and right.

Hon. Mr. POWER—He spoke under oath.

Hon. Sir MACKENZIE BOWELL—What are the facts? Mr. Sifton had Dominion money placed at his disposal for the purpose of prosecuting these cases in Manitoba. He went to the courts, and before the grand juries, and he succeeded in only one case in getting a conviction. My hon. friend then insinuated that all these jurymen were perjurers, because that was really the effect of the statement made by the hon. member for Halifax. I take it for granted that the jurymen and the inhabitants of the province of Manitoba, most of whom formerly lived in the eastern portion of the Dominion, are just as honest as we are in this section of the country, and are no more likely to perjure themselves when a criminal case is brought before them, or any case in violation of the law, than gentlemen in Halifax, Ontario or Quebec. Hence an insinuation of that kind was uncalled for, and a reflection upon men just as honest as ourselves ; more than that, this Mr. Howell was the lawyer who had pocketed some three or four thousand dollars more than the Minister of Justice, after taxing the bills, said he was entitled to. Whether they are going to make him pay it back, or not, I do not know, but if there is any supposition of a prejudice existing, I fancy it would be on the part of the legal gentleman who was making the money out of the transaction and desired to impress upon the committee and the public, who had to pay this money, that he had earned his fees.

Hon. Mr. POWER—He was stating facts under oath.

Hon. Sir MACKENZIE BOWELL—My hon. friend says he was stating facts under oath. The hon. gentleman is making a statement of which he has no knowledge whatever.

Hon. Mr. POWER—The witness is sworn.

Hon. Sir MACKENZIE BOWELL—You said he was stating facts. He no doubt was stating facts as he understood them. I have known Mr. Howell from his boyhood. He was a resident of my town, and belongs to as respectable a family as is in the country, but I say he was acting as the solicitor of the government, and no doubt was impressed with the idea that what he had done was right, and that the parties he was prosecuting were guilty, but he did not succeed in convicting, and we have the right to assume—

Hon. Mr. POWER—I do not think if he had a jury composed of men of the same character as the majority of this Senate that he would convict them no matter how strong the evidence was that he brought before them.

Hon. Sir MACKENZIE BOWELL—I should be very sorry to say that the vast majority of the members of this Senate were of the calibre and had the same opinion of the hon. gentleman, that he has attributed to them. That is just as much as to say that when it came to a question of party, the members of this Senate were ready to perjure themselves. That is an insult that would not be tolerated outside of the House if applied to any hon. member of it. That is all I say in reply; from the hon. gentleman's present statement I am led strongly to believe that he is judging others by himself. There is another case, the Prince Edward Island case, to which I will devote a few moments before I sit down. In 1874 the franchise of the Island of Prince Edward was interfered with by the House of Commons, and in the interference in the readjustment, if I may so use the term—

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Well, in establishing a franchise for the Dominion. Will that do? I think I am correct.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Where am I wrong?

Hon. Mr. MILLS—There were two franchise lists at the time, one for the election of one House and the other for the election

of the other, and it was the franchise for the election of members to the Upper House that was adopted.

Hon. Sir MACKENZIE BOWELL—That is true; but the law as it was passed by the House of Commons disfranchised a large number of the electors in Prince Edward Island who before the passage of that Act, had the right to vote.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—That is the fact; we have the evidence of it here in the Senate reports. There is no question of it at all, because when the question came before the Senate, the Hon. Mr. Hamilton, who was in the chair, a proposition was made to amend, and did amend, the law which interfered with the right of electors in Prince Edward Island to vote. The vote in committee was 23 to 23, and the clause as it came from the Commons was amended by the casting vote of the chairman in the committee. When the question of concurring in this amendment was made, by whom do you suppose it was made? By no less a person than Hon. Mr. Letellier de St. Just, when the bill received its third reading. I must do Mr. Letellier the justice to say that he took very much the same position that my hon. friend does as to the rights of the Senate to interfere with the Franchise Act, but he approved indirectly of the course which the majority of this House had been pursuing. I will read his language:

> The Hon. Mr. Letellier de St. Just moved that the amendments made by the committee of the whole to the Election Bill be concurred in. (Hear, hear). At the same time he held that this chamber should not have made any change in the bill as it was one which related entirely to the other House. Notwithstanding the slight amendment which had been made to the bill there was still enough in it to commend it to the favour of the country, and if the amendment would make the bill more acceptable to the people of Prince Edward Island he would the less regret that it had been made. After a few remarks from Messrs. Wilmot and Haviland the motion was carried.

Such was the action of the Senate on that occasion; reserving the rights of those who formerly had votes to exercise that right in the future. That is what the ministers have done to-day in reference to the disqualified voters in Prince Edward Island and Nova Scotia, so that they stand on parallel lines; the government of the day have taken the same course, so far as that class of voters is concerned, as the Senate took in 1874, in reference to the voters in Prince Edward Island who had been deprived by the Commons of their rights; and it is a remarkable fact that of the six Liberals at that time representing the province of Prince Edward Island in the House of Commons, every man jack of them voted to disfranchise that large class of people who had not the hundred pounds qualification on the island. It is the old adage that where you find a man continually prating about being Liberal, scratch his back, and you will find a tyrant. I can tell the hon. gentleman that so unpopular was that movement in Prince Edward Island that it drove Mr. Laird out of public life, for when he went back to the island, owing to the attempt of the government to disfranchise those people, the resentment was so great that he did not dare to show his face in any constituency. He came back after his term as Lieutenant Governor expired in the North-west, and received the fate that all men should receive who acted as he did, in assisting in disqualifying their fellow-electors. My hon. friend referred to a case which affected my hon. friend, Sir John Carling. If my recollection serves me right, my hon. friend was not strictly correct in the manner in which he put that case to the Senate, nor was he correct in his statement in reference to the Elgin case. If these iniquities to which he referred did occur, all they had to do was to go to the judges and have them rectified. I may say parenthetically that we had a case—and I look upon it as an illustration of the impartiality of our judges in the province of Ontario, only at this last election, a dispute arose as to one vote, whether the ballot had been properly marked in this same county of Elgin. The election depended on one vote—my friends from Ontario will remember the case very well—and the Conservative judge gave his decision in favour of the Liberal and returned him. The case was appealed to a superior court and Mr. Justice McLennan, a well known Liberal, who was appointed to the superior court bench by my late leader, the Hon. Sir John Macdonald, when I was in the government, after taking the case into consideration and deliberation, reversed the vote and gave the seat to the Conservative candidate. I merely mention that to show that, so far as we are concerned, we the people of Ontario have unbounded confidence in all the judges that sit on the bench. Now, there was a difference of

opinion; I believe that Conservative judge honestly gave it to the Liberal because he thought the ballot was spoiled, and Mr. McLennan, believing he was wrong, changed the vote and gave it to the Conservative. Of course it has gone to the Court of Appeal. In the London case a Conservative, Mr. Fraser, gave a decison which would disqualify a large number of voters, my hon. friend said 200.

Hon. Sir JOHN CARLING—It was not 200, it was over 100.

Hon. Sir MACKENZIE BOWELL—That was appealed to the judge. Mr. Fraser was not a judge, he was revising barrister appointed, as I explained the other day, because Judge Elliott had been appointed reviser for another county, and Judge Elliot decided that, from a want of compliance with the law of the land, these men had a right to be on the list. They were on the list and they had a right to remain there. It was appealed to another court, and that court decided, if my recollection serves me, against the decision of Judge Elliot, and then it was carried to the Court of Appeals, and there it has remained till this day, and they have never given any decision, the only inference we can draw from this fact is, that the Court of Appeals cannot decide among themselves, hence a decision was never given.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Was a decision given by the Court of Appeal?

Hon. Mr. MILLS—No, but it was not because of the reason given by the hon. gentleman.

Hon. Sir MACKENZIE BOWELL—One thing is certain, they did not give a decision; but I can tell my hon. friend this, that when the decision of Judge Elliot was published his interpretation of the law was sustained by nine-tenths of the judges of the county courts, and others who gave an opinion on the subject, and the matter has remained in *statu quo* from that day to this. My hon. friend, however, kept his seat all the time, and that was ample compensation to the voters of the city of London. No one supposes for a moment that any one can make a law so perfect that fraud will not be perpetrated; but what we desire to do, is to give a man the right to go to the highest tribunal in order to secure to himself one of the dearest rights that he possesses as a British subject, and that is the right to cast his vote. I do not propose to proceed further on this question, although there is a great deal more that might be said. All we ask to-day is to place the voter in the position that, if his rights are interfered with, he will have an opportunity of having his name placed on the voters' list so as to enable him to cast that vote when any opportunity presents itself. It has been said in the way of a threat that if this bill is not passed—

Hon. Mr. MILLS—I did not make any threat.

Hon. Sir MACKENZIE BOWELL—I did not say the hon. gentleman did. The threat was made by other members of the House, and I watched particularly to see if my hon. friend would reiterate it. Threats have been made that if the Senate dare to make this amendment to the election law—not to the Franchise Act—that they would drop the bill, and that no vote would be taken on the plebiscite. They are the gentlemen who must assume so grave a responsibility. It is not we who will assume it. I am quite willing to accept all my responsibility, notwithstanding all the abuse which has been heaped upon the Senate by the organs of the hon. gentleman. Whether my hon. friend, the Minister of Justice, is a constant reader of the great organ of his party I do not know. I know one hon. gentleman opposite told me that he did not read it very often, and the hon. gentleman behind him was very impressive when he denied that he was responsible for anything that appeared in it. This organ laid down a principle, I do not know whether it was intended to hit my hon. friend because he had expressed an opinion in favour of the second chamber or not. The editorial said:

> It is a piece of arrogance for this House to attempt to interfere with the Franchise Act as it is sent up to them from the other House.

The only interference in the Franchise Act has been made by the hon. gentleman opposite, who is responsible for it, and consequently if the arrogance applies to any one

it must be my two hon. friends opposite. We have not interfered with the franchise at all. My hon. friend opposite ought to thank the hon. gentleman from Marshfield (Mr. Ferguson) for the cool, calm and dignified manner in which he has pointed out to them the impracticability of the bill as it stands, and I was pleased to see that the hon. Minister of Justice was prepared to accept the suggestions, because his desire should be, as our desire is, as we must have this law to make it as perfect as possible. I have no doubt amendments will have to be made after it has been tested, but we must endeavour to secure to every man the right he inherits as a British subject.

Hon. Mr. POWER—I may say a few words with respect to a personal charge made against me by the hon. leader of the opposition. I wish to have an opportunity to set myself right.

Hon. Sir MACKENZIE BOWELL—I would not have referred to the matter if the hon. gentleman had not interrupted.

Hon. Mr. POWER—I am not troubled by what the hon. leader of the opposition said, because the hon. gentleman is in the habit of exaggerating the statements of his opponents and putting them in an unfair light, as I propose to show. The hon. gentleman from Brandon (Mr. Kirchhoffer) made some statements with reference to the trial of those parties in Manitoba who had been accused of offences in connection with the last general election, and I said, half in jest, that I presumed the reason verdicts were not found was that there were too many good Conservatives on the juries, and then the hon. leader of the opposition undertook to say that I had accused the jurors of being perjurers. The hon. gentleman knows very well that that was not a fair statement to make. I stated then, by way of illustrating my meaning in the present case, that I should not care to bring a case of that kind before a jury composed of men of the same feelings as the members of this House, and he said I was accusing the members of being prepared to perjure themselves. Any man of common sense knows very well that on a jury, or any similar tribunal, one is influenced by his feelings, whether they are political feelings or feelings of other kinds. Take the case of the electoral commission in the United States, appointed for the purpose of deciding whether Tilden or Hayes had been elected. That tribunal was composed of some of the ablest men in the United States, having amongst its numbers several judges. There were seven Democrats on one side and seven Republicans on the other, and the fifteenth man happened to be a judge. He was looked upon as being fairly impartial, and he took the Republican view. That is one tribunal made up of judicial minds who went according to their party convictions, and it is no crime to say of this House that members would be influenced by their political opinions. I think probably I am nearly as cold-blooded as the average member of this House.

Hon. Sir MACKENZIE BOWELL—More so.

Hon. Mr. POWER—And I have no doubt if I were a juror on a trial, of a political character, that I would, even though I were anxious to do what was honest and right, be influenced by my political feelings, and any hon. gentleman here who says he would not be influenced by his political feelings does not understand himself.

Hon. Sir MACKENZIE BOWELL—I am glad to hear the explanation, but it is not strictly correct. When the hon. gentleman interrupted the hon. member from Brandon it was in another portion of his speech altogether, and the instance in which I thought the hon. senior member of Halifax had insulted every member in the House, was, when he interrupted me, when I was referring to the fact of the jurors not convicting the men who were prosecuted by Mr. Howell, who said they were guilty of such and such acts. Then the hon. gentleman interposed by saying he had no doubt the same thing would result if it went before a jury composed of men of the same feeling and character as the majority of the Senate.

Hon. Mr. POWER—Yes.

Hon. Sir MACKENZIE BOWELL—And no deduction could be drawn from his language, either then or now, other than that which I deduced from it; and I regret exceedingly that such expressions should be used. I may use strong expressions from a party standpoint, but I hope I may never so

far forget myself as to impugn the character and reputation of nine-tenths of the members of this chamber, as was done by the senior member from Halifax, simply because they dare to differ from him upon questions of state.

Hon. Mr. DANDURAND—I thought that some senior member from my province would rise to challenge some of the statements made in this debate. I would like to record my protest against the proposed amendment which may defeat this bill, in view of the verdict rendered in the province of Quebec on the 23rd June, 1896. I may state that the repeal of the Franchise Law was one of the most important questions debated in that election. We had great difficulty in our province with reference to the franchise, because in Quebec the word "registration" was absolutely unknown. Up to the day that that law was passed, we had our municipal councils doing all the work, and the electors hardly ever had to go to the secretary of the council to see if his name was on the list. We had a perfect system of registration which did wrong to no one, and it hardly needed supervision, because the council generally represented both parties and we had a perfect system of registration which worked automatically without the parties being disturbed in the least. But after that law was passed, both parties looked at each other with distrust, expecting that the revising barrister would not give satisfaction, and they appointed attorneys to represent, and considerable expense was involved through this law coming into operation. It caused such a perturbation in the province that when a vote was taken in the House of Commons a few years ago a certain number of Conservatives voted against it. I remember that the member for Laprairie and the member for L'Assomption abandoned their party allegiance to vote against what was termed an obnoxious law in Quebec. Therefore I cannot allow the statement made by the hon. gentleman from Shell River, that it had cut no figure in the election in the province of Quebec, to go unchallenged, because, as a matter of fact, there was not a speech delivered on the platform, or a sheet of campaign literature sent to the electors, where that law was not discussed. It was asked generally in the convention of the Liberal party in 1893, that there should be a repeal of the Dominion Franchise Law. That sweeping declaration, pure and simple, a repeal of the law, made it clear that we wanted to go back to the old regime, and it was so understood by the electors, and that is one of the reasons why it seems to me this House should not try to amend the bill. Some of the members of this House want to amend the old system which prevailed from 1867 to 1885, and to change the condition of things which prevailed at that time, contrary to the will of the people expressed in the vote of the 23rd June, 1896. As a matter of fact, we are now entering upon a conflict with the House of Commons, which has been elected to re-establish the old system which prevailed before 1885, by adding an amendment granting a right of appeal in three provinces, one of which, New Brunswick, declares through its members it does not want it.

Besides, such an amendment constitutes an assault upon the rights of those provinces. This new Franchise Act accepts the provincial law through all the provinces, and puts them on an equal footing. The proposed amendment disturbs this equilibium and puts these three provinces in a state of inferiority towards the others.

The statement is made that the government will assume the responsibility of abandoning the plebiscite if this law is rejected. There may be a plebiscite this year and there may not, but if this Franchise Bill is not passed, it will be materially impossible to take the vote. Why? Because we will not go to an electorate one-third of which is disfranchised, to vote upon a list which is four or five years old, and if we have to return to the old law, we will have to appoint revising barristers, or use those we have to start a revision which will cost a large amount of money in order to ascertain the opinion of the people upon this issue. It seems to me the government, having rejected an amendment similar to this, will not accept this amendment and therefore we are entering upon a conflict with the House of Commons.

Hon. Mr. MASSON—We are no better in the province of Quebec than the people here. In Quebec we have an appeal to the judge. We desired an appeal over the heads of the councillors. The fact that there was that appeal prevented the officers putting a good many names improperly on the

list because they knew they would be struck off by the judges in the end. That is why we appear in a better position, although we are really no better.

Hon. Mr. DANDURAND—Will the hon. gentleman admit that there was a desire on the part of the province to return to the system of having the lists made by the municipal council?

Hon. Mr. MASSON—I do not say that. The question before us to-day is not whether we should pass this law or not. We are ready to pass it. But we want a small amendment to have our revising officers' work revised by the judges. That is the only point in question. We all admit that it worked well in Quebec.

Hon. Mr. DANDURAND—But if you defeat this bill you thwart the will of the province of Quebec.

Hon. Sir JOHN CARLING—I do not wish to take up the time of the House, but I did not happen to be in the chamber before six o'clock when the hon. Minister of Justice made his statement. I understood that the hon. gentleman cast some reflection on Judge Elliott.

Hon. Sir MACKENZIE BOWELL—He did not mention his name.

Hon. Sir JOHN CARLING—I have known Judge Elliott for the last forty years and I think I will be borne out in the statement that a more upright gentleman does not live in this Dominion, and his action was according to law. He rendered his decision and afterwards he received letters from all parts of the province, some of them from judges, highly approving of the decision that he had given and the course he had pursued during that trial.

Hon. Mr. MILLS—All I did was to refer to the case of the London election. I said that there was there a revising barrister, Mr. James Fraser, who decided one way, and there was an appeal to the judge who reversed his decision, and public opinion approved rather of Mr. Fraser's views than those of the judge. That was my statement. My hon. friend went farther just now and referred to a judge on the Queen's bench. The judge of the Queen's was in favour of Mr. Fraser's view and not of the view of the judge. The question went to the Court of Appeal. My hon. friend says it was hung up there, but the fact was this, the county judge being given a conclusive jurisdiction in the matter of these appeals with respect to the revision of the voters' lists, neither the Court of Appeal or the Queen's Bench had power to control his action, and having no power to control his action, the Court of Appeal took no further steps, but I think there was little room to doubt what their view was. I was making no reflection on Judge Elliot or anybody else. We were discussing the question, at the time, of an appeal from the revising barrister to the county judge. While I am on my feet, I will speak a few words to my hon. friend who complains of the hard words used by my hon. friend from Halifax. But my hon. friend forgets that when he began his speech he declared that the observations which I had addressed to the House were very disingenuous. I do not think my hon. friend behind me said anything harder with regard to the hon. senator than my hon. friend's remarks were to myself; but I did not think it was necessary to complain. My hon. friend has also said that, in discussing this question, I have confused the election law with the Franchise Act. It was my hon. friend who did that—I did not. The voter is not a voter, in all the provinces except Prince Edward Island, until his name goes on the list, and the question is how his name shall go there. The question of the list is part of the provincial law, and when you are adopting that you are adopting a provincial law relating to the voters' lists. My hon. friend said also that the Liberal party had undertaken to disfranchise, when we were in power, a number of people in Prince Edward Island, and he complained of that disfranchisement. Now, my hon. friend argued in favour of national lists, as he calls them, and in favour of a uniform franchise.

Hon. Sir MACKENZIE BOWELL—I did not argue in favour of it; I said I was in favour of it.

Hon. Mr. MILLS—That has been the law since 1885 to this moment. My hon. friend knows that if you adopt the principle of uniformity you have to cut into the local law somewhere, and so the principle for which he contends as a vital principle in the preparation of the voters' list, does the very thing which he says that we did. But that is not all. At the time the Act was adopted

to which he refers, Prince Edward Island had two qualifications, the one for the election of members to the one house, the other for the election of members to the other house, and both were elective at the time.

Hon. Sir MACKENZIE BOWELL—So they have now.

Hon. Mr. MILLS—The question was which electoral list should be adopted. I might say it is a matter of history, and there is no harm in stating it, that so far as the Liberal party are concerned, with the exception of those in Prince Edward Island, they were in favour of taking the franchise for the popular branch of the legislature. But Mr. Liard pointed out that, being without a voters' list, while he approved of the franchise of the popular branch of the legislature, until they had a voters' list there would be a great many voting who were not entitled to vote. Men came in from the United States, fishermen and others, went to the polls in time of election, recorded their votes and left, and until they got a proper voters' list they were not safe in taking the manhood suffrage of Prince Edward Island rather than the property qualification required. There was no departure from a list. It was a question whether it should be the list of one house or the list of the other, and the representatives from Prince Edward Island preferred the list of the second chamber until a proper voters' list should be prepared under the law for the election of members to the most popular branch of the legislature. That is the whole case.

Hon. Mr. FERGUSON—The hon. gentleman has made a statement somewhat similar to what he made in his speech when introducing this bill, and that is, that the principle of uniformity, which was strongly claimed for the Dominion Franchise Act of 1885, was not adhered to, that there is a lack of uniformity in the Dominion franchise, and that that has continued up to the present time. I know that my hon. friend and his friends have made a great deal of that point in the discussion on the Dominion Franchise Act, in 1885, but whatever there was in it at that time, I can assure my hon. friend that there is nothing whatever in it now. All the departure from the principle of uniformity that was made at that time, so far as it relates to Prince Edward Island, was this, that it was provided in the bill that every one who possessed a qualification under the provincial law at that time should continue to have that privilege so long as he retained the qualification and no longer.

Hon. Mr. MILLS—But you put Indians on also.

Hon. Mr. FERGUSON—Not in Prince Edward Island. The hon. gentleman referred first to Prince Edward Island and now he refers to the matter of Indians. That lasted only a few years, and for the last two revisions of the voters' list there has never been an application to put anybody on the Dominion list the old franchise of Prince Edward Island. The persons who were so registered in 1886 changed their qualifications, and so they are all merged in the Dominion list. My object in rising was to bring my hon. friend to task for a statement he made a moment ago, and repeated before, with regard to the case of Prince Edward Island in 1874, to which my hon. friend the leader of the opposition has referred. My hon. friend tries to get out of the position that his party placed themselves in at that time by saying that there were two sets of qualifications in Prince Edward Island, one for the Upper House and one for the Lower House, and that all the Liberal party did at that time was to take the qualification of the Upper House. That is true, but instead of taking the franchise by which the popular branch was elected, they discarded that and took the qualification of voters for the Upper House, which was £100 freehold, and by that means attempted to disfranchise nearly one-half the people who voted in Prince Edward Island for the popular branch of the legislature. It remained for the Senate to make that right and it is a remarkable fact that the six members representing Prince Edward Island in the House of Commons at that time all participated in the wrong that was then attempted in taking away the qualification of electors for the popular branch—they all concurred in that act of the Liberal government of 1874, while the four senators representing the province in this House helped to make it right. It is a fact that the Hon. Mr. Haythorne, a Liberal well known to members of this House, voted with his Conservative colleagues from the island on that

occasion to retain the franchise to the electors of Prince Edward Island for the popular branch, and I heard the Hon. Mr. Haythorne say, when he returned to the island, at a public meeting, what he had stated to myself personally before that: "I told the hon. gentlemen of the Senate that I could not return to Prince Edward Island and look the young men of the province in the face if I had been one of those who attempted to deprive them of their vote." I mentioned that to show the view taken by Hon. Mr. Haythorne on that occasion, and he was a Liberal, and a Liberal of the old school. I want also to call the members of the government to another case in which the Senate had the assistance of a very eminent Liberal in righting a wrong, in regard to an electoral question, which was attempted by the House of Commons. I refer to the Tuckersmith Bill and the Hon. Geo. Brown is on record as declaring that the action of the Senate at that time was right. What was the action of the Senate then? A bill had passed the House of Commons providing that the township of Tuckersmith, in the county of Huron, should be transferred from one riding to another. It was immediately after an election and the electors of Tuckersmith, which was a large township, had already recorded their votes largely in favour of a Liberal candidate in the general election. Mr. Cameron, the member representing one of the ridings of Huron in the House of Commons at that time, had his seat protested and he expected to have to run his election again, and he had a bill introduced in the House of Commons detaching the township of Tuckersmith from the riding in which it was, and attaching it to his own constituency, in order to help to give him a majority in the election which was to follow. The township had already cast its vote in one constituency and this attempt was made to have it added to another riding and to give the electors a second vote for the same parliament. The Senate took the stand that this was tampering with the franchise and should not be tolerated, and they amended the the bill, and the Hon. George Brown is on record that the Senate did right. If the Senate had a right to amend the election law of 1874, introduced in this House by my hon. friend the hon. Secretary of State, representing the Mackenzie government, and if the Senate did right, as Mr. Letellier appears to have thought they did, for he moved concurrence in the amendments made to the bill which was carried unanimously—surely we are within our rights now if we do merely, in a matter of detail, a matter of routine as it were, which does not affect the ground of any body's qualification, amend this bill. It is only a mode by which the real merits of the qualification of a voter shall be ascertained, and if we are wrong in making that amendment the Senate must have been very far wrong, and the Hon. George Brown must have been far wrong, the Hon. Mr. Haythorne must have been wrong when they concurred in the action of the Senate on the occasions to which I have already referred. I can sustain, and I do so in the strongest language possible, the words of my hon. friend the leader of the opposition when he says that the action of the Senate with regard to Prince Edward Island in 1874 was sustained by the people of that province. There was never any Act of parliament of Canada that was more universally approved of. I never heard of a man who was prepared on a public platform to defend that bill which proposed to take away the vote of one-half of the electors of the province, and there never was to my knowledge a man so poor in the island as to do it reverence. My hon. friend was quite correct in saying that whether the Hon. Mr. Laird, a respected citizen of our province, and a man who has played an important part in the affairs of the country, was responsible for that act or not the reputation of that hon. gentleman and his popularity in the province of Prince Edward Island were greatly affected by what was done on this occasion. As far as I am personally concerned my only desire is that we should join together and make this bill as good a one as it is possible to make it. We do not dispute the right of the government to pass a measure of this kind based on the provincial franchises. Whether the people clearly understand the issue or not, there is no use to argue that now. The Liberal party had a majority at the polls, and we admit that they put this question before the country; we admit further that they have done fairly well in the matter of preserving the votes of the Dominion officials. That they have departed somewhat from the principle of the bill is, I think, something for which they are to be com-

mended, their object being to make the bill as good as it possibly could be. It takes away the very radical objection that lay against it, that is, when they adopted this clause 6 in the House of Commons; we admit all this. I desire to put on record in the strongest way possible my desire to assist the government in making this bill as workable and as good as it possibly can be made, so as to give the fullest exercise of the will of the people of every part of Canada as far as it is possible to do it in connection with the system they have adopted. I do not think it is a good system. I think it is a bad system. I think it is very hard to make it workable. I believe it will be found to be beset with a great many practical difficulties; but nevertheless, as the government are wedded to this principle and have brought down the bill, I have no desire, as I said before, but to assist the government in making it the best possible bill on the lines they have undertaken.

The committee divided on the amendment which was carried by a vote of 34 to 16.

On clause 20.

Hon. Mr. FERGUSON—We have now come to one of the sections which relates to the Prince Edward Island difficulty, the question of making the provincial oaths applicable which I referred to the other day when we were considering clause 5 subsection (*a*). My hon. friend will remember that he then told me he would endeavour to meet the difficulty when we reached this section.

Hon. Mr. MILLS—In considering this matter, I may say to my hon. friend that it seems to me the better way would be to add a short clause at the end, that the Governor in Council may take power to alter the oaths as required by the provisions of the Act.

Hon. Mr. FERGUSON—That is all right. Would it be better to pass the section till that is finally done?

Hon. Mr. MILLS—Certainly.

Hon. Sir MACKENZIE BOWELL—Yes, make a separate section.

The clause was adopted.

On clause 21.

Hon. Mr. FERGUSON—I may say this clause reaches the very heart of our difficulty on account of our not having a voters list. I have prepared an amendment to this which would require some little alteration in other clauses, in order to fit in, and I was going to suggest to the hon. leader of the House, as it is now half past ten, that he should consent to the House rising and I will give notice of these amendments and in that way every hon. gentleman could see how they fitted into the other provisions of the law. I think it would really facilitate matters very much because it would be quite possible then to understand them and it would take a good deal of explanation to make them plain now, because it is a local difficulty.

Hon. Mr. MILLS—I am unable to see any difficulty in the way. Certain verbal changes would require to be made in the local oaths, and with such an additional section as I have suggested, the whole difficulty would be met. I would therefore suggest that the clause be carried.

Hon. Mr. FERGUSON—The difficulty here is a very grave one It effects the qualifications and the franchise of the province very seriously. The suggestion that I have made would prevent or render unnecessary very many explanations. Otherwise, I will have to make the explanations the best way I can, in order that hon. gentlemen may know what I mean. The objection to this clause arises from the fact that in Prince Edward Island we have open voting and no registration. In every other province in Canada there are lists, and in the preparation of these lists there are some officers entrusted with the duty of deciding after a man has made a declaration, or after his qualifications have been put before the authorities whether a man has a vote or not. There is no such provision on the island. On the contrary, every man is at liberty to go to the poll and claim the right to vote on election day. He will do that under this law. The oath may be presented to him, it is true, but as some men will do, in the towns especially, supposing he will go into the poll on election day without a shred of qualification and take the oath. If a man takes all the oaths presented to him, his vote will have to be taken and his name entered on the poll book, and a ballot given him, and when he records that vote he may be only one of a

hundred bad votes, and there is no way by which the man with the good votes can be elected.

Hon. Mr. SCOTT—Has not every man a vote?

Hon. Mr. FERGUSON—In no country under the sun has a man who is under 21 a vote. Supposing a young man under 21 should come in and take the oath, supposing a tramp, a bird of passage, who goes from one place to another, should come in and take the oath. There is this class of people in Charlottetown the same as other places.

Hon. Mr. MILLS—Does the hon. gentleman propose that the returning officer shall sit as judge and refuse votes?

Hon. Mr. FERGUSON—I do not propose anything of the kind. I propose a method of dealing with those votes by which the ultimate decision will be by the county court judge. My suggestion is that when a man comes into the poll and offers his vote, the oath can be offered to him and if he takes the oath and the scrutineer is morally certain the man has no vote, he can make an objection and it can be recorded on the poll book. And the very same course should be pursued as has been pursued under the Dominion Franchise Act in the undecided appeals: that a ballot shall be given with a number on it.

Hon. Mr. MILLS—Every man might take a numbered ballot.

Hon. Mr. FERGUSON—That suggested itself to me at first, but it would be no advantage to a candidate to object to people indiscriminately. In fact it carries with it a responsibility and an odium. His friends will object to good men being challenged and there is some hesitancy about objecting to a vote because it may offend some one. The question of the validity of the objected vote would reach the county court judge on a recount of votes. My hon. friend raised the objection that the presiding officer should not be a judge. He would have nothing to do under the suggestion I make but to take the votes and make the numbers correspond and treat the vote the same as any other vote in the box and count it, except that he would leave it in an envelope.

Hon. Mr. MILLS—It is an open vote.

Hon. Mr. FERGUSON—No, it is not an open vote by any means. It is just the same as the ballot vote which is provided in Ontario for all the voters. They are numbered in England in the same way. It is not an open vote, because no person in the poll will know how the man voted. In the counting of the vote it would be difficult to observe these numbers; still there is a bare possibility of that occurring, but the scrutineers are sworn to secrecy. There is that difficulty in the undecided appeals, but no person would have any business to interfere with the vote until it reached the county court judge to whom the matter would be referred, who would decide on the validity of the vote.

Hon. Mr. MILLS—Somebody has to be declared elected within a certain time and that decision might not be given for months.

Hon. Mr. FERGUSON—No person is declared elected, if a recount is demanded, until the recount is over, and this would come up on the recount and the county court judge would only have the right to examine the ballot when the vote had been declared bad. The vote had already been counted, and if it were a good vote, no harm would be done; if it were a bad vote the county court judge would have power, under the law, to expose the ballot and find whom the man had voted for in order that he might remove one vote from the candidate who had received the bad vote. When you come to look at it in that way, there would be no inquiry into how the man voted until the vote was declared bad.

Hon. Mr. MILLS—Then it could not be counted.

Hon. Mr. FERGUSON—Yes, it would be counted precisely the same as all other votes at the close of the poll by the deputy returning officer. You would put the ballots in an envelope, sealed and numbered.

Hon. Mr. MILLS—Then you would know to whom the ballot belongs and you will know which way he voted.

Hon. Mr. FERGUSON—No person will have any opportunity of knowing until after

the investigation and until after the county court judge has declared the vote to be a bad one, and then it will come out.

Hon. Mr. MILLS—I do not agree at all with the principle which my hon. friend contends for. The whole provision of this bill is that these parties in Prince Edward Island, where there is no registration of votes, have in addition to the ordinary oath to make a further declaration, where required, as to their qualifications; and then the protection against persons voting fraudulently is the possibility of their being prosecuted under the Act.

Hon. Mr. LANDRY—The existing law provides for similar cases. A man comes up and finds his name has been taken by another elector; he makes his declaration and a ballot is given him but that ballot is numbered—

Hon. Mr. MILLS—You know how he votes.

Hon. Mr. LANDRY—If it goes before the court.

Hon. Mr. FERGUSON—I have only just one word to say. Perhaps I have still failed to make myself plain, but what I wanted to say is this: the fact that ultimately, if this vote was a bad one, it would become known in the recount before the judge, who voted and who cast it, would not be at all a serious matter, that is, when the vote has been declared bad before even the judge could see it. I do not think there is any great principle involved, but there is a great object to be gained. I do not think there is a great object in maintaining secret a vote with a disqualified voter of that kind. There is some objection to this suggestion, but if my hon. friend will suggest any way to get over the difficulty I shall be delighted. I have consulted with some of the members from Prince Edward Island, and they think with me that this is the best and simplest way of getting over the trouble. In the island at present, at our provincial elections, we have open voting, and the consequence is it is known how every man votes, and when a candidate or his agent finds a vote being recorded against him, they have an objection marked, and then there are two scrutineers, one before the returning officer and another in the process of an election trial, by which these votes are sifted and found out whether they are good or bad. I tried to suggest a way by which some remedy might be found. My hon. friend's object is to carry out the mode of election and the objects attained by the provincial law. Now, my object is to attain precisely the object that is attained under the provincial law, and which my hon. friend cannot possibly get unless he adopts some plan of this kind. Under the provincial law, if bad votes are recorded, the candidate against whom they are recorded has a judicial remedy, and the bad vote is struck off by the court, and finally the man who has the majority of good votes is elected. But under this bill, the man who has the most votes, good or bad, retains his seat and there is no court or power that will take that right.

Hon. Mr. MILLS—Yes.

Hon. Mr. FERGUSON—I would be obliged if the hon. gentleman would just tell me, under the bill which is now before us without amendment, how it is possible, if bad votes come in, as they may in a great many cases, and the oaths are taken and the presiding officer—who has no right to be a judge when the oaths are taken—gives the ballot and it is dropped in the box, I should like my hon. friend to tell me how it would be possible for a man honestly elected to get there, supposing 100 bad votes had been recorded against him, and that gave the majority to his opponent.

Hon. Mr. MILLS—The hon. gentleman is asking me a question. I am told on the Island of Prince Edward that you cannot go into a single community where you can find a man who would be an entire stranger to all the rest of that community; that the vast majority of the voters are of the rural population that belong to the island, and if a man has no qualification, that fact is known to all his neighbours, and if the oath is presented to him he is not likely to take it, for he would be instantly arrested by people who knew he was committing perjury, and in consequence of the rural character of the population, their isolation, they are mutually known to each other and there are fewer fraudulent votes recorded in Prince Edward Island than in any other section of the Dominion.

Hon. Mr. CLEMOW—Is there no chance of impersonation.

Hon. Mr. MILLS—There is no chance for personation there.

Hon. Mr. CLEMOW—I have heard of hundreds of them.

Hon. Mr. MILLS—In the cities.

Hon. Mr. FERGUSON—No one would be more delighted than I would be if what my hon. friend says was the case, but I am sorry to say, without any disparagement of Prince Edward Island that there are just as many bad people there in proportion to the population as anywhere else. I believe the hon. gentleman never was in Prince Edward Island, and I think from the remarks he has made that he is like some others I have talked to, who think the place is so small that you could hardly let a horse go at full speed for fear that you would not have time to pull him up again before he would be in the water. But my hon. friend will recollect that the city of Charlettetown has from twelve to fourteen thousand inhabitants. And take any city of that population, there will be hundreds of people that will present themselves at polling places that the agent or the returning officer had never seen before. These men will come in and claim a right to vote. Now my hon. friend thinks there is a remedy because there is punishment for perjury. My hon. friend knows very well that there is no crime in the calendar so hard to prove as the crime of perjury. A man might not have perjured himself at all, and still have put in a miserably rotten vote and believe he had a good vote, and you could not possibly attach the crime of perjury to him, and still the vote was bad. That did not help the candidate against whom the vote was recorded. I tell my hon. friend, wherever he got this information to the contrary, that I have a good deal to do with elections in Prince Edward Island under the provincial law, and I have no hesitation in saying that if it were not for the remedy that we have afterwards by which we could bring repeaters before the presiding officer, and prove the fact of voting twice, and if it were not for the fact that we have a remedy by going to the court of law afterwards, there would be not infrequently a bad expression of public opinion in Prince Edward Island. It is a pretty loose system, and admits of wrongs almost under any circumstances, but when you connect non-registration—every man proving his vote in the polls—with a ballot system, the ballot as soon as it is given, being put into the box, and that is the end of it, you will see at once it opens the door for any amount of bad voting, and the popular will can be defeated on every side. I move the following amendment as clause 21*a* :

In the province of Prince Edward Island, if any person desires to vote whose right to vote is objected to on the ground of want of qualification, and if a candidate, or any agent of a candidate, or (in the absence of such agent) any elector acting in the interest of a candidate, so objects in the presence of the elector, the deputy returning officer shall number and place his initials upon such ballot paper before delivering it to such person, and shall place opposite to the name of such person in the poll-book a corresponding number, and thereupon such person shall be entitled to receive such ballot paper and to vote.

Hon. Mr. MACDONALD (P.E.I.)—My hon. friend should move that it be inserted as a special clause. I think any one who has looked over the provisions of this bill must come to the conclusion that there should be some means of checking the vote in Prince Edward Island other than provided in this bill. Under the provisions of the bill as it stands, whether a man in Prince Edward Island is entitled to vote or not, if he takes the oath tendered to him, his vote must be received. We know that in the other provinces of the Dominion there is a remedy for any wrong of that kind, and I do not see why the government, or any party, should object to there being a remedy in Prince Edward Island the same as in Ontario, where a man attempts to record a vote which he is not entitled to cast. It would be only fair to provide some remedy there where persons not qualified attempt to vote and to enable persons to vote who are entitled to do so, but who, by some fraud on the part of the revising officer, are left off the list. The clause proposed by the hon. gentleman from Marshfield is, perhaps, the only provision that can meet a case of that kind, and I certainly think it should be incorporated in the bill.

The committee divided on the amendment which was carried : Yeas, 18 ; nays, 7.

On subsection one, clause 23.

Hon. Mr. FERGUSON—I move to add after the words "produce" in the 31st line of this subsection :

And in the province of Prince Edward Island the words "objected to" opposite the name of such

person voting whose right to vote has been objected to under section 21 of this Act.

The amendment was carried on a division.

On clause 26.

Hon. Mr. FERGUSON—I move the following as subsection 26*a*:

In the province of Prince Edward Island the deputy returning officer shall also, in counting the ballots, place in a separate envelope or parcel all ballot papers numbered and initialled under section 21*a* of this Act.

The amendment was carried on a division.

Hon. Mr. FERGUSON—In addition to the other amendment I wish to move the following amendment as 26*b*:

Section 57 of the said Act shall not apply, in the province of Prince Edward Island, to the determination of the qualification or non-qualification of any voter whose ballot paper has been numbered and initialled under section 21*a* of the said Act as amended by this Act.

Carried on division.

Hon. Mr. FERGUSON—I move this amendment as subsection 26*c*:

Section 58 of the said Act as amended by section 8 of chapter 11 of the statutes of 1888 is hereby further amended by striking out all the words from "candidate" in line four to "of" in line nine, and by inserting after the word "papers" in line ten the words "and of the ballot papers numbered and initialled by him under section 21*a* of this Act."

I may explain that this amendment so far as the words to be struck out are concerned is to correct an error in drafting. They refer to the appealed votes and these words that are being struck out are not struck out in the interest of the amendment that I am making, but they are struck out as they have reference to the undecided appeals and they should have been taken out along with other references to the same in other parts of the bill.

Hon. Mr. POWER—Really, I cannot follow the hon. gentleman's amendment. I do not know whether those should go out or not. I think that making an amendment of so important a character without any kind of notice to the committee is unreasonable. We ought to have time to examine and see.

Hon. Mr. FERGUSON—My hon. friend is right, and that is what I suggested, that I should be allowed to give notice and the hon. gentleman would have had it in his own hands.

Hon. Mr. MILLS—My hon. friend ought to have done that a week ago.

Hon. Mr. FERGUSON—My hon. friend has no right to say that, because he gave me some assurance that he was willing to do it.

Hon. Mr. MILLS—That is the voters' list.

Hon. Mr. FERGUSON—I was expecting until to-day that my hon. friend would provide a remedy for this difficulty himself. He gave some hope that he would try and do it, but he has not. It is quite plain, my hon. friend will see, that the words that are being struck out here have reference to the undecided appeals. The amendment that I wish to get in, and which is important, could not be attached to this bill without striking out these words.

The amendment was carried on a division, and clause 26 as amended was adopted.

Hon. Mr. MILLS—The hon. gentleman is obliged to resort to an official of the House to find out what his amendment is. I hope the official and the member will be able to fix up what we could not do. I am greatly obliged for the courtesy.

Hon. Sir MACKENZIE BOWELL—It is not an unusual thing for a member of the Senate to go to the law clerk for advice on matters of that kind.

Hon. Mr. MILLS—If he is the author of the bill, and has charge of it.

Hon. Mr. LANDRY—If he is the author of the amendment.

Hon. Sir MACKENZIE BOWELL—If he is the author of the bill and has charge of it, he not only obtains the information but assistance in the wording of it, and members of the Senate often go to the law clerk, and ask him how a bill will affect the laws of the land. It saves them the trouble of looking into the law themselves.

On clause 5.

Hon. Mr. MILLER—I have a consequential amendment to move to subsection *c* of clause five. It includes the subsection *c* with the qualifications necessary in consequence of the passage of the amendment. It reads as follows:

(*c.*) The voters' lists shall, except in the provinces of Nova Scotia, New Brunswick and Manitoba, be those prepared by the several polling divisions so established and which on the sixtieth day next preceding the day fixed for the nomination of candidates for

such Dominion election were in force or were last in force under the laws of that province for the purpose of provincial elections, and in the provinces of Nova Scotia, New Brunswick and Manitoba, shall be the voters' list as amended under the provisions of clause *a* of this Act, which were prepared by the registration clerks or revisers for the several polling divisions so established for the purposes of provincial elections and were filed at least sixty days previous to the day fixed for the nomination of candidates for such Dominion election with the officer having by law the custody of the same.

Hon. Mr. MILLS—I have no objection. I am not supporting it.

The amendment was carried on division.

Hon. Mr. MILLS—I wish to suggest an amendment to clause *f* of subsection 5 :

But nothing herein shall enable any person to vote by schedule or otherwise than by personally appearing and recording his vote.

The amendment was adopted.

On clause 27.

Hon. Mr. FERGUSON—I move to add in clause 27 after the words "twenty-eight" the following :

And by substituting therefor the following :—(3) In the province of Prince Edward Island that any person not duly qualified to vote in such electoral district has so voted.

Hon. Mr. POWER—I think there is the same objection to making this amendment in this way that there was with respect to the amendment proposed to be made to clause 32. My hon. friend's amendment does not bear at all on section 64 of the Election Act. The amendment should bear upon the section which it proposes to amend.

Hon. Mr. FERGUSON—It bears precisely upon it. The scope of this amendment is that the returning officer has to make his report to the superior court judge in Quebec, or the county court judge in other places, first, ballots that he has improperly counted, and, secondly, ballots that have been improperly rejected, and, thirdly, that in the province of Prince Edward Island any person not qualified in such electoral district has so voted, and the county court judge has duties to discharge in connection with these matters. These are matters which are germane to the clause.

Hon. Mr. POWER—Yes, I think so.

The amendment was adopted.

On subsection 2.

Hon. Mr. FERGUSON—I wish to call the hon. gentleman's attention to the amendment. It is not germane to the Prince Edward Island matter at all, but he will find in the 49th line of section 64 of the Dominion Election Act that there are three lines that relate altogether to the undecided appeals matter, and I want to call my hon. friend's attention to it, because all other references to it, as far as we know, have now been removed from the Election Act, and ask whether he thinks it would be right for this committee to rise and leave this provision in it :

The ballots used at such election, or the original statement of the deputy returning officer, as the case may be, and also that the duly certified copy of the formal order of judgment on any such appeal as above mentioned in respect of, or in consequence of which such recount is to take place.

That has reference to a judgment that has been given on these undecided appeals, and should not be allowed to remain in the Act. It is not my particular business, but as they stand in the Act they have no business there, because all these undecided appeals have been put an end to, and all the other references in the Act have been removed.

The subsection was adopted.

Hon. Mr. FERGUSON—I wish to call my hon. friend's attention to section 43 of the Dominion Elections Act :

Each elector shall, subject to the provisions contained in the next following section of this Act, be entitled to vote only at the polling station of the polling district, or one of the polling districts, upon the list of voters for which his name is entered as such voter and no other ; and the deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station.

To my mind that would prevent any person in Prince Edward Island from voting at all.

Hon. Mr. MILLS—I may say to my hon. friend that we wish to insert a clause with regard to that.

Hon. Mr. SCOTT—It is inferentially repealed and we had better repeal it directly.

Hon. Mr. MILLS—I therefore move that the following be added to the bill as clause 27*a* : "Section 133 of the said Act is hereby repealed."

The amendment was adopted.

Hon. Sir MACKENZIE BOWELL—Does that repeal the 43rd clause ?

Hon. Mr. LOUGHEED—My hon. friend refers to this, that there is a prohibition in section 43 in regard to parties not being on the voters' list; consequently, there being no voters' list in Prince Edward Island, it is not applicable and yet at the same time it may prove misleading.

Hon. Mr. POWER—You might put that, section 43 of the said Act shall not apply to Prince Edward Island.

Hon. Mr. MILLS—The last legislation in point of time will stand but there is no objection to do with that what we did with section 133. I therefore move that there be added to clause 18 the following as 18*a*:

Section 43 of the said Act shall not apply to Prince Edward Island.

The amendment was carried.

Hon. Mr. FERGUSON—The hon. gentleman informed the House that at the close of the bill he would insert a short section regarding the provincial oaths. I just call the hon. gentleman's attention to it to suggest whether it should be done now or at the third reading.

Hon. Mr. MILLS—Let it be the third reading.

Hon. Mr. WOOD, from the committee, reported the bill with several amendments.

THIRD READINGS.

Bill (56) "An Act respecting the Montreal and Province Line Railway Company, as amended."—(Hon. Mr. Dandurand.)

Bill (97) "An Act to incorporate the North Shore Electric Railway Company, as amended"—(Hon. Mr. Owens.)

BILLS INTRODUCED.

Bill (T) "An Act further to amend the Act respecting public officers."—(Hon. Mr. Mills.)

Bill (71) "An Act further to amend the Weights and Measures Act."—(Hon. Mr. Scott.

Bill (137) "An Act respecting the International Radial Railway Company."—(Hon. Mr. Lougheed.)

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 3rd June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

COLLECTORSHIP OF CUSTOMS AT ALBERTON, P.E.I.

INQUIRY.

Hon. Mr. FERGUSON inquired of the government:

If it is decided to make a change in the collectorship of customs at Alberton, Prince Edward Island; and if so, who is to be appointed to that position?

Hon. Mr. MILLS—I may say, in reply to the hon. gentleman, that John P. Brennan was removed by Order in Council on the 25th of May, 1898, and that he was notified of his removal, and that James F. White was employed as acting sub-collector in his place at the same salary of $400.

Hon. Mr. FERGUSON—I did not cover the point by inquiry, and perhaps my hon. friend is not prepared to say for what reason he was removed.

Hon. Mr. MILLS—I am not in a position to say. I know nothing about it.

TRAVELLING EXPENSES OF MINISTERS.

The Order of the Day being called:

By the Honourable Mr. Landry:—

That he will inquire of the government:

1. How much did cost the voyages which were undertaken in 1897 by the Right Honourable the Prime Minister and the Honourable the Solicitor General, to Europe, to the United States and elsewhere?

2. Are these travelling expenses the expenses incurred by each of these two members of the administration individually, or do they comprise the expenses of a private secretary or of any other persons composing the following of each such member of the administration?

3. Were these members of the administration accompanied by their private secretaries?

4. Had these two members of the administration in their service other persons than a private secretary? Who were such persons and in what quality were they employed?

Hon. Mr. LANDRY said: With the permission of the House, instead of making the inquiry of which I have given notice, I desire to move that an humble address be presented to His Excellency that he will

cause to be laid before the Senate a statement of the cost of these voyages. Of course if there is any objection I will simply give notice of the motion now.

Hon. Mr. SCOTT—Better make it a notice of motion.

Hon. Mr. LANDRY—I will do so.

THE PAPAL ABLEGATE.

MOTION.

Hon. Mr. LANDRY rose to:

Draw the attention of the government to the following extract from a letter which the Right Honourable Sir Wilfrid Laurier, Prime Minister of Canada, addressed to His Eminence Cardinal Rampolla, Secretary of State of the Roman Court, of date the 30th of October, 1897, which reads as follows:

(Translated from the French.)

"OTTAWA, 30th October, 1897.

"EMINENCE,—I made known to you, in the month of August last, when Your Eminence did me the honour to grant me an audience, the happy result which the mission of Monseigneur Merry del Val had accomplished among the Catholics of Canada, and the profound impression which his high Christian virtues and his talents as a statesman—I say statesman, and the expression is not too strong—had created in all classes of our population.

"Having now returned to my country for several months, I wish to make known to Your Eminence that, if these happy results are to remain permanent and efficacious, it is desirable, if not necessary, that the mission of Monseigneur Merry Del Val should be renewed, or rather continued, and that he should be present in the midst of us for a more or less prolonged time as the accredited representative of the Holy See.

"I have established, since my return, that there is among a certain class of Catholics an underhand agitation against the work accomplished by Monseigneur Merry del Val, a work of pacification, concord and union.

* * * *

"The same reason of state which inspired His Holiness in the affairs of France, and which caused him to prescribe to the Catholics of this country the duty of abandoning the old strifes of the past and to accept the state of things agreed upon, has quite as much force in Canada as in France.

"Such is the opinion of a great number of the Catholics among us. I admit that it is not the unanimous opinion; this very divergence of opinion only renders more necessary among us the presence of a man at once firm and conciliatory like Monseigneur Merry del Val, and of one who above all would understand all the danger there is of exasperating the men who are sincere, convinced, and who wish to be faithful to their duty as Catholics, while remaining faithful to what they believe to be their duties as citizens.

"May I be permitted to ask Your Eminence to be good enough to lay these considerations before His Holiness, while assuring him at the same time of my profound respect and of my filial attachment.

"Accept, Eminence, the expression of the high consideration with which I remain, etc., etc."

And that he will ask:—

1. Whether the Right Honourable Sir Wilfrid Laurier, Prime Minister, did on the 30th October, 1897, wrote and address a letter to His Eminence Cardinal Rampolla?

2. Did that letter ask the Most Eminent Secretary of State to send back Monseigneur Merry del Val to Canada as the accredited representative of the Holy See and for a time more or less prolonged?

3. Was that letter sent directly to His Eminence Cardinal Rampolla or was it entrusted to Mr. Charles Russell with a mission to him to deliever it himself to the Most Eminent Secretary of State, in a journey which he was to make, and which he did in fact make, to Rome about the 26th November, 1897?

4. Are the foregoing extracts true extracts from the letter in question, and if they are not true, in what do they sin against exactitude?

5. Has the Right Honourable Sir Wilfrid Laurier received an answer to his request?

6. What is this answer?

Hon. Mr. MILLS—I must give to the hon. Senate the same answer that I gave the other day. I do not know that there is any such letter written by Sir Wilfrid Laurier. The hon. member has not established that fact to the satisfaction of this Senate. He has given to the Senate no evidence that there was such a letter written. He has undertaken to put questions to me as a member of the administration about a letter that I do not know was ever written by Sir Wilfrid Laurier. If there was such a letter written it is perfectly clear that it was a private letter written to Cardinal Rampolla, and how can that private letter have come to the possession of the hon. gentleman?

Hon. Mr. LANDRY—Purloined I suppose.

Hon. Mr. MILLS—Yes, by somebody, and does not my hon. friend know that that letter has come improperly into his possession, if there be such a letter written by Sir Wilfrid Laurier, and until my hon. friend satisfies me, in the first place, that there is such a letter, and that the letter is properly in his possession, that it was not a private communication and it is in his possession with the consent of Cardinal Rampolla, I do not think I am called on to answer the hon. gentleman's questions.

Hon. Mr. LANDRY—That is a new theory. If the hon. gentleman had taken the trouble to inquire from Sir Wilfrid Laurier, who is not as far from here as Mr. Russell is—Sir Wilfrid Laurier and the hon. minister I think sit at the same table in the council—it would have been very easy for him to know from his own colleague if there was such a letter.

Hon. Mr. MILLS—It is not my place to inquire with regard to a letter that has come improperly and irregularly into the hands of the hon. gentleman.

Hon. Mr. LANDRY—That is a fact that is controverted, and the hon. gentleman has no right to come here with controverted facts; he has no right to come here and say that the letter did not come into my possession in a regular way. What does he know about it? Does he know anything at all?

Hon. Mr. MILLS—Until I do know something I am not prepared to answer.

Hon. Mr. LANDRY—That is a better answer.

THE MANITOBA SCHOOL QUESTION.

MOTION.

Hon. Mr. LANDRY—Before asking this honourable House to adopt the motion which I have on the order paper, I beg leave to offer a few explanations which I hope will convince hon. gentlemen that I am justified in following the present course. As a member of this honourable body, I think I have an indisputable right of putting, as Mr. Bourinot says, questions to the ministers of the Crown on any subject concerning the public. I thought, and I still believe, that the different trips made to Europe or elsewhere by the members of the present administration, trips which involved the expenditure of public money were questions of public interest. I thought, and it is still my firm belief, that negotiations entered upon by members of the present administration, who went to Rome accompanied by their private secretaries, or by employees of the government, and whose expenses were paid by the country, were negotiations of a public character and that I had a perfect and undeniable right to put all those negotiations in full light before this House and before the country. When the hon. Sir Wilfrid Laurier sent his memorial to Rome did he sign such document as a private individual? No. He affixed to his name all the titles that could give it lustre and weight, and it was as Prime Minister of Canada that he entered Rome. When Mr. Fitzpatrick, accompanied by Mr. Charles Russell, called on Cardinal Rampolla, did he send his private card? No, he sent him the card of a public man, the card of the Solicitor General of Canada. When introduced, a pleasant incident occurred. The official reading the card omitted the word "solicitor" and cried out "General Fitzpatrick." General Fitzpatrick was introduced and the following issue of the Italian papers announced to the universe that Gen. Fitzpatrick was within the precincts of the Eternal City. This incident, or accident, would certainly never have occurred if Mr. Fitzpatrick had gone to Rome in his private capacity and not as Solicitor General of Canada. And why did these gentlemen go to Rome? Was it to settle a private affair of a domestic character, or to solicit and invite the Pope's intervention in a question of public concern? Was the school question of Manitoba a private domestic affair in the solution of which the people of Canada had nothing whatever to see? Is it not here a matter of public and undeniable notoriety that this parliament was called on to settle that question by remedial legislation? Is it not an admitted fact that the solution of that burning question was the real issue at the last general election? This, we had granted here last evening by the different members who spoke on the question of the Franchise Act, The hon. prime minister made public statements throughout the different provinces of the Dominion, on every platform, during the last elections. I read all those public declarations and I heard them myself when I happened to meet the then leader of the opposition in different ridings. The press published them. The organs of the Liberal party made them known to every elector of our province. It was, therefore, I think, my undeniable right to inquire of the government if those declarations were genuine as reported by the press. What kind of an answer did I receive from the hon. gentleman? The hon. Minister of Justice, when I first put my question to him, gave me to understand that he had never communicated it to the prime minister, that he was not aware of the correctness of these reports made by the press, but he told me if it was any satisfaction to me he would let the question stand on the paper and he said, "I will bring the question as it stands under the notice of the prime minister." My question stood on the paper. I supposed that the prime minister would be communicated with by the Minister of Justice and that the question would be put to him. It was on a public matter concerning the country, it related to the declarations of the then leader of the opposition who since became the prime minister of Canada. What was the answer? All had been forgotten. I was told that the prime minister did not recollect if he had

promised to appoint Sir Oliver Mowat at the head of a commission to settle the Manitoba school question. He knew nothing of the pledges he had given to the country. While I am on my feet I will show the manner in which the ministers treat questions which we put to them. This is one illustration. Does the House desire another? I asked of the government if, in the course of the year 1897 any member of the present administration had made a voyage to Europe, to the United States or elsewhere? What were the names of the members of the administration who had absented themselves from the country? The hon. Secretary of State gave me the names, omitting the name of Mr. Fitzpatrick. I asked the hon. gentleman if he had mentioned Mr. Fitzpatrick. The hon. Secretary of State said, "No; he is not a member of the government." The hon. gentleman had not even looked at my question. He had not seen how it was framed. My question was, "In the course of the year 1897, did the prime minister or any member of the present administration," and so on. The hon. gentleman answered me that Mr. Fitzpatrick was not a member of the government. I told him I was not asking that, but that I was asking as to any member of the administration. The hon. Secretary of State then said that Mr. Fitzpatrick was not a member of the administration; but, being corrected by the hon. gentleman to his left, he admitted that Mr. Fitzpatrick was a member of the administration, and that he would inquire of him. Then, what was the answer to these questions? We would not credit it if we did not see for ourselves what the answers were. The hon. gentleman answered me:

Hon. Mr. SCOTT—I sent the hon. gentleman's inquiry to the several members of the administration who had left Canada last year, and whose names I gave him on a former occasion, and I will now advise him of the answers I received from them.

I was inquiring in the second place about the expenses incurred by those ministers who were travelling abroad, and I wanted to know what it cost the country. Here is the communication given by the hon. the Secretary of State:

From Sir Wilfrid Laurier I received a reply that he could not at the moment give the exact figures, but the amount could be had from the Auditor General's report when it was published.

That is one answer. To the second question, as to the expenses of the private secretary, the premier replied that he was accompanied by his secretary and the accounts of the secretary would no doubt appear in the Auditor General's report. That is the kind of answer I got. Put over to next year! As a matter of course the Hon. Mr. Fitzpatrick was entirely forgotten. I called the attention of the hon. the Secretary of State to that fact and he said he would inquire. He did inquire, and told me that Mr. Fitzpatrick did not answer at all. I asked the hon. gentleman to allow my motion to stand on the paper and I would give him time to inquire. He said it would be of no use, that I would not get any answer at all. That is the way a member of the Senate is treated here by the hon. gentleman. But I will show more. I inquired about those trips to Rome by Mr. Russell. He is an employee of the government. I asked if, since the 1st July, 1896, the government, or any member of the administration, had authorized Mr. Charles Russell, of the firm of Day, Russell & Co., of London, solicitors, to go to Rome with instructions or permission to speak or act in the name of the government, or the prime minister, or any member of the administration, with regard to the Manitoba school question. The answer given by the hon. Mr. Mills was:

I am informed that he was not authorized to do so either by the prime minister or any member of the government.

Then I came to a more direct question. I asked the hon. gentleman if Mr. Charles Russell had been to Rome to urge on the authorities of the Vatican, the appointment of an apostolic delegate to remain permanently in Canada for the purpose of assisting directly or indirectly in the settlement of the Manitoba school question. The hon. Secretary of State replied "My answer to the first question is no." I thought my question was too leading, and I put a general question including the Hon. Mr. Laurier, the Solicitor General and Charles Russell. At that time I had the letter of Mr. Laurier in my possession. I called the attention of the House to the words of my question:

At any time between the first of July, 1896, and this date has the government or the prime minister or any member of the present administration or Mr. Charles Russell, solicitor, at the request or to the knowledge of or by the authority of the government or the prime minister or any member of the present administration directly or indirectly solicited, asked or invited the intervention of the Holy See for the settlement of any question and of what question.

Has there ever been for the said purpose any voyage undertaken to Rome either by the prime minister or by any member of the present administration or by Mr.

Charles Russell or by any other person at the request or to the knowledge or with the authorization of the government or prime minister or any member of the present administration.

Has any one whatsoever at the request or to the knowledge or with the implicit or explicit authority of the government or the prime minister or any member of the present administration made any overtures whatsoever to the ecclesiastical authorities at Rome to obtain from them any intervention whatsoever.

What were these overtures?

What was the nature of the intervention which was solicited?

Has any one whatsover at any time been authorized to ask in the name of the government or of certain members of the government the nomination of an apostolic delegate to a permanent residence in Canada? When and by whom has any such command been made?

For what object was the nomination asked?

The hon. Secretary of State answered me:

I may say in general terms that the government of Canada have had no communication with the Holy See.

Further on he says:

I have answered that the government have had no communication with the Holy See on any question.

And when I persisted in getting an answer, the hon. Secretary of State reiterated his remarks and said:

I do not propose to give the hon. gentleman any answer beyond what I have already given. That is all the hon. gentleman is entitled to. He is not really entitled to that, but I explained that the government of Canada have had no communication with the See of Rome on any question.

I asked:

Has any one in the name of the government been authorized?

The hon. Secretary of State answered me:

My answer covers that. The government have not by themselves or any other person authorized any communication with the See of Rome. The former answer covers that completely.

In face those general negations, I brought up Mr. Charles Russell's letter and asked as I have asked to-day, in reference to Mr. Laurier's letter to Cardinal Rampolla some information that the government are able to give me. The hon. gentleman to-day says he does not know if those letters even exist. They have not been produced. I did not produce the original of those letters as a matter of fact. Does that prevent me from asking now if those letters exist and if the government acknowledge them to be genuine and if the extracts I gave are true extracts? It would be very easy for the hon. gentleman to see the hon. premier and inquire for me. Sir Wilfrid Laurier is here. If he did not write the letter he can say so. If he wrote the letter he cannot deny it. If he did not write the letter and if I am bringing in a letter which is forged, it is very easy for Sir Wilfrid Laurier to deny it and confound me; but the government are unable to do that. But what they are able to do is this; when I brought up Mr. Charles Russell's letter the hon. Secretary of State on the 12th of May said this:

There is an extract on the minutes from a paper I never heard of, the authority of which I have a right to question. The hon. gentleman produced a document written by some one in the province of Manitoba.

That is a clerical error: he means the city of London.

To one of the ecclesiastics of the church to which I belong which I may say, if the document is genuine has been purloined from Charles Russell or Cardinal Rampolla. It has been improperly obtained and it has been obtained in such a way that no gentleman would use it in a matter of this kind.

Then when I said the hon. gentleman had stated it was a private letter he replied:

I cannot tell anything about the letter. I said, and I say again, that if there was such a copy obtained either at Rome or London, it was purloined or stolen from the party, and I say it is an improper document to be made use of in parliament.

That was the hon. gentleman's answer to me. I am performing what I think is a public duty and that is the way I am treated by one of the ministers of the Crown. With a logic that a seven years old boy would be ashamed to make use of, the hon. Secretary of State concludes that the letter must have been purloined. What does he know about it? That letter has been sent to Rome together with many other letters. Does the hon. gentleman ignore that they are to be found as an appendix to a memorandum which has been circulated amongst the cardinals? And yet the hon. gentleman jumps to the conclusion that if I have a copy of those letters it must have been purloined. My honour obliges me to repudiate that accusation and to ask the hon. minister to withdraw it. It is for that purpose I have brought this question before the House, and I say that an hon. member of this House, in performing a public duty, must have full liberty to do what he thinks it is honourable to do, and what he thinks it is his duty to do. If I consider it my duty to place the government in the true light in which they ought to be placed, why should I be assailed by the reflections of the hon. Secretary of State? He has no

right to make the imputations he has made. He has no right to try to cast any imputation upon my character, and in order that he may be forced to substantiate and prove his insinuations or withdraw them, I now submit the following which appears on the order paper :

I call the attention of the Senate to the following utterances made by the Honourable the Secretary of State, on the floor of the Senate, on the 12th day of May, and reported in the official debates of the Senate, page 831, as follows :—

"Hon. Mr. Scott—There is an extract on the minutes from a paper I never heard of, the authority of which I have a right to question. The hon. gentleman produces a document written by some one in the province of Manitoba (*City of London*), to one of the ecclesiastics of the church to which I belong, which, I may say, if the document is genuine, has been purloined from Charles Russell or Cardinal Rampolla. It has been improperly obtained, and it has been obtained in such a way that no gentleman would use it in a matter of this kind.

* * * * * *

"Hon. Mr. Landry—The hon. gentleman said a moment ago it was a private letter.

"Hon. Mr. Scott—I cannot tell anything about the letter. I said, and I say again, that if there was such a copy obtained either at Rome or London, it was purloined or stolen from the party, and I say it is an improper document to be made use of in parliament."

And I move :

That such statements appearing upon the records of the Senate of 12th May, 1898, page 831, line 25 and page 832, line 16, are a reflection upon the honour and character of the honourable senator from Stadacona, who is thereby inferentially, if not directly, accused of having improperly obtained such document in a way that no gentleman should use it, being a document alleged to have been purloined or stolen, and which was, for that reason, an improper document to be made use of in parliament ;

That such utterances having been made by a member of the Senate who is also a minister of the Crown, are not only offensive, but an imputation upon the character of an hon. senator, which, if true, unfits him to associate with gentlemen ;

That since these statements were made, the hon. the Secretary of State, though ample time has elapsed to substantiate them by an official declaration of any of the parties interested, has utterly failed to bring forward any proof whatsoever in support of his accusations, and the hon. the Secretary of State having publicly admitted that nothing has been done to obtain any proof of the kind ;

That the hon. senator from Stadacona has, in defence of his own honour, a right to ask and that the dignity of this Senate requires, imperatively, that such accusation be proven or withdrawn ;

Therefore, be it resolved, that provided the hon. the Secretary of State do not withdraw such accusations, a special committee be appointed with instructions to inquire into the facts, and report their conclusions to the Senate ; that such committee have power to send for persons and papers, and to take such other steps as they may deem mete in the premises, such committee to consist of Hon Messiers—

I gave no names because I did not like to suggest the members of the committee myself. I leave it to the Senate. It is a question in which I am too deeply interested to be permitted to choose my tribunal, and I leave it to any hon. member to name those who should compose this committee.

Hon. Mr. SCOTT—I think it scarcely comports with the dignity and character that the Canadian Senate have enjoyed in the past, that communications that might pass between the members of a particular church and the heads of their church should be made the subject of a public inquiry before this body. The See of Rome has no official status under the British constitution. The Crown could not recognize any representative of the See of Rome as such. The Roman Catholic body of Canada might recognize such a representative as a higher ecclesiastic of their church, just as the members of the Church of England would recognize the bishops of their church, or the members of the Church of Scotland the moderator of that church. I ask hon. gentlemen to reverse the picture and imagine the Roman Catholic members of this House bringing forward letters that passed between Presbyterians and their moderator, what would be the indignation of this body that such private matters should be discussed here. We would be told that they should not be inquired into, and were not a proper subject of investigation before this honourable Senate. The hon. gentleman has steadily, for the last six weeks, been dragging this question before parliament, and it seems to me that conduct of that kind is an entire departure from the ordinary amenities that ought to prevail. It should not be permitted, because it is not a matter that the public have anything to do with. What I write to Cardinal Rampolla or what Cardinal Rampolla writes to me is not a matter that parliament should inquire into. When the hon. gentleman first produced that letter, or alleged letter, I doubted its authenticity. I made an inquiry from a source that I thought was well informed, and was advised that a cable had been received from a gentleman who ought to know, that three letters had been purloined from the Vatican. That information may or may not be true. The information was given me by the gentleman, who said he had a cable to that effect, and I saw a letter from Mr. Charles Russell, in which he said that certain letters had been stolen at Rome. That is the authority on which the statement is made. The hon. gentleman is not entitled to have the statements that he makes

credited unless he produces the original letter. The presumption is altogether against the propriety of the hon. gentleman having possession of those letters, because such letters, if written, were written by a gentleman in London to a gentleman in Rome, Italy. That alleged copies of them have fallen into the hands of the hon. senator is no presumption that they were come by fairly, and if copies were obtained by any indirect means, surely they are not a proper subject of discussion on the floor of this House. They might be used on an election platform. If gentlemen were disposed to lower themselves and discuss matters of that kind on a public platform they might do so, but certainly before the Senate of Canada it does seem improper that, at this stage of the session when so many important matters are waiting to be considered, we should be engaged in a discussion of this kind. I regret that the hon. gentleman has brought forward this irritating subject day after day. He has assumed, what he has no right to assume, that the expenses of Sir Wilfrid Laurier and Mr. Fitzpatrick have been charged to the country. He has no right to make that statement. It is wholly indefensible and unjustifiable. If Sir Wilfrid Laurier and Mr. Fitzpatrick went to Rome they went there as Catholics at their own expense and in the interest of peace amongst Catholics in this country. Was it not very proper and desirable that they should do so? Are we not all interested in a peaceable solution of that kind? Catholics were very anxious to secure the approval of their church of the settlement that was affected. There were differences of opinion about it. It was not a settlement such as I would like, but I hoped it would in the end be made satisfactory. I have had forty years' experience of the school question, and it was always the fact that, with the tolerant spirit in Canada, slight concessions have been made from year to year as time goes on and prejudices subside, those who differ from the Roman Catholics on that subject, yielding from time to time for the sake of peace, and I believe the same results would follow in Manitoba on the school question. But it will not of course if firebrands are perpetually interjecting their views making arguments for people outside of this House to use to prevent a settlement of this question and keeping that question in such an irritating condition that a settlement would be absolutely impossible. I have stated to the hon. gentleman the source from which I got my information. I cannot give the names of the individuals. I am not bound to do that. The very fact of the hon. gentleman professing to have a letter which he does not produce the original of, is evidence, of itself, that it is improperly in his possession. That is the presumption. The hon. gentleman shakes his head, but that is the fair presumption. Certainly it has no right to come to his hands. If I got hold of a letter that was written at Washington to some one in London it would be fair to ask "How did you get that letter?" That is a parallel case. Hon. gentlemen should not lose sight of the fact that a letter of that kind could not be obtained fairly and honourably, and if obtained was certainly never intended to be made the subject of discussion on the floor of parliament. I should regret exceedingly if the Senate so far forgot itself as to appoint a committee to inquire into the relations of the Roman Catholic members and their Church.

Hon. Sir MACKENZIE BOWELL—This is an exceedingly unfortunate discussion, and I regret for more reasons than one that the hon. gentleman has not thought proper to take a more conciliatory course than he has pursued on this question.

Hon. Mr. SCOTT—I have endeavoured to be conciliatory. If the hon. gentleman knew the irritation I have been subjected to for the last six weeks he would understand it. The question should have been ruled out of the House in the first instance.

Hon. Sir MACKENZIE BOWELL—I think I can understand the irritation to which the hon. gentleman has been subjected. I not only understand it, but fully appreciate it, and sympathize with him. There is just this difference between the position the hon. gentleman has taken and that which has been taken by the hon. senator from Stadacona, and I shall give the reasons why I think so. I speak upon this question simply because I think it is one that affects not only on the dignity of the Senate, but the reputation of one of its members. I am fully in accord with the hon. Secretary of State in his introductory remarks, that private letters sent by members of any church, whether Catholic or Protestant, to

the heads of their church, are not subjects for discussion in any deliberative body, and more particularly in the Senate, provided they are dealing with questions which are of a private nature, or which are matters of conscience between those who direct and control the church to which he belongs and the individual himself. But when public men, occupying the highest positions in the gift of the people of this country, communicate with any person or any eccleiastic, no matter how high, or how low he may be, asking his interference in matters pertaining to the general welfare of the population and the country in which he lives, then I ask does not that become a public question, with which a public man or a deliberative body would have a right to deal? That is the distinction.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—I did not interrupt the hon. gentleman when speaking.

Hon. Mr. SCOTT—You are not stating it fairly. I say it is a matter entirely with Catholics.

Hon. Sir MACKENZIE BOWELL—I say it is not, and that is the difference between us; and it is that tone in answering questions that characterized the remark the hon. gentleman made to me just now, that has brought about this difficulty. He had no right to say to me that I was not stating this question fairly. I put the question hypothetically. I said if it be a question between a member of the church and the head of that church, it is a question with which this House and the public, I take it, have nothing to do.

Hon. Mr. SCOTT—That is what it is.

Hon. Sir MACKENZIE BOWELL—Then, I said further that if it be dealing with a question of a public character, and more particularly one which has agitated the country for a long time, and in which a large portion of the community have taken deep interest, and different sides, for two or three years, that it becomes a public question with which the public has a right to deal. If that is putting it unfairly, I do not intend to do so. I do contend that any communication of that kind upon a public question, can not take place, that is not of public interest. If it were a private individual writing to his clergy, upon a private question, the hon. gentleman would not be justified in bringing it before the House; but when during an agitation upon a very important question, the head of the government, and the Solicitor General, and the solicitor who is paid for whatever he does for the government, all take action in order to obtain the influence of a church to direct, either directly or indirectly, what shall be done in dealing with a question in Canada, then it becomes a public question with which every one has a right to deal. Now, that is the distinction that I draw between the two; and the complaint made by the hon. gentleman is very simple and very plain. He says, he puts upon the notice paper a letter which purported to have been written by Mr. Russell, and asks the question, "Is the government aware that Mr. Russell wrote such a letter, and if Mr. Russell wrote such a letter did he write it at the instance of the authorities of the government of the country, not as individuals, but under the instructions of the ruling powers in Canada."

Hon. Mr. SCOTT—I answered that question in the first instance, that Mr. Russell had no authority from the government of Canada.

Hon. Sir MACKENZIE BOWELL—I did not say that you did not. Do not get angry; I can quite understand the irritated state of the hon. gentleman's mind. But I desire to put this question as I think it ought to be put from a public standpoint, and it would not take me half as long to do so, if the gentleman would keep his irritation to himself and not get so excited. Then my hon. friend asks the question, "and was that at the expense of the country?" Had he not a right to do that? The hon. gentleman said no. Then he said, I answered it. It is true he answered it; but in making an answer he made an accusation against a member of the Senate in saying that that letter had come into his possession improperly, that it had been stolen and, inferentially, that he knew it was stolen, and if it were stolen and knew it was stolen, then it was reprehensible. I do not hesitate to say that had that been true it would have been extremely reprehensible in him to use it in any way. He denies, as I understand him, that it did come into his possession improperly. He says, so far as he knows, it was

not stolen, and if he has it in his possession he now desires to have the fact established, that he is neither the thief nor the accessory to the stealing of that letter. That I take to be the position of the hon. gentleman, and he has used in that motion the language which is used upon all occasions of this kind when the private character or reputation of a member of the House of Commons is assailed, as any one who has studied these precedents know. Whenever it is declared by the House of Commons, that a man has conducted himself in the manner which has been imputed to the hon. gentleman from Stadacona, he is considered unworthy to sit with or associate with gentlemen. Now, I am fully in accord with that theory, which has been laid down the last century in the Imperial Parliament, and also established by the House of Commons upon the lamentable occasion when the expulsion of a certain member who had been elected was moved for. If my hon. friend has been guilty of stealing that letter or been accessory to its theft, or obtained it in some surreptious manner, then let the condemnation of the House fall upon him. If he has not, then it is the duty of the Secretary of State to state, and he would avoid a great deal of trouble if he would frankly state, that he believes it came into the hon. gentleman's possession properly, that he is very glad to learn it did not come into his possession improperly, and that he regretted that any imputation was made upon him. I think that is due from one gentleman to another ; and if not done, the hon. gentleman has taken the only course he could take under the circumstances to maintain his own honour as a man and as a senator. Now, I must be permitted to differ entirely from the position taken by the hon. Secretary of State that unless the hon. gentleman has in his possession the original letter, he has no right to bring it before the House. Why, hon. gentlemen, do we not almost every day call the attention of the government to statements made in the newspapers and ask whether they are correct or not. The other day I asked the hon. gentleman whether a statement which appeared in the Montreal *Star* and one or two other papers, in reference to the bonding system, was correct. I had no official documents. I had not the original that had been written and submitted to the council by the United States authorities in my possession, but there was a question which affected the commercial interests of the country, and I got a courteous reply. There was no accusation against me that I had not the original, that I had stolen it. It appeared in a newspaper. Supposing my hon. friend will tell you, as I understood him to say a moment ago, that these letters appeared in print in Rome, published in a pamphlet or small book, giving an account of what took place between Mr. Russell and the authorities in Canada from the Prime Minister down, in reference to the Manitoba school question, and that the pamphlet occupied with the people of Rome the same position precisely, that our blue books do, in which matters are placed before the notice of the people of Canada, would my hon. friend, or any one, be accused of stealing, or surreptitiously obtaining, or obtaining improperly the facts which are contained in that book ?

Hon. Mr. SCOTT—There is no parallel at all.

Hon. Sir MACKENZIE BOWELL—No? Why ? Because one deals with a question which affects and irritates the hon. gentleman, and the other with the public generally. I say this is a parallel. If the question be one of a public character, which affects the government of Canada, the parallel is very strong indeed, and every man living in Canada, and every public man, has a right to ascertain whether the facts contained in that document to which the hon. member from Stadacona referred are true or not. That is the position I take. I have no desire to interfere, directly or indirectly, with a question of conscience between the hon. Secretary of State, the Prime Minister or Mr. Fitzpatrick, who belong to a certain religious body. That is none of my business, but if they deal with any foreign country, or with any public man, I care not whether it is a government or not, affecting the general weal or affairs of this country, of a political character, which this has really drifted into ; or constitutional question, as this was, and upon which difference of opinion existed in the country, one taking the ground that the province of Manitoba had no right under the constitution to deprive the minority of that people of certain rights which they believed were granted to them under the constitution, another party taking the ground that it was

purely a local matter with which the Dominion parliament had nothing whatever to do, was not that a public question? Has not that agitated this Dominion, from the very centre to the Pacific and to the Atlantic? There is scarcely a hamlet in the whole country in which this question has not been discussed politically, in one respect, and in the other by those who do not desire to make it political, treated as a constitutional question. If that difficulty occurred and these gentlemen to whom we have referred, not private individuals, but the head of the government and the Solicitor General, because he is of the government, though not of the cabinet, it is only a quibble to say that he is not a member of the administration, and the paid solicitor of the country, then I would like to know what becomes of public questions with which this Senate or public may have to deal? That is the only ground upon which I would justify the action which the hon. member for Stadacona has taken in placing this motion upon the notice paper. Either he is a party to the stealing of that letter, if stolen it was, or he is not. If he has been accused of being a party to the stealing of that letter——

Hon. Mr. SCOTT—I did not accuse him.

Hon. Sir MACKENZIE BOWELL—Then it becomes the duty of the members of the Senate who made that charge, directly or by insinuation, or innuendo, to withdraw it; or it is the duty of the Senate to sustain its dignity by defending one of its members by making an inquiry as to the truth of these innuendoes. My hon friend who sits opposite to me, just now used an expression which he ought not to have used. In answering the hon. gentleman from Stadacona he used this language:

> It is not my place to inquire with regard to a letter that has come improperly and irregularly into the hands of the hon. gentleman.

Let me ask my hon. friend this question: unless the Minister of Justice knows that this letter to which he refers came improperly and irregularly into the hands of the hon. member from Stadacona, was he justified in making that accusation?

He might, but I suppose that is his business, have asked, how did you get that letter? He might have answered in a dozen different ways from the way he did. I think if I were occupying his position, I could have answered that question in parliamentary language, without making any statement reflecting upon the reputation of the hon. gentleman asking the question. However, that is a point in parliamentary etiquette for himself to decide, and not for me. I have no desire to criticise or to suggest, much less to dictate the manner in which he should answer questions. But the whole conduct of the hon. Secretary of State, and also of the Minister of Justice, in answering these questions, has been not only irregular, but also irrelevant, and instead of giving a plain answer that Mr. Laurier did or did not write that letter, or if he had written it, said: "That is a private letter with which the public has nothing to do, and for which the premier takes the responsibility and I have no further answer to make," that would have answered it. But if you consult the Debates you will find there is not a single answer that has been given yet, particularly by my hon. friend who sits opposite me, in which he has not read a lecture in addition to simply answering the question I am not going to pursue this subject further, I have given my reasons why I think the hon. member from Stadacona is justified in the position he has taken, and I regret very much that the Senate should have to be asked to appoint a committee in the line in which his resolution goes. I hope that before this discussion closes, we may be relieved of that responsibility by the Secretary of State and the Minister of Justice, saying distinctly and positively that they had no intention of impugning the honour or honesty of any member of the Senate.

Hon. Mr. MILLS—My hon. friend has pointed out what he thinks my failings are in answering questions concerning this subject; and he mentions among others that I am on every occasion giving lectures. Well, I do not admit that; I think I have not; but if I had done so, I would have been simply following the very high example that my hon. friend adopts on almost every occasion, and of which the present occasion is an illustrious example.

Hon. Sir MACKENZIE BOWELL—I am not a minister answering questions; if I were your lecture would be pertinent.

Hon. Mr. MILLS—My hon. friend is giving a lecture on what he thinks my duties

and the duties of my colleagues are, and where we have erred and the mistakes we have made in dealing with this subject, I am not going to enter into any controversy with my hon. friend on that subject, but I have just risen for the purpose of saying that I do not agree with the views he has expressed and the general proposition he has undertaken to lay down with a view of dragging in a series of irrelevant, and I must say somewhat offensive questions, which the hon. member from Stadacona has almost daily submitted to the House on this subject. I do not admit for a moment that because a gentleman is in public life therefore any communication he has with the officials of his church, upon a church matter, are necessarily public, and that he has not the same privilege in his communications that belongs to any other citizen of the country, whether he is in public or in private life.

Hon. Mr. MACDONALD (B.C.)—This is a public political question.

Hon. Mr. MILLS—My hon. friend says it is a public question, but it is also a private question. My hon. friend has no right to appear in a meeting of the Catholic bishops or officials in that church for the purpose of entering into a controversy with them and disputing their views upon this subject and saying that this is a public question, and that therefore he has a right to be heard and discuss this matter with them. In the public arena, on the public side, in so far as public action is called for, the hon. gentleman is at liberty to discuss this question. But this question has an ecclesiastical side as well as a secular side, and the Catholic population of this country whether they are in or out of public life, have the same right to appear in any way they may see proper on a public platform, or in communication with the officials of their church, discussing this question just as freely as if it were not a question that had been the subject of controversy at all. We recognize in this country, in a large degree, the separation of church and state. But my hon. friend lays down a proposition that, so far as public men are concerned, that rule does not apply. Let me call attention to this: supposing the Solicitor General of England and the Solicitor General of Canada, or the Prime Minister of Canada, as members of the Roman Catholic Church, thought that the ecclesiastical discussion of this subject in this country in the way it was conducted was not in the interests of the church, that it was calculated to make division, that it was calculated to be made a subject of controversy amongst those of other religious bodies of this country, then it is his right, the rules of his church permitting, to discuss that question with the head of the church or with the officials that stand round the head of that church. That is his right and he is not to be called on in this House or the House of Commons to give a reason or undertake to justify his exercise of that right. I say that if the Prime Minister, or the Solicitor General of this country, or any other official, chose to go to Rome and to say to the head of the church or to any official with whom he may communicate upon the subject, that in his view the position taken by the bishops of the church in his province was not one in the interest of the church, he has a right to say so, and the fact that it is a subject of political controversy does not debar him of that right, and does not entitle anybody in this House or the other House to call him to account for what he has said on that subject. Let me suppose for a moment that eminent ecclesiastics were to withold the sacrament of their church, or were to deny church rites to persons who took the view that the Prime Minister did or that the Solicitor General did, and that they had gone to Rome on that subject, that is the question on its ecclesiastical side. What right has my hon. friend sitting opposite me, or the hon. gentleman from Stadacona to stand up in this House and to call in question what they do in that regard.

Hon. Mr. MACDONALD (B.C.)—That is a different matter. The one is entirely ecclesiastical and the other is not.

Hon. Mr MILLS—My hon. friend will see that it is precisely the ecclesiastical side. Let me suppose that the Prime Minister and I am putting it merely for the purpose of supposition. I am not admitting it——

Hon. Sir MACKENZIE BOWELL—If that is all true, does it justify you in insinuating that the member for Stadacona is a thief?

Hon. Mr. MILLS—That has not been said of any hon. gentleman in this House. You cannot find that in the Debates.

Hon. Sir MACKENZIE BOWELL—It is stated that the letter which was used was stolen.

Hon. Mr. MILLS—Yes, in my opinion.

Hon. Sir MACKENZIE BOWELL—And that it was irregularly obtained.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—That implies theft. The receiver is as bad as the stealer.

Hon. Mr. MILLS—If he knew it to be stolen. This letter reads :

Having now returned to my country for several months, I wish to make known to Your Eminence that ff these happy results are to remain permanent and efficacious, it is desirable, if not necessary, that the mission of Monseigneur Merry del Val should be renewed, or rather continued.

Hon. Mr. McMILLAN—Will the hon. gentleman please read on to the end and he will see that he says "as the accredited representative of the Holy See."

Hon. Mr. MILLS—I am just going to discuss that. With regard to that Sir Wilfrid Laurier could not write that in his official capacity. As a public man he could not invite an official representative of the Roman Catholic Church into the British Dominion.

Hon. Mr. McMILLAN—I am only taking what is in that letter.

Hon. Mr. MILLS—I am only taking what is in that letter and pointing out that every man who does an act must be supposed to do that act in a way consistent with the law. Sir Wilfrid Laurier, as a representative of the Catholic Church, is at liberty to say he would be pleased to have a representative of the Catholic Church, Monseigneur Merry del Val, in this country, because it would contribute to the peace of the church. If that is his opinion, he has a right to say it, but he could only be here in his spiritual capacity. He could not be here in an official and political capacity, because the law of the land does not permit him to occupy that position in this country. My hon. friend knows that, or ought to know it, and why should he rise in his place in thise House and put a question based on the assumption that this letter was not written by the Prime Minister (assuming it to have been written) in his capacity as a member of the Roman Catholic Church, but that it was written in his political capacity as a member of the government of Canada. I say the hon. gentleman has no right to assume that, and this House has no right to put, either to the Prime Minister himself or any of his colleagues, a question on this subject, even though that letter had come regularly into the hands of the hon. gentleman. The hon. member says he put a question to us with regard to the bonding privilege of this country, and that my hon. friend the Secretary of State answered him civilly with regard to that matter. Certainly he put a question with regard to the bonding privileges, and is not that a question relating to the government of this country? Is it not a matter affecting the commerce of this country? Is it not within the legitimate sphere of the government of this country to be informed on these subjects, and is it not the right of the House to have communication with the government on that subject? But does that entitle any man to put to me a question as to what my relation would be with the bishop of the English Church in this diocese, nor would he be entitled to put a question to a member of the Roman Catholic Church as to the relation of any member of the government who is a Roman Catholic with his church, or any communication a Roman Catholic member of the government may have with his church or the officials who stand at the head of his church. That is a matter that is not our business. It is a matter that is not before us and does not concern us. It is a subject with which we have nothing to do. It is a question affecting the relation between these men and the church of which they were members, and if they see that political opponents are undertaking to use the ecclesiastical authorities in this country as instruments for the promotion of their political designs, then they have a right to communicate with and to call the attention of the head of the church to what they think is an abuse of authority, and to ask that that course may not, in the interest of the church, be persisted in. That is their right, and I say that the hon. gentleman in undertaking to drag this matter before the House and to pretend that this House has jurisdiction over it, and that because a minister of the Crown seems devoted to his church and is not desirous of seeing it divided or rent asunder for political

purposes, and chooses to communicate with the head of the church with a view to conciliation, or with any view, that is within his own province and we have nothing to do with it here. It is a most unwarrantable and improper thing to bring these matters constantly before this House or the House of Commons.

Hon. Mr. SCOTT—There seems to be an impression in the House that I charged the hon. gentleman from Stadacona with theft. I did nothing of the kind. My observations will not bear out any such interpretation. The language I used, as he read to the House to day, was as follows :

> There is an extract on the minutes from a paper I never heard of, the authority of which I have a right to question. The hon. gentleman produces a document written from some one to one of the ecclesiastics of the church to which I belong, which, I may say, if the document is genuine, has been purloined from Charles Russell or Cardinal Rampolla. It has been improperly obtained, and it has been obtained in such a way that no gentleman would use it.

Hon. Mr. LOUGHEED—There is a short paragraph in this evening's *Free Press*, in which the innuendo which my hon. friend from Stadacona has practically applied to himself in the matter has been taken seriously by this newspaper and likewise applied to him. The hon. minister will observe the injury it might do the hon. gentleman from Stadacona.

Hon. Mr. SCOTT—I am not answerable for what appears in the newspapers. I am not given to offending hon. gentlemen, as a rule. That is not my reputation. But I do feel I have a substantial grievance in having this matter dragged along day after day for six weeks in this chamber. So far as I could, I gave the hon. gentleman as full answers as I could get. I have read the language which I used, and I stand by that language and maintain that it is defensible. The hon. gentleman has not produced the letter, and I have not had an opportunity of looking at it. Even if the hon. gentleman had produced it, unless he gave a succinct account of how he came by it, I have a right to draw my own conclusions. At any rate, I say it is not a subject to be discussed on the floor of this House.

Hon. Mr. BOULTON—The hon. gentleman proposes to give a succinct account of it.

Hon. Mr. SCOTT—I do not think it is a matter for inquiry, and I dispute the power of a committee to inquire into that matter.

Hon. Mr. McCALLUM—Cannot the hon. gentleman defend his character ?

Hon. Mr. SCOTT—I do not propose to make a charge against the hon. gentleman from Stadacona.

Hon. Mr. LOUGHEED—My hon. friend will see the result of the charge in this article because it is a charge that he is in possession of a stolen or a purloined letter.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. LOUGHEED—And my hon. friend will see the application which the public have made of that charge. This article reads :

> Senator Landry has delayed rather long in moving for a committee to investigate the cause of his indignation at certain words, spoken by the Secretary of State in the Upper House on the 12th of May in a debate on the school question. There is now no time for such a committee to do anything this session and the public will probably be asking why the senator, after putting a certain cap on his own head complains of the burden at this stage of the proceedings. There is an element in the Senate which would do well to regard the Manitoba school question as settled and accept the inevitable.

This paper could not very well go any further than it has and escape an action of libel being brought against it. It certainly, in as veiled language as renders it easy to be read, has accused the hon. gentleman of Stadacona of having in his possession a stolen letter, and it has attached to him the opprobrium which such a charge would naturally create. I am satisfied that the hon. Secretary of State would be the last member of the House to cast any aspersion or reflection upon the character of any of his fellow members, and in the interests of harmony and good will in this Senate he should withdraw the offensive statement. If he does not do so, it will only result in a committee being appointed, and that committee will doubtless make an inquiry and a report to this House that an official document has been issued by the Vatican authorities, containing copies of all the correspondence which took place between the officials and members of this government with reference to the Manitoba school question, and that this is an official copy of the document issued under the imprimatur of the Vatican authorities, and which must necessarily be taken as a copy of original letters in the possession of those authorities. That being the case, I think my hon. friend will at once conclude

that he is in no sense humiliating himself to say that, under the circumstances, he withdraws the aspersion made upon the hon. gentleman of Stadacona.

Hon. Mr. SCOTT—I made no aspersion.

Hon. Mr. LOUGHEED—Certainly there was the innuendo which has been so accepted by the press and been applied to the detriment of that hon. gentleman.

Hon. Mr. POWER—Does not the hon. gentleman from Calgary (Mr. Lougheed) think that if this letter is embodied in a volume having the official imprimatur of the authorities at Rome, it would have been the duty of the hon. gentleman from Stadacona to have submitted that document to the House so that we would be in a position to judge the character of it? Instead of that the hon. gentleman has thought proper to submit a document without anything at all to authenticate its genuineness. I do not propose to enter into a discussion of this subject. It is not one that is proper for discussion here, and I think it is one as to which the feelings of the hon. gentlemen who are more directly interested are likely to become somewhat warm and it is desirable that there should be further time to consider about the matter. For that reason, I call the attention of the House to the 14th rule of the Senate, which says that no motion prefaced by a written preamble is received by the Senate, and consequently the motion made by the hon. gentleman from Stadacona is out of order. The motion is given in the latter part. There is a long preamble in which he calls the attention of the Senate to certain facts. Clearly, the motion is out of order. Of course, the hon. gentleman can put himself in order another day, but it is as well he should have time to think over the matter and for that reason I press the point of order. I am asked why I did not take the point of order before. I think this is a good time to raise the point of order.

Hon. Mr. LOUGHEED—I would point out this is not a preamble.

Hon. Mr. POWER—It is pure and simple.

Hon. Mr. LOUGHEED—He says he will call attention to certain facts.

Hon. Mr. POWER—He does that and says he will move. It is as much a preamble as anything could be.

Hon. Mr. LOUGHEED—You might as well say that if a motion is made that a member will do so and so, it is a preamble.

Hon. Mr. LANDRY—All questions of privilege are made in the form I have adopted. If you look in the proceedings of the House of Commons you will see that all questions of privileges are statements of fact on which a motion is based. I do not think the point of order is well taken. This is not a preamble at all. I state the facts on which I bring up the question.

Hon. Mr. POWER—The hon. gentleman is explaining what a preamble is, a statement of facts of which a motion is based.

Hon. Sir MACKENZIE BOWELL—At first blush I was inclined to agree with the hon. gentleman of Halifax, but this is a question out of the ordinary proceedings of any deliberative body. This becomes a question of privilege in which the character and honour of a member of the Senate are involved, and if you look at the proceedings in the House of Commons you will find that a similar course has been pursued there.

Hon. Mr. POWER—I do not think that they have the same rule in the House of Commons.

Hon. Sir MACKENZIE BOWELL—Precisely the same rule. I have a little recollection myself, because the present Speaker of the House of Commons took upon himself the responsibility once of alleging I had done something wrong and the whole facts, as he considered them, were recited, in when it was alleged that I was party to a certain speculation in which I had used the position I held as a minister of the Crown to make money. I did not at the moment take exception to his motion, although he put it on the motion paper to move at a future day. It appeared among the notices in the morning, and I challenged him in the afternoon of the same day to appoint a committee. He alleged what he believed to be certain facts copied from evidence in a court and from statements made in the press and on that he made a motion to send it to the Committee on Privileges and Elections to ascertain whether I had been guilty of malfeasance in office or had acted improperly, I had no desire to lie under that imputation and I rose in my place at the first opportunity and challenged the hon. gentleman to proceed with the in-

vestigation at once. The result I need not refer to now. This motion is of a similar character, only it affects the personal reputation of a member instead of his public reputation as in the case of the attack on me. It is wholly and solely a question of privilege, in which a man takes a position to vindicate his charactor, I agree with the hon. gentleman from Halifax in saying that this is a matter which creates a good deal of feeling and which should not go any further. Even if it should be ruled out of order the hon. gentleman will only have to put another notice on the paper. If he would act on the suggestion which I make, if it would meet the views of the hon. gentleman from Halifax, let the matter stand until to-morrow or Monday so as to enable those who are interested to think over the matter and in his cooler moments the hon. Secretary of State will probably come to the conclusion to say that it was not intended that any such inference should be drawn from the language used by him, and that it was not intended to impugn the character of the hon. gentleman from Stadacona. It is easily done. If not, I do not see any other way, in justice to that hon. gentleman but to grant the committee and let him have an opportunity of showing whether his statements are correct.

The SPEAKER—If I thought for one moment that the honour of the hon. gentleman from Stadacona was at stake, I should be the last one to encourage the letting of that opinion go abroad. I never understood by the language of the hon. Secretary of State that he wanted to accuse the hon. gentleman of having personally stolen the letter. If I had so understood I would state my decision in some other way, but as I have to decide a question of order I must lay aside any personal feeling. Rule 14 provides that "no resolution prefaced by a written preamble is received by the Senate." In my opinion, if there is anything like a preamble it is certainly the wording of the four or five paragraphs which precede the motion. I cannot otherwise consider that as anything but a preface to the motion, and I am of opinion that the motion cannot be put in its present shape.

BILLS INTRODUCED.

Bill (158) "An Act respecting the London and Lake Huron Railway Company."—(Hon. Sir John Carling).

Bill (126) "An Act respecting the Saskatchewan Railway and Mining Company."—(Hon. Mr. Lougheed).

Bill (125) "An Act to incorporate the Ottawa Interprovincial Bridge Company."—(Hon. Mr. Clemow).

Bill (149) "An Act to authorize certain contracts with Steamship Companies for cold storage accommodation"—(Hon. Mr. Mills).

BOUNTIES ON IRON AND STEEL AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (159) "An Act to amend the Act to provide for bounties on iron and steel made in Canada."

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time on Monday next.

Hon. Sir MACKENZIE BOWELL—Will the hon. Secretary of State tell us what the provisions of the amendment are.

Hon. Mr. SCOTT—I think it is to carry out the policy settled last year. So I understood from the Finance Minister. It is in accordance with the policy laid down last year and which has not been carried out. It is not making any new thing.

Hon. Sir MACKENZIE BOWELL—There must be something new, because the tariff last year provided for what should be done.

Hon. Mr. SCOTT—It provided that it should be held to come into force from the 1st July, 1897.

Hon. Sir MACKENZIE BOWELL—It is to have a retroactive effect.

Hon. Mr. SCOTT—Yes, it is to correct a mistake.

The motion was agreed to.

DELAYED RETURNS.

Hon. Mr. LANDRY—Before the Orders of the Day are called, I should like to inquire of the Secretary of State if there is any progress made in preparing the return that I asked for—the one of last year?

Hon. Mr SCOTT—The papers came over to-day to council. I will be able to give

them to the hon. gentleman on Monday certainly. All they required was to complete the ordinary front page. If the hon. gentleman would like them this evening, I will send for them.

Hon. Mr. LANDRY—Monday will do.

Hon. Mr. LOUGHEED—May I expect the papers that I moved for relating to the Soulanges Canal, on Monday?

Hon. Mr. SCOTT—Before I came here to-day, I asked the deputy minister to telephone to Mr. Schreiber to ascertain the cause of the delay, and his answer was that it took more time than we imagine to copy the papers. I told him I thought not.

Hon. Mr. BELLEROSE—I wish to ask the Minister of Justice whether we can hope that the report of the commission on elections will be placed before this House. I see that the Printing Committee has refused to print it, and I should like to know what the government intend to do about it.

Hon. Mr. MILLS—When a copy of it was brought to the House of Commons by the Solicitor General I suppose it would be printed, but if they have decided not to print it I shall bring down a copy of the report to this House. The evidence is very voluminous, some 4,000 pages, and I do not think it would be in the public interest to go to the expense of printing it. The report itself can be brought down.

Hon. Mr. POWER—I might say, with respect to this matter, that the question was before the Joint Committee on Printing and they felt that the report was one which should be printed by the department and not by parliament.

THE ELECTORAL FRANCHISE BILL.

CONCURRENCE IN AMENDMENTS.

The Order of the Day having been called:

Consideration of the amendments made in Committee of the Whole on Bill (16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act."

Hon. Mr. MILLS said: I suppose that it would be most convenient to take these amendments up seriatim, beause there are some of them in which I have acquiesced and which I am willing should stand. There are others of them that I feel it my duty in the public interest to move that they be struck out. I move to that effect.

The motion was agreed to.

Hon. Mr. MILLS—The amendments mentioned on page 537 of the Minutes are not objected to, and I move concurrence in them.

The motion was agreed to.

Hon. Mr. MILLS—The next amendment is the one found on page 548, clause 10*a*, moved by the hon. gentleman from Richmond. I do not move concurrence in that. I am opposed to it.

Hon. Mr. MILLER—I move that the House concur in that amendment.

Hon. Mr. SCOTT—Before concurring in this amendment I should like to make a few observations, because I think the subject is one of very great importance, and I should regret exceedingly that the Senate should be on record in an important matter respecting the House of Commons as placing themselves in conflict with that House. The House of Commons, by a very large majority—I think a majority of over 40—had rejected this very amendment, which I understand was proposed in that House. It was considered by the members of the House of Commons that it struck at the principle of the bill and should not be accepted. It was practically authorizing another tribunal to finally settle the voters' lists from that laid down under the law as it exists in the several provinces It cannot be said, and I do not think a case has been made out, that this amendment is of such importance as to really invite friction with the other House. No case has been made out that it has worked injuriously to the political party which is now seeking to have the clause introduced. The history of the Franchise Act shows that when the franchise was based on the provincial laws, as it was from 1867 to 1885, the Liberal-Conservative party carried four of the five elections that came off, and it cannot, therefore, be said that politically it was a proposition that would work injuriously to that party. On the contrary, if hon. gentlemen would realize the position taken by the present government for a moment, they would see that we are practically taking a step to place the two great parties on the same plane. We say they were on the same plane up to 1885, but since that time the Liberal-Conservative party had a distinct and positive advantage in the nomination of the officers who framed those lists. That

was the ground of objection taken at the time in 1885, and it has been a grievance ever since; so that if the Liberal party at the present moment were looking to their own individual advantage, they certainly would prefer that the system which now prevails should continue. No one can deny the extraordinary powers possessed by the revising barrister, and if one looks to the past and the changes that were made by the revising barristers at the periods when these revisions took place, he will be surprised to recognize the extraordinary opportunities that were presented to the revising barrister if he had any political leaning. Now we all know in the matters of this kind that although an official may be very high minded and a man of great integrity, still if he is appointed by a political party, and in sympathy with that party, his judgment is necessarily influenced by his party proclivities.

Hon. Mr. MILLER—Like the Nova Scotia sheriffs.

Hon. Mr. SCOTT—I do not know how the Nova Scotia sheriffs are, but what I say is that during the years 1867 to 1885, the parties were on the same plane. In order to get an idea of what division takes place, I asked the Crown Clerk in Chancery to give me a city and a rural constituency and to give me the number of changes that were made. I supposed the changes would be probably from ten to fifteen per cent. He selected East Toronto as a city constituency, and it would appear that in 1891 the number of votes on the list was 14,892 and in the revision that followed, the number of voters struck off the list was 9,401, and the number of names added on that list was 6,197. Hon. gentlemen will see, therefore, what an extraordinary power the revising barrister had in this particular case. The same results, in a very much less degree, are found to exist in the rural constituencies. Take North Oxford, which probably would be regarded as a constituency in which changes are as few as any other; it appears there were no less than 1,451 names struck off and 1,817 added on that revision. That points to this fact, that the revising barrister had an extraordinary power, and he had the opportunity of favouring the particular feelings he entertained. I merely mentioned those two cases as illustrations of the extraordinary powers possessed by the revising barristers, and it would manifestly be to the political advantage of this government to continue that, because the government in power for the time being has no doubt a very great advantage where they have the selection of the revising officers, and therefore the proposal the present government have submitted to parliament is an endeavour to really place the two political parties on the same plane so that they will have each of them equal advantages. No one can, for a moment contend that, so far as our municipal councils are concerned, anything like a gross number of names would be added to or taken from a list year by year without it being known, or attention being called to it. The number of changes made year by year would be comparatively few. The number of changes made every fourth year are very little, and it gives a wide latitude to the official who is charged with the duty of revising, and we all know very well that, although in some constituencies where political feeling may run high, the two political parties watch the lists, that is not so in the majority of constituencies. I know many constituencies where the list is prepared and when parties are appealed to and are urged to go and take some interest in it, they say, "It is none of my affair," when an election was not immediately expected. So a great power is possessed by the revising barrister, and his feelings would naturally be in the direction of the political party with whom he is in sympathy; and, therefore, this proposal to come back to the system which existed before 1885, is one that is to the advantage of the gentlemen who are to-day opposing the acceptance of this bill in the form in which it has come to us from the House of Commons. I think it is a fair argument to use that, as the present administration have framed what they consider a fair bill to both sides, it ought to be accepted. I should regret exceedingly that the fact of our insisting upon this amendment would be to bring us into collision with the House of Commons. Necessarily, they will not accept it. That, I understand, has been the conclusion already reached.

Hon. Mr. PERLEY—If the government will not accept this bill, what will be the next step taken?

Hon. Mr. SCOTT—There will be a conference with the delegates of the two Houses to discuss it.

Hon. Mr. PERLEY—The government will not withdraw the bill?

Hon. Mr. SCOTT—I cannot say to that part of it.

Hon. Mr. PERLEY—It is only a member of the government that can answer that question.

Hon. Mr. SCOTT—The government have not considered what they will do. They have not anticipated that possibility. They had no right to anticipate it.

Hon. Mr. PERLEY—Then it is fair to infer that they will have a conference of the two Houses?

Hon. Mr. SCOTT—I merely say what the rule is in those cases, where one House insists upon a bill in the shape in which it passed and the other House moves an amendment which is sent back to the Lower House and they decline to accept it. The next step in all these cases is that a conference is held.

Hon. Sir MACKENZIE BOWELL—Not necessarily; it comes back to the Senate with the disapproval of the Commons. Then it will be for the Senate to say whether they recede from their position; if they do not, then the conference takes place.

Hon. Mr. SCOTT—The hon. gentleman is right. I was coming to the conference by taking a shorter cut.

Hon. Mr. MACDONALD (B.C.)—I would like to ask a question: Was there a promise made by the Solicitor General in the other House that they would induce the provinces to amend their electoral laws to meet the very object of this amendment if the Conservative party had dropped the amendment.

Hon. Mr. SCOTT—I did not hear it personally; but on looking over the debates of the House of Commons I noticed that that statement was made, that is as far as Manitoba was concerned, I did not see the statement made with reference to any other province—that the government there would be asked to so amend the law that there would be an appeal to the judiciary. I have not it officially from any of my colleagues, so I am not in a position to state whether the promise was made.

Hon. Mr. MACDONALD (B.C.)—I am not going to debate this question, but that being admitted by the government, why object to this amendment.

Hon. Mr. McCALLUM—Time enough to jump the stile when you get to it.

Hon. Mr. PERLEY—I would like to ask the government another question. This government has a reputation of turning out the officials of the late government. I should like to know if it is the intention of the government to displace any of those revising barristers and appoint new cases?

Hon. Mr. MILLS—My hon. friend will see that the government have nothing to do with the appointments under this plan.

Hon. Mr. PERLEY—But under the old plan.

Hon. Mr. MILLS—I cannot answer my hon. friend that; the government will do what they think proper in the matter.

Hon. Sir MACKENZIE BOWELL—Not what they think is proper in the matter, but what the law will permit them to do, and if I understand it, the revising officers hold their positions on the same terms as the judges of the land, during good behaviour. This was inserted in the law providing for the appointment of these officers for the very purpose of making them as judges or arbitrators of this question, so that you would have to prefer the charge of malfeasance of office before you could dismiss a revising officer, just as you would have to make a charge against a judge, and then it would have to be tried according to parliamentary usuage.

Hon. Mr. SCOTT—I see there is a good deal of impatience to get a vote upon this as it is approaching six o'clock, and, therefore, I will make no further remarks upon the subject.

The House divided on the motion to concur in the amendment adding subsection 10*a*, which was adopted by the following vote:—

CONTENTS:

Hon. Messieurs

Aikins,	Macdonald (P.E.I.),
Allan,	Macdonald (Victoria),
Armand,	Macfarlane,
Baker,	McCallum,
Bellerose,	McKay,
Bernier,	McKindsey,
Boucherville, de (C.M.G.),	McMillan,
Bowell (Sir Mackenzie),	Merner,
Carling (Sir John),	Miller,

Clemow,
De Blois,
Dickey,
Dobson,
Ferguson,
Landry,
Lougheed,
Montplaisir,
O'Brien,
Price,
Sullivan,
Villeneuve,
Wood.—31.

NON-CONTENTS:

Hon. Messieurs

Boulton,
Dever,
King,
Mills,
Perley,
Power,
Reesor,
Scott,
Snowball,
Vidal,
Wark.—11.

On clause 5.

Hon. Mr. MILLER—I now move the consequential amendment of which I spoke. I move that the following be substituted for subsection (*c*) :

(*c*.) The voters' list shall, except in the provinces of Nova Scotia, New Brunswiek and Manitoba, be those prepared by the several polling divisions so established and which on the sixtieth day next preceding the day fixed for the nomination of candidates for such Dominion election were in force or were last in force under the laws of that province for the purpose of provincial elections, and in the provinces of Nova Scotia, New Brunswick and Manitoba, shall be the voters' list as amended under the provisions of clause (*a*) of this Act, which were prepared by the registration clerks or revisers for the several polling divisions so established for the purposes of provincial elections and were filed at least sixty days previous to the day fixed for the nomination of candidates for such Dominion election with the officer having by law the custody of the same.

Hon. Mr. POWER—I think it escaped the attention of the hon. gentleman from Richmond that the House decided to take up these amendments seriatim, and we have dealt with the first amendment to clause 10 and there are several other amendments.

Hon. Mr. MILLER—The House did not decide anything of the kind.

Hon. Mr. POWER—I have the floor and I state that the hon. Minister of Justice moved that the amendments be taken up seratim.

Hon. Mr. MILLER—Well surely I will be allowed to make an explanation.

Hon. Mr. POWER—I have the floor. The hon. gentleman has no right to rise when I am on the floor.

Hon. Mr. MILLER—I want to make an explanation, and if the hon. gentleman objects to it I will not make it; but it seems to me a p culiar kind of courtesy.

Hon. Mr. POWER—I do object to it, and I am not going to take lessons in courtesy from the hon. gentleman. He is the last gentleman in the House from whom I would take lessons in courtesy.

Hon. Mr. MILLER—The hon. gentleman needs lessons badly.

Hon. Mr. POWER—The House decided to take up the amendments seriatim. There are several amendments between the one which has been adopted and the one which the hon. gentleman has just moved, and if we are to preserve any semblance of order we should obey the decision we arrived at a few minutes ago. The amendment which the hon. gentleman has moved now will be adopted as a matter of course. There will not be any opposition to it, but we had better proceed decently and in order.

Hon. Mr. MILLER—That language is rather extraordinary,—that we should perceed decently and in order. How are we proceeding indecently? What has occurred in the House to justify the use of such extraordinary language on the part of any hon. member of the House? I simply rose to make a motion. I understood the Minister of Justice to say that there were certain amendments to the bill which he accepted, which he would ask the House to concur in, and that he would take them up and proceed with them in order, which I understood him to, and then he called upon me to move my amendment. My first amendment was subsection 10*a*, and the consequential amendment which followed that amendment consecutively, and follow this amendment in clause 5, and I rose to move this amendment. My principal amendment had passed, and I was, as a matter of course, following that with the consequential amendment to it and I do not think anything could be more in order than that course, and it was not in contravention of the course recommended by the Minister of Justice. But with that peculiar spirit of contradiction and hostility which characterizes the hon. gentleman, he interjects this objection to my proceeding, in order to stop me, I presume. I ask the House to proceed with my amendment, and if the hon. gentleman has any motion to make contrary to that let him make it.

Hon. Mr. MILLS—I suppose the regular way of proceeding in this matter, having charge of the bill, when we came to those amendments of which I did not approve,

would be to move that they be not concurred in, and then the motion would be taken up on the non-concurrence.

Hon. Mr. MILLER—Yes, perfectly right; but the hon. gentleman suggested a different course.

Hon. Mr. POWER—If the hon. gentlemen turn to the minutes they will find the amendment which has been moved——

Hon. Mr. MILLER—The hon. gentleman has already spoken to the motion before the House, and I object to his speaking.

The motion was carried on division.

Hon. Sir MACKENZIE BOWELL—I understood there was a clause to be added.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—Will the hon. minister move that clause at the third reading?

Hon. Mr. MILLS—Yes. I purpose to give to the Governor General in Council power to prepare the oaths that are to be taken under the provincial Acts, so as to meet the requirements of this Act.

Hon. Sir MACKENZIE BOWELL—I would suggest also if the hon. gentleman wants to make the Act clearer, where it is not workable because of the territory being too great, that he should take power to appoint a judge *ad hoc*, or revising officer, to perform the duties pertaining to cases of appeal. That will remove all the difficulties which the hon. gentleman has suggested. There may be cases where it might not be necessary to do it.

Hon. Mr. MILLS—My hon. friend refers to Manitoba, where there are forty-two electoral divisions, where there is a revising officer in each, and where there are only five judges in the province, and so it would be necessary that the judge should have over eight electoral districts under his supervision for the purpose of revision. If I supposed for a moment that the measure was going to stand in this form I might seriously consider the proposition my hon. friend made.

Hon. Mr. MILLER—I might also say that if I considered the bill was likely to become law, I would feel it my duty to move against the 10th subsection of the 10th clause, because on further consideration of it I feel satisfied that though the injustice, grievance, or wrong that might occur under that clause, as indicated by me is one that would be an exceptional, and not a general thing, still under that clause it would be an easy matter, if a corrupt intention existed between the revising officer and the candidate on one side or the other, to prevent this getting to the Clerk of the Crown in Chancery, and it would compel them to fall back upon the list say for the provincial elections, and thereby a list that had been revised for the federal elections, and to which two or three hundred names had been added of Dominion officials might go astray, and if they had to fall back upon the local lists all these votes would be lost. It was suggested by the hon. Minister of Justice that my objection could be got over by making a reference in the clause to another clause which provided for putting on men who had been left off. But supposing a corrupt understanding existed to put on two or three hundred names which should not be there, there would be no means of getting them off. The amendment of the hon. Minister of Justice would be sufficient I dare say, to enable the names which had been taken off to be put on, but if the local list had been doctored with the intention of committing a fraud, there would be no means under the Act of striking off any names which were improperly on the list. I think it is liable to that objection, but, as I do not think this bill is likely to come law this session, I probably will not move against it. If I should decide to do so, I hope I will not be put to the inconvenience of putting a notice on the paper.

Hon. Mr. DICKEY—There is no necessity for a notice. The hon. gentleman can move it on Monday.

It being six o'clock the Speaker left the chair.

After Recess.

LAND TITLES ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (132) "An Act further to amend the Land Titles Act."

(In the Committee.)

Hon. Mr. SCOTT—I will point out the changes as we proceed. In some cases they are not very important. The only impor-

tant points were those to which the hon. senator from Calgary called attention the other day, which we partially discussed. If necessary we could postpone those particular clauses until he arrives.

On clause 4.

Hon. Mr. SCOTT—The change in subsection 2 is that the words "municipal officers" are struck out. There is no such office in the North-west.

Hon. Mr. POWER—There is one expression in this subclause that I cannot exactly understand.

2. The registrar shall not receive or enter in the day-book, any instrument, except executions against lands, caveats, mechanics' liens, transfers by a sheriff or by order of a court or a judge, transfers on sale of land for taxes, or certificates or orders of a court or a judge, and except a mortgage before issue of grant pursuant to subsection 2 of section 73, unless required by the order of a court or judge, until the duplicate for the land affected by such instrument is produced therewith to him so as to enable him to enter the proper memorandum thereon.

It seems to me the language should be made clearer. What is meant by the words "and except a mortgage?" It should read "or mortgage."

Hon. Mr. SCOTT—No, I think it is right as it is. The words are the same in the original.

Hon. Mr. POWER—But the original is not very clear.

The clause was adopted.

On clause 5.

Hon. Mr. SCOTT—This clause is new.

Hon. Mr. POWER—It seems rather remarkable power to give to any member of the executive council. The preceding subsection of the original Act provides for a notification to their registrar from the Minister of the Interior, but here it says "a notification from any member of the executive council."

Hon. Mr. SCOTT—Yes, every closing of a trail or road allowance had to come down to Ottawa and an Order in Council passed. It was purely a local matter and should not be brought down here.

Hon. Mr. POWER—But it is left in the hands of any member of the executive council.

The clause was adopted.

On clause 6.

Hon. Mr. POWER—I would like to know what the hon. gentleman from Calgary thinks about this clause.

Hon. Mr. LOUGHEED—I think it is very desirable, for this reason: The onus is thrown upon the purchaser to secure a certificate of taxes from the treasurer of the municipality in which the lands may lie, and persons receiving certificates of title very well understand that the certificate is not a certificate as against taxes. They have to satisfy themselves as to taxes by inquiry from the municipality. I think on the whole it is a very great improvement on the Act.

The clause was adopted.

On clause 9.

Hon. Mr. LOUGHEED—I will point a difficulty which has prevailed in the Territories for some time past, a departmental difficulty. The department has seemed to arrogate to itself the right to dictate to the registrars what they shall do. Now the functions of a registrar are largely judicial; consequently we find a very great deal of conflict prevailing between the instructions sent out by the department and the proper exercise of the functions vested in the registrar under the Act. My hon. friend, the Secretary of State, has referred to instructions sent by the department to the registrar. It seems to me another startling proposition that the department should proceed to advise the registrar what to do under the Act.

Hon. Mr. SCOTT—They have the law clerk who professes to be familiar with those subjects, and I suppose he really gives advice.

Hon. Mr. LOUGHEED—It gives rise to a very great number of appeals and senseless expense.

The clause was adopted.

Hon. Mr. CASGRAIN, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

INDIAN ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (144) "An Act further to amend the Indian Act."

(In the Committee.)

On clause 1.

Hon. Mr. MACDONALD (B.C.)—Is this an entirely new feature in the Indian Act?

Hon. Mr. SCOTT—No; as the law now stands, only the Indians who work upon farms within the reserve are liable to perform statute labour, and it is found that that is not quite fair, and that the Indians who loaf about and do nothing should perform statute labour as well as those who work the farm. The law at present reads "Indians residing upon any reserve and engaged in the pursuit of agriculture as their chief means of support, shall be liable," and so on. We have struck out the words "and engaged in the pursuit of agriculture as their chief means of support."

Hon. Mr. MACDONALD (B.C.)—Has any work been done in the North-west by Indians?

Hon. Mr. SCOTT—I should think very little.

Hon. Mr. MACDONALD (B.C.)—I should think not. I never heard of it. I think you will find it most difficult to get this work done.

Hon. Mr. MILLS—Oh, it has been done for years.

Hon. Mr. LOUGHEED—Is it that under the supervision of the Indian agents the Indians in the territories would work under the statute labour ordinance which has just been introduced?

Hon. Mr. SCOTT—If directed by the superintendent general, but the law at present applies only to those engaged in agriculture as their chief means of support. All Indians are put on the same plane.

Hon. Mr. MACDONALD (B.C.)—Should there not be an age limit?

Hon. Mr. SCOTT—Yes, I suppose it is twenty-one years.

Hon. Mr. MACDONALD (P.E.I.)—Does it apply to Indians on the reserve in Prince Edward Island? That reserve has not been acquired by the government of Canada, but has been devised for the benefit of the Indians by a local charity. They have never been required to do any statute labour before, and I should think it would be scarcely fair that they should have to do any now.

Hon. Mr. MILLS—Why not?

Hon. Mr. MACDONALD (P.E.I.)—They are on a reserve there. It is not a government reserve and it is a small territory.

Hon. Mr. SCOTT—I do not think it would be held to apply to them. It is more particularly for the North-west.

The clause was adopted.

On clause 2.

Hon. Mr. SCOTT—At the present time, where the Indians part with the title to any of their property, it is nesessary to have a surrender, but very often it is to the advantage of the Indians that wild grass or dead and fallen trees should be disposed of, and it was thought better that there should be a discretionary power with the superintendent general to dispose of those articles for the benefit of the Indians without having the Indians called together and a vote taken upon it.

Hon. Mr. MACDONALD (B.C.)—This refers to farming lands I suppose?

Hon. Mr. SCOTT—It refers to any lands.

The clause was adopted.

On clause 4.

Hon. Mr. LOUGHEED—Where is the distinction between the present section and this clause? It is section 56 of the old Act.

Hon. Mr. SCOTT—There is just one word struck out, the word "exclusive," speaking of exclusive possession.

Hon. Mr. LOUGHEED—Why is that dropped?

Hon. Mr. SCOTT—The reason is that heretofore it has been usual, under that word "exclusive," where privilege was given to any one to go in and cut trees he had exclusive possession; it is found now in the interest of the Indians that a certain man

should be allowed to cut one kind of tree and another man another kind of tree on a certain property, so that we would not give to one man the exclusive possession.

On clause 8.

Hon. Mr. SCOTT—This clause reads as follows :—

The section substituted for section 73 of the said Act by section 9 of chapter 33 of the statutes of 1887, is hereby repealed and the following is substituted therefor :

73. The superintendent general may also stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any woman who deserts her husband or family and lives immorally with another man, and the superintendent general may apply the same to the support of the family so deserted.

Hon. Mr. LOUGHEED—Are these powers exercised to any extent ?

Hon. Mr. SCOTT—I suppose only in glaring cases where they are brought under their notice, but not in all cases.

Hon. Mr. PERLEY—I may say, in connection with clause 7, that in the North-west Territories, about five miles from Wolseley, where I live, there are some reserves ; the North-west Assembly passed their statute labour ordinance, and the North-west council or government proclaimed a certain district a statute labour district, and the people meet and elect an overseer, and proceed according to law. How will that affect the Indians south of that ?

Hon. Mr. SCOTT—It rests with the superintendent general to authorize it.

Hon. Mr. PERLEY—It will not come under the North-west government ?

Hon. Mr. SCOTT—Oh, no ; it must be through the department.

Hon. Mr. LANDRY, from the committee, reported the bill without amendment

The bill was then read the third time and passed.

NORTH-WEST TERRITORIES ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (113) "An Act further to amend the Acts respecting the North-west Territories."

(In the Committee.)

Hon. Mr. MILLS—The provisions of this bill are very simple. The first section provides that the words "Lieutenant Governor in Council" in the Act shall be superseded by the words "legislative assembly," words which the altered circumstances of the territory, it practically having representative government, necessitates.

Hon. Mr. SNOWBALL, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

COMPANIES ACT AMENDMENT BILL.

IN COMMITTEE

The House resolved itself into Committee of the Whole on Bill (S) "An Act to amend the Companies Act."

(In the Committee.)

Hon. Mr. SCOTT—I have adopted the suggestions which were made when this bill was under consideration before, in restricting as far as possible the powers that given to foreign companies to mining in the Yukon territory.

Hon. Mr. ALLAN—You will confine it solely to mining ?

Hon. Mr. SCOTT—Solely to mining.

Hon. Mr. MACDONALD (B. C.)—How many claims could a company of that kind take up ?

Hon. Mr SCOTT—A free miner could only take up one claim.

Hon. Mr. MACDONALD (B.C.)—They can purchase then ?

Hon. Mr. SCOTT—Yes.

Hon. Mr. LOUGHEED—Does not the hon. gentleman think "carrying on mining operations" a very comprehensive term ?

Hon. Mr. SCOTT—As it is now, I suppose the provinces could check the exercise of the powers that foreign corporations profess to have in Canada. I know very many companies do business in Canada without a license or having their charter confirmed here. It is very common in British Colum-

bia. A great many companies having been formed at Spokane and are doing business in British Columbia without having obtained charters or licenses in Canada. I think there is some recent law passed in British Columbia requiring such companies to register, but beyond that and paying a fee, they comply with no other requirement and there is no check on them.

Hon. Mr. LOUGHEED—The difficulty in many of those cases lies in this fact. If you want to proceed against any of those companies or to examine the officers for discovery, the court in most instances has no jurisdiction because the books of the company are in a foreign country. The difficulty is to follow them and obtain the satisfaction which litigants may seek.

Hon. Mr. SCOTT—I have put in some restrictive clauses since the bill was before us, requiring each company to designate an officer to represent them in the Yukon country to receive notices, &c. Before getting a license they must be prepared toaccept process in all suits.

Hon. Mr. POWER—Does that clause go on to say that the service of process on the officer shall be sufficient?

Hon. Mr. SCOTT—Oh, yes. They shall designate the agent or manager within the Yukon district authorized by the company to represent the company and to accept process in all suits and proceedings against the company for any liabilities incurred by such company therein.

Hon. Mr. LOUGHEED—The government should reserve to themselves in some way the power to withdraw the license upon such company withdrawing its books in case of legal proceedings being taken against it in the district. The difficulty that confronts litigants in proceedings against a foreign company is to ascertain the standing of the company, as to whether creditors can get anything from the debtors of the company. If the books are in a foreign country it is impossible to find out this. It seems to me that the government should take to itself that power to withdraw the license on the non-production of the books in the event of litigation.

Hon. Mr. SCOTT—I have added this clause, that every company to which a license has been granted shall make a return of all business done by it under such license.

Hon. Mr. LOUGHEED—That would not meet the difficulty.

Hon. Mr. SCOTT—Of course that only makes them show what their business is.

Hon. Mr. MACDONALD (B.C.)—I would call attention to section 7 of the mining regulations. According to that a company can get a license passed for fifty or sixty men as a company and that would override the regulations.

Hon. Mr. SCOTT—Under the regulations the employees of a mining company are required to take out a license. They would still have to do it; this is all subject to the regulations.

Hon. Mr. LOUGHEED—The company would be entitled to only one miners license.

Hon. Mr. SCOTT—I think they can compel where a company get a license, each man employed to take out a license.

Hon. Sir MACKENZIE BOWELL—Is there not a great deal of force in what my hon. friend says that if a foreign company comes here, and asks to be registered they have all the rights of the free miner? These regulations provide:

> No joint stock company will be recognized as having any rights or interests in, or to any placer claim, quartz claim, mining lease, bed-rock flume grant, or any minerals in any ground comprised therein, or in any water right, mining ditch, drain, tunnel or flume, unless it, and every person in its employment, shall have a free miner's certificate unexpired.

That would not mean a license; that means a certificate to enable them to mine. I understood the hon. gentleman to say that these regulations having been circulated through foreign countries, and more particularly in the United States, has misled a number of companies.

Hon. Mr. SCOTT—That is the origin of the bill.

Hon. Sir MACKENZIE BOWELL—And owing to that, it was the origin of the bill; well, if you will read the interpretation to the regulations I do not understand well how any misunderstanding could possibly arise under this law, under the circulation of these papers, because it says:

> "Joint stock company" shall mean any company incorporated for mining purposes under a Canadian charter or licensed by the government of Canada.

A foreign company would have to come to the government of Canada and obtain a license which you are giving yourself power to give them, and then go to work under their corporate powers. As the government thinks it better to recognize these companies, I am not going to take objection to it further than to say that I think it is exceedingly bad legislation, that you should permit a foreign incorporated company to do business in this country by simply granting them a license to work. I must equally state that the restrictions which have been incorporated in this Act makes it less objectionable to my mind than when it was first introduced.

Hon. Mr. SCOTT—Outside companies have applied for a license. The department say you must get a license from the government of Canada. The government of Canada have no power to issue a license, and the object of this bill is simply to give them that power to issue a license.

Hon. Mr. MACDONALD (B.C.)—But this will not override the regulations.

Hon. Mr. SCOTT—No.

Clause 1 was adopted.

On clause 3.

Hon. Sir MACKENZIE BOWELL—What is the object?

Hon. Mr. SCOTT—We often put in bills that are given to those companies, impose an obligation to make a return if we think fit, if any inquiries about the company are made and we want to know what they are really doing.

Hon. Sir MACKENZIE BOWELL—That I understand, but what is the ulterior object in asking a man or a company for a statement of their transactions, if it be for no other purpose than to ascertain whether they have made a hundred dollars, or whether they made a million dollars?

Hon. Mr. MILLS—It may be interesting in case companies incur obligations; it will assist in ascertaining what their revenues are, and creditors will inquire what has become of their money.

Hon. Sir MACKENZIE BOWELL—That is a very proper provision and a reasonable explanation; but have you made any provision in this clause to reach the property in the interest of a creditor? If not, would it not be well, as suggested by the hon. member for Calgary, to do so? Otherwise how are you to reach them?

Hon. Mr. MILLS—The parties who are the creditors may reach them under the ordinary process of law.

Hon. Mr. SCOTT—I have added "in default the license may be cancelled if they do not furnish the returns."

Clause 3 as amended was adopted.

Hon. Sir MACKENZIE BOWELL—Would it not be well to adopt the suggestion made by the hon. member for Calgary, and say in case of failure to comply with any of the provisions of the law to withdraw the license?

Hon. Mr. SCOTT—Yes, I will do that.

Hon. Mr. PERLEY, from the committee, reported the bill with certain amendments.

Hon. Mr. SCOTT moved that the amendments be concurred in.

The motion was agreed to, and the bill was then read a third time.

LAKE BENNETT AND KLONDIKE RAILWAY AND TRAMWAY COMPANY.

AMENDMENTS CONCURRED IN.

Hon. Mr. LOUGHEED moved concurrence in mendments made by the House of Commons to Bill (31) "An Act to incorporate the Lake Bennett Railway and Tramway Company."

Hon. Sir MACKENZIE BOWELL—I would like to know what these amendments are.

Hon. Mr. LOUGHEED—Hon. gentlemen will doubtless remember there was an amendment made to this bill by which the company were empowered to build a wagon road over their line of railway from the Hootalinqua River to Marsh Lake, if I mistake not. When the bill was before the Commons it was further amended by providing practically that any other company obtaining a charter over that same line might

confiscate this wagon road. To that we are assenting. We cannot do otherwise.

The motion was agreed to.

DOMINION LANDS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (130) "An Act further to amend the Dominion Lands Act."

(In the Committee.)

On clause 3.

Hon. Mr. SCOTT—This is the clause to which the hon. gentleman from Calgary called the attention the other day. It refers to co-operative farming. As the law originally stood, the minister had authority to grant permission to homesteaders to form a settlement. It is now felt that it is absolutely necessary to broaden the section, because the settlers who are now going to the North-west, the Russians, Germans and Galicians, are in the habit of farming upon what is called the village principle, and the intention is to give them odd and even number sections, and allow them to live together in a village, and to work their farms in a radiating space outside. We have already allowed that rule to prevail with the Mennonites and other settlers who have gone into the North-west, and the conditions as to the value of the improvements are preserved. That is, they must have at least one hundred and fifty dollars worth of improvements before they are entitled to their homestead privileges. The hon. gentleman rather criticized this on the ground that it was not best for them, but of course we cannot make those changes immediately. It is extraordinary how the changes are made because I have seen it noted in the newspapers that the Galicians who came out a few years ago looked entirely different from the Galicians who came out this year, that the mere fact of their association in congregation as they are now, that even the incidental contact with the other population.

Hon. Mr. LOUGHEED—That is the best tribute to the existing law.

Hon. Mr. SCOTT—You cannot get them to do that. Our object is to fill the country. It makes no difference to us. It is the opinion of a great many persons, including Sir William Van Horne, that we could have filled up the North-west if we had allowed them to settle in numbers. It is the feeling of isolation that drives them away. It is the opinion of Sir William Van Horne that it is a marked obstacle in the settlement of the country.

Hon. Mr. MACDONALD (B.C.)—I saw in the *Witness* the other day that the government agent complained that there was no shelter for them when they arrived. Some eight hundred men arrived the other day and were without shelter. It is for the government to see that immigrants of that class who cannot speak the English language should have some shelter on reaching here.

Hon. Mr. SCOTT—That is a matter the Department of Agriculture should look after.

Hon. Mr. BOULTON—Can the hon. gentleman tell me if the Galicians who are brought out now are receiving assisted passages?

Hon. Mr. SCOTT—I do not think so. I see that they have saved a great deal of money. They are assisted to this extent, that when the steamer which brought them over was quarantined for three weeks on account of several cases of small-pox, the government will pay their expenses while they are in quarantine. We cannot detain them there.

Hon. Mr. BOULTON—But there is no assisted passage?

Hon. Mr. SCOTT—I do not think so.

Hon. Mr. LOUGHEED—It seems to me that the very principle which you propose introducing by this clause is extremely objectionable. I know that for some years past the authorities in Ottawa have been importuned by various parties going into the North-west Territories to reserve large territories of land so that they might live in the primitive condition practically in which they lived in the country from which they come, and separated from their fellow citizens. If I recollect rightly the Salvation Army some years ago made an application to the government for a somewhat similar privilege. The principle was recognized as a bad one, and its seems to me that ample

provision has been made in section 37 of the present Act by which the minister has power to dispense with any of the settlement provisions which seem onerous upon a number of farmers settling in a particular district, and of practically assisting those farmers in settling in hamlets. But the difficulty that confronts the country, particularly that western country, in the proposition which is now made, is that power is asked to give the Minister of the Interior authority to withdraw both odd-numbered and even-number sections, areas without any limitation, for the purpose of settling in whatever area of land may be withdrawn from settlement, foreign settlers; because it would only be foreign settlers who would make such an application, upon those lands to the exclusion of their own people. That is to say, the representatives of a foreign community, such as Galicians, Poles, Scandinavians, Mormons and others, will come into the country and go over the whole of the North-west. The delegates they send out for that purpose are usually very capable men, and they select the very choicest lands of the whole territory for the purpose of settling those communities upon them. Having selected the choicest lands, application is made to withdraw those lands from settlement, and these foreigners are settled upon those tracts. They live in an isolated condition and in no way become merged with the interests of our country. They maintain all their foreign customs, and they in no way become interested in our institutions and in no way assist the country. It is almost unnecessary for me to point out to hon. gentlemen that if you take 500 Galicians and settle them down in an isolated part of the country, withdrawn from settlement, so that no other persons can settle in that vicinity, you practically build a barricade round about them, and they in no way make progress. If that North west is to become a progressive country, it will only become progressive by settlers merging with our own people and becoming part and parcel of the population of the country. I would be one of the last to seek to throw any hindrance in the way of the government settling that country. No one is more anxious than I am to see it settled, and it seems to me that under the existing law ample opportunity is given for the purpose of carrying out the hamlet system. Where twenty farmers have a desire to settle upon a particular tract of land, the Minister of the Interior can relieve them from any onerous duties of settlement, and they can enjoy all the privileges they want. I lived in that country before it was opened up by railway, and I have not seen any cases in which settlement has been driven from that country by reason of the limitation of powers vested in the Minister of the Interior to accommodate the conditions which arise from time to time in regard to settlement. Furthermore, I find very small requirements are to be exacted from those who settle in the country under the proposd system. They have only to make $150 improvements, whereas, under the present law, a Canadian going into that country, to comply with the Dominion Lands Act, would certainly have to expend $500. But I am not complaining about that. I am complaining about the principle of the bill, which I think is vicious.

Hon. Mr. MILLS—The hon. gentleman complains that the government are asking to set apart certain lands for the purpose of colonizing them by persons who desire to form colonies. If experience had not shown that such a provision was necessary, the government would not resort to it. My hon. friend speaks of adopting a different method and declining to set apart certain lands for certain communities. If that principle were adopted, those people would not be here, and it is simply a question whether we shall adopt such a system and obtain very considerable foreign emigration, or whether we shall act upon the views expressed by the hon. gentleman and exclude these people. I do not think there is any one in this line—and I am sure there are not outside of this House any very considerable number of people—who is not anxious to secure the colonization and settlement of the country, and in order to do that you have got to pay some attention to the previous habits and prejudice of the population, if you choose so to call it. My hon. friend who leads the opposition knows very well that at the time the Mennonite settlers were induced to come to this country from Russia, a gentleman who lives in Winnipeg was induced by the government to visit those people in Russia and there was only one condition upon which they would come, and that condition was that they should be allowed to settle in a community. Their notion of living in communities and holding

their lands practically in common, was a notion altogether foreign to our ideas, and if the views of the hon. gentleman from Calgary had been acted upon none of these people would have been secured as settlers in Canada. All these people make very excellent settlers, and have been here over twenty years.

Hon. Mr. LOUGHEED—You got special legislation for that.

Hon. Mr. MILLS—We are getting special legislation for this.

Hon. Mr. LOUGHEED—You are getting general legislation.

Hon. Mr. MILLS—We are asked for what we asked them. We made an application to set aside specific districts. We cannot do that on this occasion where we are getting people to come from Prussia and Poland and from the Austrian dominions. We simply know what their views are, and we undertake to provide a system that will meet their wishes, and these people are a hardy industrial population and, so far as we know, very satisfactory settlers. Look at the position of the Mennonite settlers. That system of communities to which they have adhered, and which they regarded as indispensable in order to secure settlers in this country, is gradually breaking down and they are adopting the habits of the rest of the population. Each one is settling on his individual holding, and to-day I believe the majority of them are cultivating their own property. Each farmer cultivates his own property.

Hon. Sir MACKENZIE BOWELL—It applies more particularly to the younger generation.

Hon. Mr. MILLS—Quite so, and we must expect that the old population will not in many cases throw off their original habits; and so with regard to the Icelandic settlement, we granted certain territories and excluded others from the territory, and induced them to come to this country on those conditions, and now those people are scattered among the rest of the population and have adopted the habits of the other members of community, and there is very little difference between a native born Canadian and one of the children of those Icelanders who came to this country twenty-five years ago. And so it will be in the North-west. If we had a homogeneous population, if the people coming from the continent of Europe had the same ideas of property and settlement that we have ourselves, the probability is that we need not ask for legislation of this sort, but what we desire first and above everything else is to secure immigration to that country. We have built railways at an enormous expense for the purpose of securing settlement. Those railways, under the system of survey we adopted, of alternate reservations, have not secured to us a population, and we are adopting the recent system with regard to those who desire that system to apply. My hon. friend says that we do not permit Canadians to go into those communities; foreigners want their people to settle together, and no Canadian is very anxious to be in the mist of Galicians in preference to natives of his own country, having his own views and speaking his own language. We hope they will all become one people in time, but we want to get the material out of which to build up a nation, and we have got to accommodate ourselves to the feeling and prejudices and habits of those who we desire to secure, and we are doing the best we can in that direction and I think we are taking a step that is calculated to secure to us the largest number of foreigners as residents of this country.

Hon. Mr. BOULTON—Does the Act propose to alter the survey at all?

Hon. Mr. MILLS—Oh, no.

Hon. Mr. PERLEY—I do not object to having those Galicians, or whatever you call them, settle on the even-numbered sections, as might be prescribed by this bill, but leave the odd-numbered sections as they are. Now, I will tell you the advantage of that. In a township that is six miles square, by settling those people on the even-numbered sections and giving each a quarter section, there would be seventy-two families in an area of six miles square. If the government are anxious that those people should prosper, and I have no doubt they are, they must put them where they can make a living. A German colony near where I live occupy the even-numbered quarter sections, and use the odd-numbered quarter sections to cut hay and to pasture cattle on. During the early history of the settle

ment of that country, if this mode of settling is pursued, the settlers will have the benefit of the odd-numbered sections and thus be able to make a living by making butter and raising beef. They will not go into wheat raising, as they would have to do if all the quarter sections in the township were settled upon. That would give a total of one hundred and forty-four families in the township, and the result would be that they would be paupers all their lives, if they could make a living at all. The German colony to which I have referred, are a prosperous and industrious people. By their mode of settlement on the even-numbered sections they are able to raise large herds of cattle, and in a short time they will be able to buy odd-numbered sections that they are now using to pasture their cattle and cut hay upon. I know, in my own experience, I have had to buy a large amount of land around me to pasture my cattle upon, and I am satisfied that in the early history of the country, if every quarter section had been settled upon, the people could not have made a living; but they have had the railway lands on which to cut hay and pasture cattle, and now they are in a position to buy those lands and are doing so rapidly. It will be the same way with the new settlers. The policy that the government are adopting in this bill is one which will keep these people poor all their lives. They are not accustomed to our climate and the ways of our people and our mode of farming, but they are accustomed to raising cattle, and if you leave the odd sections unoccupied, they can use them for the present and buy them afterwards. That is what the German colony near my place, who are a most prosperous and thrifty people, have done. Some of them had to be assisted at the beginning, but they are to-day prosperous people.

Hon. Mr. BOULTON—I do not know that I can endorse what my hon. friend says. We have always had a hamlet law on the statute-book. I do not know that it has been taken advantage of by our own people, who are of a more independent character, but there are many foreigners, like the Mennonites, who prefer to settle in villages. After they become familiar with the ways of our country, they adopt Canadian habits and take independent paths. I do not think the experience of Manitoba bears out the view of my hon. friend from Wolseley, that it is unwise to settle every quarter section. The Galician idea of farming differs from ours. They come out here and cultivate, say, twenty-five acres, most of it in gardening, so that there is not the slightest danger of the prairie becoming crowded. One of the most prosperous parts of Manitoba is where all the odd and even-numbered sections were open for settlement.

Hon. Mr. PERLEY—Where is that?

Hon. Mr. BOULTON—In the neighbourhood of Neepawa.

Hon. Mr. PERLEY—That is a fine farming country.

Hon. Mr. BOULTON—I do not attribute the prosperity of the community altogether to the quality of their lands; but people do like to have neighbours, and one will gradually buy out another and thus changes will take place. The best town we have on the line of the North-western Railway is Neepawa, because all the lands in the locality are settled upon, while in the neighbourhood of other towns, like Minnedosa and Birtle, the odd-numbered sections having been withdrawn for railway purposes, are vacant. Those who are on the even-numbered sections have the advantage, it is true, of pasturing these lands, but very few have the ability to put cattle on them. I do not know whether this bill is merely renewing the hamlet law or improving upon it, but I know that it is a wise provision, and that we have better towns where the settlement in a township is closer than where half the lands are vacant. I do not think it is wise for the government to colonize distinct nationalities apart from the rest of the community, but as the Minister of Justice has said, we must meet the requirements of the older people when they first settle in the country and not take them away too much from the habits of the countries from which they come. They will gradually assimilate themselves to Canadian ways.

Hon. Mr. PERLEY—The Mennonite reserve is the best section in Manitoba. A large section of the country was reserved for them, more than was settled upon, which bears out what I say; they used the vacant lands for pasturage and cutting hay. Neepawa is one of the best settled parts of the country and has railway facilities, but these

Galicians, I am told, have been sent far away from railway facilities, where they cannot raise wheat. At Neepawa if you raise wheat you have a market for it; but in the North-west a man cannot raise wheat successfully more than fifteen miles from a railway. That is why we need railways in that country so badly. As I have said, the Mennonites lived in one of the best sections of the country and the government reserved a large area of land for them. It was such a large area that when I was in the North-west Council we memorialized the government to open that reserve for settlement. The settlers at Neepawa must have been a very different class of people from these Galicians.

Hon. Mr. BOULTON—They settled close to each other.

Hon. Mr. PERLEY—They were not paupers, almost, as I understand these people are in the country from which they come.

Hon. Mr. SCOTT—I shall be very glad to call the attention of the Minister of the Interior to the remarks of the hon. gentleman.

Hon. Sir MACKENZIE BOWELL—With a great deal of what the Minister of Justice has said I concur, but there is a great deal of force also in what has been said by the hon. gentleman from Wolseley, who has spoken with regard to the reservation of odd-numbered sections. I have long since come to the conclusion that it was a mistake, in the settlement of a country, to attempt to colonize it as we have done, for the reason that settlers had been obliged to locate lands at some distance from each other. I know I was responsible for that policy, but I have learned something by experience. The system was a mistake, although it was adopted with the best possible motive.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—It was supposed at the time, and believed firmly by myself and by those with whom I was associated, that in the settlement of the country, by reserving the odd-numbered sections, the sale of those lands would compensate for the surveying and other expenses incident to the building of railways, the subsidies which were given, and for all other purposes; but after all, I believe it would have been better if a small amount had been charged for the lands and settlers had been allowed to locate as near each other as possible. I have no doubt the statement made by my hon. friend from Wolseley about the German settlement is quite correct; but any settler could have gone into that section and selected a quarter section for a homestead, and pre-empted the adjoining quarter section, and thus secured land for pasturage. I see that this clause is confined exclusively to co-operative farming. Why should that be? Why should not twenty or thirty of our young men be able to locate lands close to each other, as they can do in some of the Western States. I am sorry to say I have known a young man who had gone to the Western States from the rear of my own county, where only about one-third of the lands are arable, come back and take away a whole group of twenty or thirty persons from the county to settle in the Western States as a colony. Why should not a similar privilege be given in the North-west Territory, in the same manner as these foreigners are allowed to do under the co-operative system?

Hon. Mr. SCOTT—I think the laws are broad enough to do that?

Hon. Sir MACKENZIE BOWELL—I doubt it.

Hon. Mr. SCOTT—It does not mean that all their earnings go into a common purse, but they can assist each other.

Hon. Sir MACKENZIE BOWELL—If such be the case, then they must form themselves into co-operative farming societies.

Hon. Mr. MILLS—My hon. friend speaks of the law as this makes it for a special object. I think the power that he considers desirable, could be exercised by the minister under the existing provisions of the law.

Hon. Sir MACKENZIE BOWELL—Why insert the word "co-operative" at all? It would be much more liberal without it.

Hon Mr. SCOTT—The first part of the clause covers that.

Hon. Sir MACKENZIE BOWELL—Does that give them the power to settle on the odd-numbered sections?

Hon. Mr. SCOTT—It does.

Hon. Sir MACKENZIE BOWELL—I do not think that the fact is generally known. That being the law, and this bill being for special purposes, it is not objectionable. I think the whole system—although you cannot avoid it—as pointed out by the Minister of Justice, of settling in communities is a mistake ; I care not whether those communities be people of any particular nationality, creed, or class. It prevents the introduction of other elements, and is not as good, either for themselves or for the country, as if they were mixed up with other races, creeds or classes. I have noticed that where people of a particular race settle in one colony, and form a little community by themselves, they do not break away from their old habits, but adhere to them as long as they live. I have seen the contrast between such a community and another in the same township where men of different races had settled together. The very same class of people who, in the close community, showed the same shiftlessness which characterized them in their original homes, were, when mixed with other races, as thrifty and prosperous as any of their neighbours of other races.

Hon. Mr. MILLS—That is perfectly true.

Hon. Sir MACKENZIE BOWELL—But my hon. friend says, and says with a great deal of truth, that experience has taught him that people who have been brought up in older countries, and who inherit prejudices centuries old, are not likely to abandon the ways in which they were brought up. The improvement takes place in the younger people. The Mennonites, who settled in a community, are an illustration of that. The younger Mennonites are beginning to scatter. They are beginning to inter-marry with outside families, and although the older heads try to prevent it, the perversity of human nature is such that if they form attachments they pay very little attention to parental advice. The result is good to themselves and also to the country. If it were possible to prevent the settlement of such colonies, I would be glad to see it done, but recognizing the fact that it cannot be prevented, it is just as well to let the government deal with human nature as they find it.

The clause was adopted.

On clause 9.

Hon. Mr. SCOTT—That is a new clause. That related to Dominion land surveyors. It is found that provincial land surveyors are not entitled to practise as Dominion land surveyors, except after undergoing a year's tutelage, and this is in order to give the board power to admit them. It is a clause suggested by the board of examiners of the land surveyors.

The clause was adopted.

On clause 12.

Hon. Mr. SCOTT—The hon. gentleman from Calgary drew attention to that clause the other day. I may say in advance that this clause has been suggested by Mr. Pearce and Mr. Denis, two gentlemen more familiar with the irrigation subject than any persons I know of.

Hon. Mr. LOUGHEED—This proposes to give power to the Minister of the Interior to sell to companies the public lands of the North-west Territories. Now, so far as those lands being limited to arid lands that is no limitation practically, because it may be well said that all the lands in that one district of country are arid lands, and we know it is a very easy matter to have officials report on the fact that any lands so desired to be purchased by corporations are arid lands. At the present time parliament must pronounce upon the alienation of public lands. Why should the Minister of the Interior be invested with that extraordinary power, a power to-day vested in parliament? You might as well ask to empower the Governor in Council to alienate large tracts of public lands in the way of railway subsidies as to say that the Minister of the Interior should have power to alienate perhaps equally large tracts of land to irrigation companies. If any particular case arises in which it is desirable to sell to irrigation companies, parliament should pronounce upon that. Surely such a scheme can be submitted to parliament in precisely the same way as a railway subsidy is. If there were merits in the scheme I am satisfied there would be no difficulty in such power being given to sell any area of lands that may be required by *bona fide* companies. But why entirely irrespective of amount and value, this extraordinary power should be

given to the Minister of the Interior I am at a loss to understand.

Hon. Sir MACKENZIE BOWELL—I agree with my hon. friend that this is too much power to place in the hands of one minister.

Hon. Mr. SCOTT—He must get an Order in Council. I will read the clause and then the hon. gentleman can see :

The Minister of the Interior may withdraw from general sale and from settlement under the homestead provisions of the said Act, any lands in the North-west Territories which he believes to be so arid as to be unsuited for proper cultivation without the aid of irrigation, and he may dispose thereof to any person for such price, upon such terms, and subject to such conditions as to the colonization or settlement thereof and as to the cultivation thereof by the aid of irrigation, as the Governor in Council fixes and determine.

Hon. Mr. LOUGHEED—That is equally objectionable ; because if the Minister of the Interior recommends the sale of them, we may very well assume that the Governor in Council will support the Minister of the Interior. Permit me to state, in addition to what I have already said, that I have been thoroughly familiar with the formation of irrigation companies in the district at present under consideration since the question of irrigation has been discussed, and I am unaware of any instance in which irrigation has been retarded by reason of the absence of such a power being vested in the Minister of the Interior. Unfortunately, two or three companies who have entered on that project have not been successful, but not because of the Minister of the Interior not being in a position to alienate lands to irrigation companies. Quite the contrary. Irrigation companies have been able to secure all the lands they have been desirous of securing upon the most reasonable terms, and never has this presented itself as a difficulty.

Hon. Mr. MILLS—My hon. friend is speaking of his own experience ; but this provision of the law is an expression of the experience of the Minister of the Interior.

Hon. Mr. LOUGHEED—My experience on this questian has extended considerably beyond the experience of the Minister of the Interior.

Hon. Mr. MILLS—I beg my hon. friend's pardon, I dissent from that view. The Minister of the Interior has persons communicating with him every day with regard to the interests in public lands and with regard to the acquisition of certain rights, and so he is in a position to speak on this and on every subject of a similar character relating to the disposal of public lands with much more certainty as to what the actual situation is than my hon. friend. Now, there is nothing in this contrary to the settled policy of the country. What is the position of things? With regard to every administrative act the authority is the authority of the Crown. Parliament legislates and has a superintending power over the actions of the executive government ; but the sale and the disposal of public lands and their management are all parts of the administrative government and are all acts that are vested by our constitutional system in the Crown, and when the minister asks the power here, he is not asking anything unusual or anything that is not perfectly consistent with the powers that belong to the executive government of the country, and for the exercise of which he is responsible. Now that power is divided ; and he does that under the supervision of the council ; and therefore it is a matter upon which his colleagues must be consulted, and to which they must give their assent before anything can be done by him.

Hon. Mr. LOUGHEED—It has always been the settled policy, in the sale of public lands, that a price has been fixed.

Hon. Mr. MILLS—But the price is fixed by the executive government.

Hon. Mr. LOUGHEED—Not to-day, it is by statute.

Hon. Mr. MILLS—The superintending power of the government extends over all these things. As parliament meets within twelve months every year, the government's action with regard to this matter of administration is under its supervision, and so I do not see well how there can be any greater limitation than what is here imposed, if an administrator is to be free to discharge his public duties. There are lands, I am told, on the southern border in the region of Macleod and lying farther east, that require irrigation in order too make them cultivable. The soil is naturally good, but the rainfall is insufficient, and there are parties who have made applications to the Minister of the Inte-

rior who desire to try the experiment of irrigation, persons who are acquainted with this system in California and Utah ; and the question that it was important for us to have solved at the present time with regard to these arid lands is how far, in a high latitude, you can depend on irrigation? Because the water supply in all that region is water supply obtained from the snows melting on the Rocky Mountains, and the water is very cold. It is not, in its temperature, much above freezing point, and whether that can be utilized for the purpose of irrigation with success or not is a matter that has not yet been decided. It is very important, as we have a very large area of these lands, excellent in every respect except the want of sufficient rainfall on them, that this experiment be tried, and if persons are disposed to undertake the work, surely, with the immense area that we have of this sort of lands that are practically of little use, it is worth our while to let the experiment be tried, especially as the experiment will be tried at the cost of the parties who established these irrigated districts.

Hon. Mr. LOUGHEED—I was simply going to point out this objection which prejudicies my mind very much against such power being vested in the Minister of the Interior. Already too many lands are tied up by reason of large tracts having been given to railway companies as subsidies, and it seems to me that this is simply duplicating the tying up of large tracts of land, and intensifying the present condition of affairs existing in that country. There are to-day large tracts of land which it would be very desirable, in the interests of the country, should be thrown open for settlement, but which are tied up by railway companies.

Hon. Mr. MILLS—Are there not lands in my hon. friend's district for the purpose of irrigation?

Hon. Mr. LOUGHEED—I referred to railway companies.

Hon. Mr. MILLS—But are there not lands granted for irrigation?

Hon. Mr. LOUGHEED—No.

Hon. Mr. MILLS—I understand that Mr. Pierce and another gentleman had lands granted to them.

Hon. Mr. LOUGHEED—Yes, but not granted by the government.

Hon. Mr. MILLS—Purchased at such price as the government choose to fix.

Hon. Mr. LOUGHEED—Yes. Those lands are obtainable by settlers on the same terms as they have been granted to the parties referred to and others. I do not object to that, but I object to this power being given to the Minister of the Interior to deal with corporations and parties who may have influence in locking up large tracts of land for years to come and prevent settlement.

Hon. Mr. MILLS—Colonization, settlement, cultivation and irrigation are all matters to be regulated by Order in Council, and my hon. friend knows that in the district to which I refer, that it required parties with a very large amount of capital to make the experiment with any degree of success.

Hon. Mr. LOUGHEED—I would be delighted if they would do it. We usually find a law of this kind operating in favour of influential companies, with the result of a reservation of large quantities of land.

Hon. Mr. MILLS—Parliament meets every year.

Hon. Mr. LOUGHEED—There is no way of restricting the power once it has been given.

Hon. Mr. MILLS—My hon. friend's observation is practically a condemnation of our system of government. If the government go wrong they are open to the censure of parliament.

Hon. Sir MACKENZIE BOWELL—We want to prevent the government doing wrong.

Hon. Mr. MILLS—You will have to adopt a different system.

Hon. Mr. ALLAN—Why not put the whole thing under the Governor in Council?

Hon. Mr. MILLS—My hon. friend will see that that is the case. The minister cannot take the first step to carry this into effect except by Order in Council. It is just like the North-west Government Bill and the Yukon Bill. There is a distinction be-

tween the administration of the minister and the larger functions of the government. That exists everywhere, and I do not see why we should attempt to break it down.

Hon. Sir MACKENZIE BOWELL—I take exception to the statement that the Minister of Justice knows more about irrigation than the hon. gentleman from Calgary. The hon. member from Calgary lives in the neighbourhood——

Hon. Mr. MILLS—I said nothing of the kind.

Hon. Mr. LOUGHEED—It was the Minister of the Interior, he referred to.

Hon. Sir MACKENZIE BOWELL—I may not have quoted the exact words, the hon. Minister of Justice said that the Minister of the Interior knew more about irrigation than the hon. gentleman from Calgary who lives in that country where irrigation has been attempted and practised, and knows exactly the result which flows from it. The information of the Minister of the Interior is through third parties, and the hon. gentleman said he was in communication with a number of speculators who have in their mind's eye a large tract of land where they propose to adopt the system of irrigation and make their fortunes out of it. I have no objection to that, because if they bring the lands under cultivation it would be so much greater advantage to the people of this country. If my hon. friend had been through the section of the country to which he referred, he would not have spoken as he did about it.

Hon. Mr. MILLS—I have been through it.

Hon. Sir MACKENZIE BOWELL—What section?

Hon. Mr. MILLS—The section to which this clause applies.

Hon. Sir MACKENZIE BOWELL—The whole country west of Regina and around that district. We know that people have condemned it as unfit for irrigation.

Hon. Mr. MILLS—I am aware of that.

Hon. Sir MACKENZIE BOWELL—My hon. friend spoke of Fort Macleod, and when I speak of that district or any portion of it I think I can speak with knowledge. I drove from De Loraine to Fort Macleod and also from Fort Macleod through the Crow's Nest Pass to the Columbia; so that when I speak of that section of the country I speak of it with some little knowledge of what the land is and what its capabilities are. I know that section of the country is infinitely better than a large portion of the land which lies north of it and which has been termed arid land, and if the Minister of Justice thinks proper, under this clause, he can declare that whole section of country to be of the character to which this clause refers, and by that means it opens the road to a gigantic fraud. It may not be intended, but I say it opens the way to a gigantic fraud in the way of obtaining large sections of land at a merely nominal price, which can be done upon the recommendation of the Minister of the Interior. The question is, is that desirable? I should rather see, if the clause is to remain in, that there should be some words added. The hon. minister believes it to be so arid as to be unsuited for proper cultivation without the aid of irrigation, and he may dispose thereof on at an upset price by public competition to any person upon such terms and subject to such conditions as to colonization settlement and so on, as the Governor in Council may determine. That protects the Minister of the Interior from any charge that might be made against him, and it is a safeguard to the proper disposal of those lands and keep the government in a position in which they would be prepared, I think successfully, to carry out any regulation or any sale they might make under this clause. I do not see why that should not be done.

Hon. Mr. MILLS—I do.

Hon. Sir MACKENZIE BOWELL—I know the gentleman to whom he refers very well, and he is almost a maniac on the subject of irrigation.

Hon. Mr. SCOTT—It is Pierre St. Denis.

Hon. Sir MACKENZIE BOWELL—I do not believe half we have been told about it. I have great respect for Mr. Pierce. I know he has spent his money in the attempt to irrigate that country. I have been on farms that have been irrigated, and have seen the effects of the irrigation. To say the lands which have been irrigated are arid lands is a misapplication of the word altogether; but cultivation has been improved,

the lands have been put in an improved position by means of the irrigation, so that they have become profitable to the owners. But what I object to is the giving of the power to make a bargain with any individual at any price they like. I had not noticed the words "at such price as the Governor in Council may determine," and the Governor in Council will determine on the price stated by the report of the Minister of the Interior unless he has some information of his own, and as the hon. gentleman has adopted the system of government by heads of departments, instead of, as formerly, everything being brought to council, it makes it ten times worse, because you put more power in the hands of one man. If I were a minister, I would ten times rather have this restriction than have the whole responsibility thrown on my shoulders. The Governor in Council fixes the price here. They can say that there is an upset price for the purchase of these lands and publish it to the world, and they can say "in addition to that upset price you must perform such colonization duties as are hereinafter described," whatever that may be. Then if the parties who want the lands could go there and accept them on those conditions, it would be a fair thing and relieve the Minister of the Interior of responsibility, and place the government of the day in a position where they could defend their actions.

Hon. Mr. MILLS—The government would have no difficulty in defending their action if they acted honestly, and if they do not act honestly they are open to the censure of parliament. My hon. friend imposes conditions here which do not exist anywhere else. The Governor General may pardon every man who is convicted of murder for the next twelve months. He has the legal power to do it, and if anybody propose to tie the hands of the Crown because an abuse may be committed. The Governor General at the end of this session could disallow every Act of every local legislature that has been passed within twelve months. Is anybody afraid that that is going to be done? Does any one propose to tie up the prerogatives of the Crown to prevent an abuse of that sort? My hon. friend proposes restrictions that are, in point of character, exactly the same. He says put up those lands at public auction. How can you put up the lands at public auction? Here are persons perhaps residing in Utah or Southern California, or other portions of the world, wanting to acquire a certain area for the purpose of irrigation. My hon. friend says, fix a price and ask for tenders. Did he do that with the sale of every lot in the North-west Territories?

Hon. Sir MACKENZIE BOWELL—No; because the law provides what the price shall be.

Hon. Mr. MILLS—And some of them are worth twice as much as others. How do I know? How do the ministers know in the first instance; how do people living in California know just what it will cost to irrigate a certain area? They may be lands of good character, and yet the cost of irrigation may be so much as to make them less valuable to the parties who acquire them than these other lands lying near that are of a much inferior character; and yet, if you were to purchase them and take into consideration the cost of irrigation, the lands that are the least valuable are the lands that might sell for the highest price.

Hon. Sir MACKENZIE BOWELL—No harm in that.

Hon. Mr. MILLS—Here is a party applying, say from California. He says "I wish to obtain a certain area for the purpose of irrigation and cultivation." Well, he has first to make a survey. He has to ascertain from what source he will get the water for the purpose of irrigation and what the cost will be to irrigate that area of territory. All the facts connected with the subject of irrigation must be ascertained, and if, in addition to the negotiation with the minister subject to the approval of the Governor in Council, the minister has to advertise for tenders, and some one else, it may be the man who has surveyed for him and been paid by him, becomes a competitor, having profited by the knowledge he acquired in the survey, and perhaps acquires the land. I do not think you would get many persons who would undertake to bring areas under cultivation on such terms. There is but one way of doing this, and that is by allowing every man who choses to apply to the minister to negotiate with him. The minister is the custodian of that territory, and when he negotiates, if he makes a bad bargain he is subject to the censure and control of parlia-

ment, and certainly the control mentioned in the clause is a control such as our system of parliamentary government provides for the work of administration in every department of the government.

Hon. Sir MACKENZIE BOWELL—I am much obliged to the hon. gentleman, and I am sure the hon. gentlemen present will also be obliged, for the information he has given us as to the prerogative of the Crown. All I am surprised at, is, that he did not go back to Magna Charta, and tell us how the liberties of the people had been secured, and how the prerogatives had been diminished, and what they are at the present time. If he had confined himself to the question of advertising these lands, why then we could have understood him a good deal better. One would have supposed, from the argument he used, that the law has never recognized the principle of advertising for tenders for what the government might require to be performed. We know the Public Works Act contains a clause especially for that purpose, though the present Minister of Public Works has treated that law with contempt; and I dare say the Minister of the Interior would do precisely the same if he had the opportunity—that is, if he is of the same character as the Minister of Public Works, or, as he has been represented by the public press and those who know him. We know, also, on the contrary, that the Postmaster General has justified the cancellation of some hundreds of contracts, because he alleges that under the law which he has to administer, those contracts shall be given out by tender, so that while parliament has recognized this principle from time immemorial, it is only a question whether ministers of the day, whom my hon. friend says are subject to the condemnation of parliament, will adhere to the law or will treat it with contempt. I know he is subject to the will of parliament, but the will of parliament means a majority such as they have at the present moment in the House of Commons, who, no matter what the Minister of Public Works may do in this respect, so long as their own friends get the advantage of it, will sanction any Act of the ministers. He may set all the provisions of the law at defiance, as he is doing and has boasted he would continue to do——

Hon. Mr. MILLS—Who?

Hon. Sir MACKENZIE BOWELL—The Minister of Public Works.

Hon. Mr. MILLS—Oh, no.

Hon. Sir MACKENZIE BOWELL—Oh, yes; he did so the other day in committee when this question was being discussed, and as long as you have a majority such as you have in the House of Commons at the present time, and might also have under another government, they will justify the acts of the minister rather than condemn the government. The principle which I ask to have embodied in this clause is nothing extraordinary. I repeat it protects the minister and protects the government, but the government do not want any protection. They are so self confident in their own powers of administration.

Hon. Mr. MILLS—My hon. friend is judging us by himself.

Hon. Sir MACKENZIE BOWELL—Yes, I have learned that by experience. It is quite true. I had some eighteen years of it, and I know precisely the influences that are brought to bear. Speaking for myself, I am quite willing to admit that such attempts have been made continually, but all I ask my hon. friend, or any of those who belong to the same party, is to point to a single instance where I was induced to depart from the law which governed the department of which I had control.

Hon. Mr. MILLS—My hon. friend is asking for a single instance, I suppose he remembers the Eyre case.

Hon. Sir MACKENZIE BOWELL—Yes. I am not going into the details of that question. I remember a railway suit, arising out of a decision of the department which was overruled by the Supreme Court. The ruling in reference to the rails of the street railways, was sustained by every court in the Dominion, but the Privy Council set it aside, and if the different courts in Canada would justify the action of the department in that ruling, it shows at least that there was ground for coming to that decision. I am not going into the Eyre case, but I could justify the decision of the department and, more than that, I could show that the decision of the judge was based upon absurd grounds so far as the law is concerned. But does my hon. friend pretend to say that the

decision in the Eyre case was arrived at from any corrupt or improper motives?

Hon. Mr. MILLS—I am not saying that, and I am not suggesting it. My hon. friend made an attack upon two of my colleagues and declared they paid no attention to the law.

Hon. Sir MACKENZIE BOWELL—I did not.

Hon. Mr. MILLS—The hon. gentleman said "mention a single case where I departed from the law," and I mentioned the Eyre case.

Hon. Sir MACKENZIE BOWELL—I did not depart from the law, and I did not say the two ministers had departed from the law. I said that one minister had departed from and the other minister had acted under the law, but I attributed no motive for his doing so. That is what I did and nothing more. There are scores of decisions given in the different departments similar to that to which my hon. friend has referred that have been sustained by the courts, and which have been set aside by other courts. But that is all apart from what we are discussing now. What I wanted to show to the House was that I had made no suggestion that was not justified by laws which are upon the statute-book; and I do not hesitate to add that I have no confidence in the Minister of the Interior in dealing with this or any other matter; hence I would like to see the bill so framed that he could not abuse the power, and if that can be done in the interest of the country and in the interest of the government, it would be well to have it done.

Clause 12 was adopted.

Hon. Mr. McKAY, from the committee, reported the bill without amendment.

POST OFFICE ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (110) "An Act further to amend the Post Office Act."

(In the Committee.)

Hon. Sir MACKENZIE BOWELL—I may just as well give my opinion upon this bill now, and thereby avoid the necessity of discussing each section as it comes up.

Hon. Mr. MILLS—Quite so.

Hon. Sir MACKENZIE BOWELL—I do not propose to make a very long criticism, but I regret that a bill of this importance should be presented at this period of the session, when we have scarcely a quorum. It is a measure of very great importance, as it affects great interests in the country. I am not opposed to the principle of making newspapers pay postage for being carried to their subscribers. I know of no reason why any business should be carried on or assisted by a government in this way. There is this, however, to be said. There is no protection whatever to that branch of industry. I would object also to the reduction to two cents under the condition in which it is proposed to carry out that reduction. Another objection I would take, if I were going to move in the matter, would be to strike out that exception which is given to what are termed weekly, or country newspapers. If the principle of charging for carrying a newspaper from the place of publication to its subscriber, be correct, then it is equally correct and should be enforced for twenty miles as well as for twenty-one miles. That is one incongruity in the bill, although it is a concession, I admit, to newspapers printed in country towns, which circulate in the main in the locality where they are published. It is a concession, but it is a concession that I think violates the principle on which the bill is framed. If newspapers should be subject to postage, it should apply to them all, under all circumstances, and everybody should be treated alike. I am speaking as one who, I frankly admit, is interested in this very class of newspapers that will be benefited by that exception. I pointed out to the Postmaster General what my view was. There is another reason why I object to the two cent postage: the reason advanced by the Postmaster General for imposing a tax upon newspapers is in order to recoup the revenue of the great loss which it sustains at the present day and to make it as far as possible self-sustaining.

Hon. Mr. BOULTON—Have we any information as to what the probable revenue would be from it?

Hon. Sir MACKENZIE BOWELL—I have no information other than that which the Postmaster General himself stated in the House of Commons, and he calculated, if my recollection serves me right, either one hundred and fifty thousand to two hundred thousand dollars; my recollection is about two hundred thousand. It would be a direct tax upon the publisher of the newspaper. They say it is not; that it is an additional tax on the reader or subscriber Now, I say from practical knowledge, that that is utterly impossible. If your weekly paper is circulated for a dollar a year, you cannot add two, or five, or ten cents to the price of that paper and take it from the subscriber; that is an impracticable proposition. Then it becomes a direct tax upon the publishers of the newspapers to recoup to the revenue a concession which is made to the commercial community, and those who write letters. I venture the prediction that the revenue from newspapers will not be as great as the loss to the revenue arising from the reduction of the three cents to two cents, which will redound 99 per cent to the benefit of the commercial community. If the contention be correct that the imposition of postage on newspapers is to be paid by the subscriber, then it is a direct tax on the readers of newspapers, to be recouped by the reduction of the duties upon the postage upon letters, which would be mainly to the advantage of the commercial community. I know it is not to come into force till a proclamation has been issued by the Governor General. The order may be issued just on the very eve of an election in some city or other where the commercial community is predominant, just the same as we had the announcement in the last election in the city of Toronto, that a reduction of two cents in foreign postage was about to be enacted and put in force. I am not going to discuss that, but I say that it could be done, and I am not saying here what I did not say to the Postmaster General himself in conversation on this subject. If the reduction is right, and is intended to be put in force, it should go into force at once. If it be right and proper to reserve the right to the Governor General, it is equally right and proper to reserve the power to bring into operation that clause which provides for the imposition of a duty on newspapers. This is the view that I have taken of the provision of this bill, and anybody who will take a practical view of it, I venture to say, can come to no other conclusion. The imposition of the duties on newspapers, to which I do not object, is a direct tax on the publisher, and if it is not a direct tax on the publisher, it is a tax on the reader; a tax so imposed for the benefit of the commercial community who are to reap the advantages which will accrue from the reduction of the letter postage from three to two cents. Any one who knows anything of the rural sections of this country, knows that a more intelligent class of farmers and yeomanry does not exist in any part of the world than in Canada. They are not a class of people, however, who keep up a business correspondence their correspondence is almost exclusively confined to their friends. I admit that the introduction of cheese factories and butter factories, adds, to a certain extent, to the correspondence, but where information is required in connection with these industries through the country which are always in the rural parts of Canada, it is done usually by telegraph and not by letters, because when they require information is is information needed at very short notice in order to enable them to come to a conclusion as to whether they should sell the product of their different factories or hold it. There are other clauses referring to the dead letter department to which I do not take the same objections that were taken in the other House. I do not know but that it a more expeditious way of dealing with dead letters, and so far as the letters are concerned and the class of officers we have, they are just as safe in being opened in Toronto, Montreal or Winnipeg as they would be, if sent to Ottawa; and certainly it would be of much greater convenience to the correspondents. I do not know that I have any further remarks to make on this subject, because I have long held the opinion that newspapers should be subject to taxation as well as any other matter that is circulated through the post office; but at the same time, I do not think that that tax should be imposed for the benefit of any other class of the community. some newspaper men say "our type, presses, paper and everything else that we have, are taxed, and the only concession we got from the government was the permission to send the newspapers through the mails free of charge;" but think for a moment of the hundreds and thousands of tons of matter

which is carried free and circulated free through the country. It is true the contention has been that it is for educational purposes, and that everything should be done that can be done to educate the people that they may know what was going on in the country, commercially, politically and historically. Notwithstanding that, I have not changed my mind on the question of imposing a tax as I have already indicated. But I do think it is a suicidal policy for the government to adopt with the hope of recouping the deficits which occur every year from the carrying of mails. It is only adding to one portion of the service and taking from another. An experience of only a year or two will show if the one will compensate for the other; and if it only compensates the one for the other, then I say you are imposing a tax on parties less able to bear it than the parties who are relieved of a cent upon every letter. You can calculate the number of letters, and then all you have to do is to take a third from it. I dare say my hon. friend has the figures at command, I have not. The tax on newspapers I admit is not very large, but publishers of country newspapers make but a bare living. So it is a tax on one class for the relief of the other, and upon a class which is less able to bear it than the commercial communities. Is there any one in Canada who is prevented from writing a letter, on account of having to pay three cents postage, who would write the letter if he had only to pay two cents on it? I do not think there is any one that is prevented writing a letter because he has to pay three cents. However, the government has taken the responsibility of making these changes and I will not attempt to interfere in their policy, although I have had very strong representations made to me that the tax ought not to be placed on those who are least able to bear it.

Hon. Mr. BOULTON—Can the hon. gentleman tell me does the express carry the daily papers throughout the populous districts?

Hon. Sir MACKENZIE BOWELL—Formerly they did, when the newspaper postage existed. It is possible they may do so now, when you take into consideration the large issue of their newspapers. Take, for instance, the Toronto *Globe* and *Mail*, which circulates in almost every town in the country, the Montreal *Gazette*, the Montreal *Star* and other papers—the Montreal *Star*, I know, delivers papers every day in the city in which I live to the extent of three or four hundred. They send them now through the mails; they may evade the postage upon these papers, provided the express will take them cheaper, and there is no doubt in my mind but what the papers having large circulation—the *Globe*, the *Mail*, the *Star*, the *Gazette* and some others—where they send away tons every day, will make arrangements with the express companies and send them to the frontier towns. For instance, take the *Mail* and *Globe* in my own city; they distribute their morning daily papers at half-past eleven every day. The same train that brings the mail has an express car, and if the *Globe* and the *Mail* can send their papers cheaper by express than by post, depend on it they will do it.

Hon. Mr. MILLS—It is pretty clear, hon. gentlemen, that the express charges will have to be very much less and the postage very much higher than that which is proposed by the present bill before any such results will follow.

Hon. Mr. BOULTON—Could the hon. Minister of Justice tell us whether the railway companies are paid by the weight or by the mile?

Hon. Sir MACKENZIE BOWELL—The railway companies have an agreement with the express companies.

Hon Mr. BOULTON—But the post office department?

Hon. Sir MACKENZIE BOWELL—They are paid a mileage.

Hon. Mr. BOULTON—No matter how much weight goes, they carry it for the same price?

Hon. Sir MACKENZIE BOWELL—You are speaking of the postage?

Hon. Mr. BOULTON—Yes.

Hon. Sir MACKENZIE BOWELL—The postal car?

Hon. Mr. BOULTON—Yes, the arrangement between the postal department and the Grand Trunk Railway, for instance. They have a contract to carry the mail.

Is that a mileage contract, or is the contract according to the weight of the letters and papers?

Hon. Sir MACKENZIE BOWELL—No, it is a mileage contract between Montreal and Toronto, and they get so much whether they carry one pound or ten pounds.

Hon. Mr. MILLS—Let me say with regard to the observations made by the hon. leader of the opposition that I do not think that this is a transference simply of the tax from one section of the community or one class of persons who are served by the postal department to another class. The charge made for the carriage of letters and the charge made for the carriage of mails never was a tax. It is a charge for services rendered, and there is no difference between the services rendered by the government in this respect and the services if rendered by a common carrier. The question which naturally occurs to one who investigates the subject is whether those who write those letters and who send them though the post, pay more than the service is actually worth. I think they do; and what is more, after a change is made there will be no diminition of revenue ofter the first three years in consequence of the reduction of the charge that is made. In 1868 we had a charge of five cents, and in 1869 it was reduced to three cents and the number of letters in round numbers rose from 18,000,000 to 22,000,000, so that there was an increase of 4,000,000 in a single year. My hon. friends will see that that is an increase of nearly twenty per cent. There is no reason to suppose that that will not be the case with the reduction of postage from three cents to two cents. We have the experience of the postal department in England and the experience of the postal department in the United States and in both those countries the reduction of the postage after a period of three or four years led to an increase of the revenue derived from this service. I have no doubt whatever that that will be the result here, and after the lapse of three or four years the increase in the revenue in this country will be just what it has been elsewhere, that when you diminish the charge by thirty-three per cent, a larger number of persons will avail themselves of the use of the postal department than would under other circumstances. Now the postage, whether on newspapers or on letters, being a charge for services rendered, and not a tax, I do not know any reason why the man who choses to write letters and send them through the mail should be called upon, because he sends a letter through the mail, in addition to that postal charge, to also pay the postal charge upon the newspapers that his neighbour or somebody else receives. The government is rendering the service of a carrier and I know no reason why the letter carrier should bear the charge both of the newspaper and of the letter. My hon. friend says that if you put a tax on newspapers it will fall entirely upon the publisher and not at all upon the purchaser or receiver of the newspaper. I do not think that is so. My hon. friend will remember that while the price of newspapers went down by the extent of the abolition of the postage the moment the reduction on postage was made.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—Yes, I can name a score of papers.

Hon. Sir MACKENZIE BOWELL—So can I, but not for that reason.

Hon. Mr. MILLS—They were coincident in point of time, and I happened to be connected with a newspaper and I know that everybody in the office believed, and the proprietors as well believe, that they reduced the price because they had no longer to pay the postage in advance upon the papers which they sent to the subscribers.

Hon. Sir MACKENZIE BOWELL—Your connection with the paper was as a writer, not as a proprietor?

Hon. Mr. MILLS—Yes, both. My hon. friend has also referred to the charges that he says will fall upon the daily newspapers. Let me mention an instance. On Saturday morning six cars loaded with newspapers go out from Montreal or Toronto from a single office. Why should the public be charged, not merely with the service of the officers who accompany those cars, two officers of the postal department, but also with the cost of sending those cars to their destination? Because, that is what it amounts to, and I do not know why the public revenues should be charged with that particular sum.

Hon. Sir MACKENZIE BOWELL—I did not object to the charge on the news-

papers; therefore there is no use arguing that point.

Hon. Mr. MILLS—My hon. friend said we ought to have kept it off the newspapers and left it on the letters.

Hon. Sir MACKENZIE BOWELL—No, I said to keep it on both. There is quite a difference.

Hon. Mr. MILLS—You said we were putting a tax now on those who were least able to bear it.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—It is not a tax.

Hon. Sir MACKENZIE BOWELL—I will accept your interpretation, call it whatever you like.

Hon. Mr. MILLS—It is a payment for services rendered. The charge paid upon newspapers does not pay the expenses of the cars, to say nothing about the public officers.

Hon. Sir MACKENZIE BOWELL—Then put more on.

Hon. Mr. MILLS—So far as the public officers are concerned the newspapers are receiving that service as free to-day as they did before. A newspaper until June, 1899, will be charged one-fourth of one cent upon and after June, 1899, the charge will be half a cent. That is a very small sum and certainly it is one that cannot be a burden upon any prosperous business. My hon. friend's attack upon the Postmaster General early this evening, but I shall not allude to that. The figures show that the Postmaster General has so managed the affairs of his department that he is justified in making the reduction of the tax on the letters. Look at the result. In the postal department on the 1st July, 1896, the deficit was $780,000 and in 1897 it was $580,000, and as far as we can estimate at this moment, within a few weeks of the end of 1897-98, the deficit will not exceed $100,000 this year. So that there has been a marked improvement in the revenues derived from these sources, a diminution of the expense and the revenue from the newspapers, sixteen and a half million of pounds at half a cent a pound, will yield a revenue of $82,000. So that there is every prospect that that tax would ordinarily make up the deficit of $100,000 if the revenues were as much another year as they have been in the past Let me say further, that I expect that the revenue from letters for the first two or three years will show a smaller return than that which has existed under three cent postage. But at the end of that period the increase in the number of letters will give a revenue in increase of that which exists at the present time. That has been the experience both in England and the United States. There is one other matter to which my hon. friend took exception, and that is the exemption from taxation upon newspapers within a radius of twenty miles. The local newspapers which do not circulate more than once a week are permitted to circulate the distance of twenty miles from the office of publication through the postal service without charge, and beyond that a charge will be made. The Postmaster General has made an estimate of the amount of revenue that would be derived from these papers if they were subjected to the charge of a half a cent a pound, and it was found it would amount to a very small sum. It would be of no appreciable advantage to the revenue, and those weekly papers circulating where the population is sparse pay more for their paper, and without this charge they will not be in a more advantageous position than the larger papers that circulate daily from the great centres of population. This being so, I think that it will be found that this law on the whole will prove advantageous.

Hon. Sir MACKENZIE BOWELL—To whom? To the revenue?

Hon. Mr. MILLS—To the revenue. That certainly was the experience of the government in the reduction of the letter postage from five to three cents, and I have no doubt it will be the experience here as it was in the United States in the reduction from three to two cents and with a very small charge upon the newspapers, the reduction upon the letters and the economical management of the department, I see no reason why the postal service should not be as efficient as it is at the present time and the revenue better than it has been for many years.

Hon. Sir MACKENZIE BOWELL—I do not propose to pursue my hon. friend s

arguments any further. My hon. friend says that the postage is of little consequence to the publishers of newspapers; but, he immediately afterwards said it would be of great benefit to the revenue. He told us six carloads of newspapers left the city of Toronto every Saturday. Half a cent a pound on that quantity would amount to $200 per car every Saturday provided the car carried twenty tons out of the pockets of the publishers of the newspapers for the service which was rendered them by the government. A half cent a pound on one ton would be ten dollars, and you multiply that by twenty and you get $200. So that it is no small item at all. You begin with half of that which would be $100, until a certain period and after that it would be $200. I do not object to that. The hon. gentleman wasted a good deal of time in defending the charge upon newspapers; what I objected to, was the manner and mode in which it was done, and I also objected to the exemption which was made, and I still assert it is a tax for services rendered, while you relieve others better able to pay.

Hon. Mr. PERLEY—I think this bill discriminates against the editors of newspapers in the country and in favour of the city editor. It is a direct tax on the farmers of the country in the North-west. Our papers are all country papers.

Hon. Mr. MLLS—They are exempt for twenty miles.

Hon. Mr. PERLEY—They would not benefit much by the exemption, because they come forty, fifty and sixty miles, and if we get the Winnipeg *Free Press* it comes 300 or 400 miles, and the editor cannot be expected to send these papers out and pay the postage for nothing and the result will be he will have to charge for the paper very much more than the postage if he makes a charge at all. I think this bill discriminates against the farmers, particularly in our western country, where the distances are very great and the papers are country newspapers. I do not see why the city man or the man within ten miles of the office of publication should get his paper free.

Hon. Mr. MILLS—He does not.

Hon. Mr. PERLEY—The man within ten miles of the city gets his paper free.

Hon. Mr. MILLS—No.

Hon. Mr. PERLEY—You allow twenty miles.

Hon. Mr. MILLS—Only on the weeklies.

Hon. Mr. PERLEY—I think it is too bad to tax newspapers. They are a source of information to the public, and people cannot do without it.

Hon. Mr. BOULTON—I think the bill is a very good one, for the reason that when the newspapers find this heavy tax upon them they will want to get rid of protection and have free trade. That is a good answer to any arguments that may be adduced on behalf of the government policy. I think these fees upon the newspapers will cause them to complain, "We are taxed upon our papers, our machinery, our coal and coal oil and everything to be used, and now we are going to be taxed for the carrying of these papers to our customers," and in that respect the bill commends itself to my mind. I think also it is a decided advance to feel that the country has arrived at that stage that we can reduce the postage to two cents. I am quite confident if this onslaught of the newspapers is in order to open our markets to the old country there is not a shadow of doubt there will be a tremendous increase in the Post Office Department in the carriage of mails, and the postal department will increase its revenue very much in that respect. There is just one thing I should like to draw the attention of the government to; I think it is advisable that, now we have got our two cent postage, to do away with the franking privilege. If that were abolished, it would be a great advantage to the revenue of the postal department. One of the things that caused the government to take up this question and put a tax upon the carriage of newspapers is the way our franking privilege has been abused. I have no doubt if the franking privilege were done away with, $100,000 would be added to the revenue. That is also in close alliance with the issue of trunks and stationery and things of that kind, which are called the little perquisites which we enjoy. I think perquisites are the root of all evil, and if we were to educate our members and senators up to that standpoint, it would be a great saving to the country. The Secretary of State in giving us statistics, said there were last year 123,000,000 letters

which at three cents should produce $3,600,000, while the revenue was only $3,000,800. There are three things that are working a great deal of injury to the representation of the people of this country, the franking privilege, the issue of trunks and stationery and the passes. When we get rid of them the people will be a great deal better represented than they are at the present moment. Not that I wish to cast any reflection on my hon. colleagues in the slightest degree, but still it would pay the country very well indeed if that result were brought about.

Hon. Mr. PERLEY—Did not the hon. gentleman try the experiment one year of doing away with the passes?

Hon. Mr. BOULTON—Yes.

Hon. Mr. PERLEY—Did he return to it again?

Hon. Mr. BOULTON—I can say that for ten years I have never used a pass on our local railway, the Manitoba and Northwestern. I pay my way every time I travel. I sent my pass back to the Canadian Pacific Railway for two years, but they returned it to me and I have used it since. I am quite satisfied that what I say in that respect would be a very wise thing, and now that we have reduced our postage down to two cents we can do away with the franking privilege.

Hon. Mr. MACDONALD (P.E.I.)—I should like to know what is likely to be the loss of revenue by reducing the postage from three to two cents. We have not received that information yet, and I think it is rather pertinent to the matter before us. It is true when there was a reduction in the rate on letters from five to three cents the number of letters increased, but it does not follow now that the number will increase. Five cents was considered too high a rate for the carrying of ordinary letters, and people now consider three cents a very reasonable rate and there have been no complaints about it. They will not write a single letter more at the reduced rate. I do not know that there was any great call in the country for this reduced rate of postage. I do not know that business people object to pay three cents to carry a letter all over Canada, and it certainly is a very reasonable rate when we look back and consider what has been charged in the past. Years ago, when I was in business in Prince Edward Island, it cost us one shilling and one penny half penny to send a letter from Nova Scotia to Prince Edward Island where now you can send a letter all over the Dominion for three cents. It is true that the charge for the carriage of letters and newspapers may not be a tax. We are receiving value in the conveyance of our letters or newspapers for the amount that we have paid in stamps, but we must remember at the same time that if this change in the law results in the reduction of revenue, that deficiency must be made up by imposing a tax in some other way, and although the charge itself is not a direct tax, still it will result in imposing a direct tax on the people to make up the deficiency. I am not going to oppose the passage of the bill. The government consider it is in the interest of the country to reduce the postage in this way, and certainly we should approve of it; but I think it will be only the means of imposing a greater tax on the people in some other form in order to make up for the deficiency that will be caused by this change of the law.

Hon. Mr. MILLS—I may say, in reply to the hon. gentleman, that in 1868, the last year the five cent postage was in force, the number of letters was eighteen millions. In 1861 it was 21,920,000—that is, an increase of four million letters in a single year. Last year it was 123 millions, six times as great as in 1868. In the United States the increase which followed the reduction of postage was the same. When it was decreased from five to three cents there was a loss of revenue of $800,000 the first year, but the next year it was more than made up, and the revenue increased at the rate of about five millions a year under the reduced postage; and there was exactly the same experience again there when the postage was reduced from three to two cents, and I have no doubt whatever it will be the same here. We expect a loss of $650,000 of revenue the first year, but we expect that that will be far more than made up within the three years.

Hon. Mr. CLEMOW—Have you any estimate of the proportion of the free carriage of letters? I suppose that has increased considerably on account of departmental business?

Hon. Mr. MILLS—That is largely increased, no doubt; but I could not tell my hon. friend just what number of letters are sent out from the various departments.

Hon. Mr. CLEMOW—On principle I can very easily understand that it is perfectly legitimate to charge for everything that is done. If these railway companies or the government are obliged to carry an immense quantity of literature for the newspaper people, it is but right that a revenue should be obtained in some way from some party; but are you going to put this charge upon the proprietors of the newspapers of this country, whom we all know as a general thing do not make a great deal of money out of newspapers, particularly as we find these country papers are given at the rate of one dollar a year? I have not heard that there has been any great complaint about a three cent postage. The people of this country, as you all know, particularly the commercial class, do a great deal of business through the Post Office Department. I do not know what the percentage is, but it must be very large as contrasted with the amount received from the general outlying public. The farmer in the distant parts sends a letter probably not more than once or twice a year, and he naturally expects that he should obtain something for his share towards the general expenses of conveying the mails carried by the different routes of steamboats, railways and stages. It is very different at the present time, because we all know these railways perform this service at a stipulated price per mile, and therefore it makes no difference, as far as the government are concerned, whether your carry four train loads or one train load. You merely pay a certain mileage. Therefore I look upon this as being in the past rather an advantage to the population that do not use the mails to the same extent that the commercial men of this country do, and who are better able to pay the postage than the ordinary man in the country. I do not believe it is going to result in what the Minister of Justice says. I do not believe that the one cent reduction will greatly increase correspondence, and it may have the effect of preventing the publication of a great many newspapers in the country. And why should you discriminate in favour of a paper within a radius of twenty miles as contrasted with the papers published in the cities of the Dominion? I would rather see the discrimination in favour of the papers published in the large cities, where they give you a great deal of information. For instance, in this city I actually obtain more information of what is going on in this very city from the papers published in Montreal and Toronto than I do from our own papers. Therefore, I should like to give any preference, if preference is to be given at all, to these papers of large circulation situated in the large centres of the country; instead of that you give this preference within a radius of twenty miles to country weeklies. It costs just as much to transport a paper twenty miles as it does to carry it one hundred or a thousand miles. The amount of mail carried for the departments of the government is very large indeed, and the mere statement of the number of letters carried gives no indication that there has been a corresponding increase in the revenue. I would like to see statements of the actual amount of dollars and cents for the service.

Hon. Mr. MILLS—My hon. friend has that in the Postmaster General's report.

Hon. Mr. CLEMOW—I have not seen that lately. I know this country differs greatly from other countries. You have to pay a great deal for land transportation, but not as great as in former days; but it is intended to accommodate the outlying districts as much as possible. If you think this two cent rate is to be a great benefit to a substantial portion of the community, we cannot find fault. But if it is to be at the expense of another portion of the community that can ill afford it, it should not be done. I should much rather keep the newspapers as they are at present, and retain the three cent postage if necessary, and economize in every way possible in the maintenance and support of the government. The government have been bringing up the expenses every year; whether that has been an advantage or not I do not know. They have changed the whole system; they have reorganized and made new offices for the purpose of the management of the different railway and mail clerks. Whether that has been an advantage or not I do not know. At the time I had great doubts about it, and I am told that what I said at that time has been pretty nearly verified by the results of the changes made on those occasions. I

suppose this idea was started for the purpose of showing that the late administration have been extravagant in their management of the Post Office Department. That may or may not be true; but under the different circumstances of the case, with all the extra facilities it is far easier to manage the Post Office Department, now than it was years ago. They also have to consider the amount of business that is transacted through commercial circles through the medium of the telegraph and telephone systems. All that has to be taken into consideration, and that is increasing from day to day, and men find it easier to send a telegram than to write a letter, and the more that increases the more you reduce the revenue of the post office. Another evil, and I think a very great evil, is in connection with the express companies. The express companies of this country monopolize a great deal of the business that ought to belong to the Post Office Department. They transmit money orders and do all sort of things which legitimately belongs to the Post Office Department, and if the Post Office Department originally had put into operation some scheme years ago for the purpose of controlling the entire business of the country in postal matters and depriving those companies of the monopolies they enjoy, they would have increased the revenue without doing any damage to the community. The same way with telegraph companies. Had the government done the proper thing both telegraph and express systems would have been under the management of the post office instead of being private concerns as they are at present. It is a matter that requires a great deal of consideration, but unfortunately all these matters are brought down to us near the end of the session. This matter has been in the other House for weeks and they never sent it down till the end of the session when members are anxious to get away and they will be likely to pass it without giving it that due consideration that it requires. I for one am not prepared to suffer in that direction any longer. We ought not to put up with it any longer and if I had my way I would refuse to consider any question of such vital importance unless we were given time to consider whether the measure proposed was beneficial or not.

Hon. Sir MACKENZIE BOWELL—The Minister of Justice told us that 123 millions was the number of letters last year. That would realize a revenue of $3,690,000. One-third of that ($1,230,000) would be the loss to the revenue the first year, provided there was no increase; therefore there must be a large increase to make that up; and it is questionable whether you can calculate a proportionate increase with a population of only five millions as compared with a large population like Great Britain and the United States.

Hon. Mr. SCOTT—That would include all the government and departmental letters.

Hon. Sir MACKENZIE BOWELL—Well, that is the calculation based on what the Minister of Justice gave as the number of letters. I should like to ask what this section 3 means, beginning say at the twelfth line of the second page:

> a diameter not exceeding forty miles, and if their publication is of no greater frequency than once a week, they shall be transmitted free of postage within one or other of such areas to be selected by the publisher in accordance with the regulations in that behalf to be established.

Take a newspaper in Cornwall or the city of Kingston. The twenty miles would run over to the United States, or pretty nearly so, and there would be no benefit. It would be only twenty miles three ways.

Hon. Mr. MILLS—That is all.

Hon. Sir MACKENZIE BOWELL—Is not this intended to give the Postmaster General power to make regulations to extend in other directions?

Hon. Mr. MILLS—I think not.

Hon. Sir MACKENZIE BOWELL—However, it is so much the better for country newspapers.

On clause 2, subsection (*b*).

Hon. Sir MACKENZIE BOWELL—Take the *Globe* and the *Mail and Empire*, for instance, this clause would compel them, if they have sixteen pages, to print on the top of each page the full title, date of publication, and so on, and also on engravings purporting to be supplements. It compels them to put that distinctive mark on every page and every supplement no matter what it would be, I do not suppose that is the intention.

Hon. Mr. SCOTT—I do not think it is.

Hon. Sir MACKENZIE BOWELL—Supposing we send a paper gratuitously, does that come within the meaning of a bona fide subscriber?

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—If you have a thousand subscribers within twenty miles, you can send them free. If there are a dozen newspaper exchanges in that radius, you have to pay, because they are not subscribers, or if you send your papers to a friend you have to pay the postage.

Hon. Mr. MILLS—Or to a newsdealer.

Hon. Sir MACKENZIE BOWELL—If you want to send a paper to your friends, your aunt, your cousin, or your sweetheart, as they are not bona fide subscribers, you have to pay postage?

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—It shows that the framer of this bill did not know what he was doing.

The clause was adopted.

On clause 4.

Hon. Sir MACKENZIE BOWELL—This clause is providing for dead letter offices in different places.

Hon. Mr. SCOTT—Yes, Montreal, Toronto, Winnipeg, Victoria and Halifax.

Hon. Mr. MACDONALD (P.E.I.)—We should have an office in Charlottetown. We have nothing to do with Halifax. The dead letters in Charlottetown would have to come to Ottawa. It is under an independent department. Halifax has no control whatever over Charlottetown in regard to postal matters, and I do not see why, if there is to be a dead letter office in each of the provinces, we should not have one in Charlottetown.

Hon. Mr. MILLS—There is none in St. John. Halifax is the place for the maritime provinces, Toronto for Ontario, Montreal for Quebec, Winnipeg for Manitoba and the North-west Territories, and Victoria for British Columbia.

The clause was adopted.

Hon. Mr. DEVER, from the committee, reported the bill without amendment.

LOAN COMPANIES BILL.

THIRD READING.

Hon. Mr. MILLS moved the third reading of bill (Q) "An Act respecting Loan Companies." He said: We allowed this bill to stand. I telegraphed the parties who said they wished to be heard before the third reading, to find out whether they still wished to appear before the committee, and I received no answer, and, as the bill has to go to the other House, I would suggest that we take the third reading now. I understand the hon. gentleman for York has made inquiry and that there is no objection.

Hon. Sir MACKENZIE BOWELL—If there are any parties who wish to be heard, we might let it stand till next session.

Hon. Mr. ALLAN—Oh, no.

Hon. Mr. MILLS—There are a great many people who are very strongly in favour of the bill, and their interests are not in opposition to those of the community, or of any particular class.

Hon. Sir MACKENZIE BOWELL—I withdraw my opposition.

Hon. Mr. ALLAN—I spoke to Hon. Mr. Ogilvie after his return from Montreal, and he told me he was perfectly satisfied that the bill should pass. There were only two companies that I know of that said anything in reference to the bill or made any communication. One is the Huron and Erie, and I forget the other. I saw the solicitor of the company since the House rose this afternoon, and he told me that he was perfectly satisfied, and he wanted to add some additional clause to the bill, but the parties had not informed him what they desired with regard to it.

The motion was agreed to, and the bill was read the third time and passed.

The Senate adjourned.

THE SENATE.

Ottawa, Monday, 6th June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

SECOND READINGS.

Bill (106) "An Act respecting the Saskatchewan Railway and Mining Company."—(Hon. Mr. Lougheed.)

Bill (137) "An Act respecting the International Radial Railway Company."—(Hon. Mr. Clemow.)

Bill (149) "An Act to authorize certain contracts with Steamship Companies for Cold Storage Accommodation."—(Hon. Mr. Mills.)

Bill (158) "An Act respecting the London and Lake Huron Railway Company."—(Hon. Sir John Carling.)

Bill (125) "An Act to incorporate the Ottawa Interprovincial Bridge Company."—(Hon. Mr. Clemow.)

TRAVELLING EXPENSES OF MINISTERS.

MOTION.

Hon. Mr. LANDRY moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the Senate, a statement of the cost of the voyages undertaken in 1897 by the Honourable the Prime Minister and by the Honourable the Solicitor General, to Europe, to the United States or elsewhere, together with the travelling expenses of their private secretaries or of any other persons composing their following.

The motion was agreed to.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. LOUGHEED—Before the Orders of the Day are called, I should like to ask the Secretary of State if he has brought down those papers relating to the Soulanges Canal?

Hon. Mr. SCOTT—I have not been able to obtain them. I sent the deputy minister over to-day and ascertained that they were being copied. They were much longer than my hon. friend supposed.

Hon. Mr. LOUGHEED—Does the hon. gentleman expect them to-morrow?

Hon. Mr. SCOTT—I cannot say—I can make no promises for the department.

Hon. Mr. LOUGHEED—I should like to have some reasonable certainty of their being brought down before the House prorogues. I asked for them four weeks ago.

Hon. Mr. SCOTT—No; it was on the 17th May the request was sent over to the department, and I have sent special messengers ever since.

Hon. Mr. LOUGHEED—The copying of them would not take longer than four or five hours.

A PERSONAL EXPLANATION.

Hon. Mr. MILLER—I rise to move that this House do now adjourn. I make this motion to obtain an opportunity of meeting the very offensive statement made on the floor of this House on Friday last by the hon. senior member from Halifax. I make the motion in order to occupy safer ground and bring myself within the rules of the House in the remarks I intend to offer on the present occasion. The hon. gentleman, without any provocation on my part—I am in the judgment of the House when I say it—stated in a tone, characterized by the most venomous feeling, that he would not take me for a model, implying by that declaration that there was or must be something either in my public career or in my character to justify such an observation. Perhaps no man in public life in the early days of my political career, submitted to so much abuse and misrepresentation without uttering a word of defence than I did, but I survived it all. The hon. gentleman, I know entertains no kindly feeling towards me as he has shown on many occasions in the past; but I never sought his friendship or feared his enmity. With those who have sat with me in this House for the last twenty or thirty years and who possess some knowledge of my political career, I could afford to allow the innuendo of the hon. member for Halifax to pass without comment. But a large number of gentlemen now in this House are comparative strangers to me, a large

number of gentlemen to whom my public career is unknown, and who hearing such an innuendo as that made by the hon. member from Halifax—from which only one inference can be drawn—are likely to believe that there must be something within his knowledge to justify it, especially as the hon. senator comes from the same province as myself. I say in the first place, hon. gentlemen, it is unfair by insinuation or innuendo to attack the character or the standing of either a public man or a private citizen That method of attack has been truly called the weapon of a coward, who raises his hand to strike, but has not courage to give the blow. I fear no opponent who openly makes a charge against either my public conduct or my character as an honourable man, in any arena where I can get fair play, and I have never failed to meet and refute such attacks when made to my face openly and in a manly way. The conduct of the hon. gentleman has been characterized, as I have said, on many occasions since he has been a member of this Senate, by personal hostility towards me, and the very first act in this House that brought him into notoriety here, was to charge me on the floor of this chamber with having been influenced corruptly in the legislature of Nova Scotia in my support of the Act of Confederation. I replied to him at the time, and I think I replied to the satisfaction of the House; but on the following day a malicious and libellous paragraph appeared in the *Free Press* of this city, the organ of the then and present government, relating to that incident, and I never had and I have not now the slightest doubt who inspired and wrote that paragraph. As soon as the *Free Press* could reach the province of Nova Scotia, that malicious and libellous paragraph was copied into the organ of the anti-union party, the Liberal party so called in Nova Scotia—the *Morning Chronicle*, a paper to which the hon. member from Halifax is known to be a frequent contributor. I have never doubted who was responsible for its appearance in the *Chronicle*. When that article appeared I said to my friends: there is a serious charge made against me and against my honour as a public man, made on the floor of parliament, and reiterated in the organs of the political party to which I am opposed, throughout the Dominion. My duty is clear. I have submitted to much misrepresentation and to much abuse in days gone by on the party papers of my political opponents; now I shall give these gentlemen a chance of testing the truth of these charges in a court of justice. I immediately entered an action in the supreme court of Nova Scotia against the *Morning Chronicle*. My counsel on that occasion were the late Sir John Thompson and Mr. Rigby (afterwards Judge Rigby), two of the most distinguished men at the bar of Nova Scotia. The defendant was represented in the cause by the Hon. Otto Weeks, one of the ablest counsel of his time in that province, and by Mr. Motton, Q.C., also a lawyer of great ability. The cause in due course came on for trial, and never did a man walk out of court with his character more triumphantly vindicated than I did on that occasion, as I will show you by the record. In opening the case, Mr. Rigby is reported to have used this language as published in the newspapers of that day:

> The plaintiff's counsel in opening the case, went fully into the history of the union agitation in Nova Scotia, and called to mind the bitterness that marked the discussion of that question, both on the public platform and in the press, before and after the passage of the Union Act. The plaintiff had always been favourable to the principle of confederation, but was strongly opposed to the Quebec scheme, especially in its financial arrangements. When that scheme was promulgated in 1864, he was one of the first to oppose it, while declaring himself in favour of union on fair terms. Subsequently, in 1866, the plaintiff, in his place in the legislative assembly, proposed that the Quebec scheme be abandoned by its friends, and that the whole question of confederation be submitted to a new conference to meet in London, where terms of union should be agreed to under the sanction of the Imperial Government. The plaintiff's proposition met the views of a majority of the provincial legislature, and the union was thus accomplished. He therefore became the object of the most violent attacks of the enemies of union, at public meetings and in the press. When the plaintiff was afterwards appointed to the Senate his opponents said his appointment was the price of his support of the union. The *Morning Chronicle*, which was the leading organ in the province of the Anti-Union party, as well as other hostile journals, were allowed to reiterate this charge with impunity during the excitement of those days. During that excitement the plaintiff felt that every allowance should be made by him as a public man for the violence of his assailants, as there were some grounds for irritation, and he believed, when the heated passions of the struggle had subsided, public opinion would not deal with him unjustly. He therefore brought none of his maligners before a court of justice. But as the libel had been republished by the *Chronicle*, in a most offensive form, ten years after the occurrence of the events to which it referred, the plaintiff considered it his duty to himself and the leaders of the union cause in Nova Scotia, to demand a public investigation before this court, in the capital of the province, of the charges therein made against him. The plaintiff's object was not to obtain damages against the defendant, but to put such sworn evidence before the country, relating to his appointment to the Senate, as would vindicate his reputation—refute the accusations of his slanderers, and the general charges of

corruption that had been so often alleged in connection with the passage of the Act of Union in Nova Scotia. It was the plaintiff's intention to place on the witness stand the leading public men of the province who were concerned in the carrying of the union, and every opportunity would thus be given to elicit the truth from those best able to give it.

When I brought that suit some of my friends told me I was acting injudiciously —that no matter how completely I could justify my conduct, it would be impossible to get a jury, on a political question of that kind, to give a unanimous verdict: but my answer was that if I did not get a verdict from the jury, I would place such an array of facts before them and the public as would vindicate my conduct, and that I was confident of my ability to do so. But I got more than a verdict. The case is one of the remarkable trials on record and the report of it can be found in the library. Sir Charles Tupper was the first witness to go on the stand, and he was examined closely on his connection and my connection with the union cause. I then took the stand and was two days under the most severe cross-examination of able counsel. At the close of the third day Mr. Weeks, the counsel of the defendant, in arguing a point of law with the court made a declaration which was a more complimentary exoneration of me than if I had got half a dozen verdicts of a jury, because the verdict of a jury might be said to be corrupt, or partisan or a verdict obtained by improper means, but Mr. Weeks publicly in open court, withdrew every imputation against me and said that any man who should afterwards make such charges as the pleadings set forth would deserve to be mulcted in $10,000, the damages stated in the writ. Here are the exact words of Mr. Weeks on the third day of the trial :

He reminded the court that there was no plea of justification on the record. The defendant had not ventured to say that the alleged libel is true. He did not say in his pleadings that Mr. Miller was bought or bribed to support the union. Had he said so, in the face of the evidence of Sir Charles Tupper, and the plaintiff, $10,000 would not be a cent too much damages to give against the defendant, and he believed if a plea of justification had been pleaded any jury empanelled in this city would give such a verdict. But no such plea had been set up, even before the evidence of Sir Charles Tupper and the plaintiff had been publicly given in this court. In the face of that evidence (Mr. Weeks said) the plaintiff was bound to bring this suit, and he should have brought it long ago. Mr. Miller had vindicated his character by evidence on Your Lordship's minutes, which we cannot impeach, but he should have done so sooner. He should not have allowed similar charges to be made against him for years, without giving the explanations that have been given in this trial. It is well for Mr. Miller that this public examination has been made, for the man who will hereafter assail him as he has been assailed in the past would deserve to be punished by a jury. But the defendant did not know the facts of the case until this trial, and he believed the plaintiff's action, unexplained, justified the criticism of the *Chronicle*. That is what the defendant now intended to show: that his criticism was not malicious. In fact, the defendant was not at all in the province when the alleged libel was published.

Half a dozen verdicts of a jury would not have enabled me to go so triumphantly out of court after an examination and cross-examination on all those charges made against me in connection with my action on the question of confederation in my native province. The remarks of Mr. Weeks were published in the Conservative paper of next morning, and when the court met the defendant's leading counsel rose before the proceedings were resumed and acknowledged their correctness and said addressing the court :

On consultation with Mr. Motton, who is associated with me in this case, and with the defendant, I beg to call Your Lordship's attention to the report of my remarks made in the course of this case yesterday, as published in the *Herald* of this morning, and ask what more the plaintiff can desire if his object, as has been stated, is not pecuniary damages. I desire now to state that my client will undertake to publish the report, as it appears in the *Herald*, in the *Chronicle*, as an amicable settlement of the case, if this suit is not pressed further, in view of the evidence which Mr. Miller has, for the first time, given in this cause.

The defendant newspaper agreed to publish and accept the report of Mr. Weeks remarks as printed in the Halifax *Herald*, and they were published the following day in the *Chronicle*. I accepted the proposition, because I had instructed my counsel to say that I had not gone into court for damages, but to vindicate my reputation That report was accordingly inserted with suitable explanations the next day in the Halifax *Chronicle* and was looked upon as a complete triumph of my case ; so much so that from that day to this the *Chronicle* has never repeated those charges, although occasionally it contains some bitter and scurrilous paragraphs against me in connection with my public conduct, and I generally divine the source from which they emanate.

Such, I say, was the abject submission and retraction of the Halifax *Chronicle*, perhaps the vilest and most dishonest sheet published in Canada, after years of slander, scurrility, defamation and misrepresentation of my action as a public man.

But I can also show that the opinion in which I have had the good fortune to be

held by the most eminent men in this country from time to time is contradictory to the inference that may be drawn from the remarks of the hon. member from Halifax. I can go to his own party and to the notable instance of two of the greatest men that party ever produced, Alexander Mackenzie and Edward Blake, who paid the tribute to my character as an upright and honourable man of offering me a judgeship, and I know my enemies had their ear, and could tell their leaders everything that could be said about me, and they would not have made me that offer if there was anything which should prevent them from doing so. This letter from Mr. Mackenzie speaks for itself :

OFFICE OF THE MINISTER OF PUBLIC WORKS,
OTTAWA, 24th June, 1876.

MY DEAR SIR,—We expect within a few days to make the several appointments to the county courts in Nova Scotia, as the local government desire to issue the proclamation provided for by their statute.

I write to request you to allow me to submit your name to His Excellency for the Cape Breton district.

Mr. Blake left for England three weeks ago, or he would have communicated with you on the subject. I know, however, that your nomination will be entirely satisfactory to him, and I have every reason to believe, that it will give general satisfaction in the district and in the province.

I will feel greatly obliged by receiving your early answer, and remain,

My dear sir,
Yours faithfully,
A. MACKENZIE.

HON. WM. MILLER,
Arichat, N. S.

I presume the premier of that day had ample means of ascertaining whether he was right when he wrote that letter, that my appointment would have been satisfactory in my district and in my province and, therefore, if I were open to such an insinuation as the hon. gentleman has made against me, I would not have received that offer, in such flattering terms.

With regard to judgeships, I may say I stood in this position with my own political friends. The Conservative party returned to power in 1878 and in 1879 there were two vacancies on the Queen's Bench of British Columbia. There were also two vacancies on the Queen's Bench of Manitoba and one expected vacancy on the bench of the Supreme Court of Nova Scotia. The Hon. James Macdonald, now Chief Justice of the latter province, was then Minister of Justice. I was told I could take my choice of the three provinces. I doubt if such an offer has ever been made to any other man in this country. In Manitoba I was given to understand that the succession to the chief justiceship was within my reach, because Chief Justice Wood was then in failing health. I dropped the hint to the Minister of Justice that I did not know but Manitoba was the best selection I could make. I said nothing more. I was about starting for my home, when I arrived in Cape Breton, I got several telegrams from Sir John Macdonald desiring to know whether I would go to Manitoba or not. I declined. Sir John, whatever else may have been said against him, was known as a man particular in his recommendations to the bench, and that he often boasted, and his enemies always admitted, that he never was known to have recommended any one whom he thought unworthy of the position. Such evidences of confidence and esteem from such men as Alexander Mackenzie and Edward Blake and Sir John Macdonald ought to be a sufficient answer to any insinuation which any man could make against me here or elsewhere, as the hon. member for Halifax has done on more than one occasion. But I also enjoyed the confidence and esteem of the leader of the party in this House to which I belonged, in as full a measure as I could desire, as I can show. Sir Alexander Campbell was one of my warmest friends; he had few more confidential associates in this body than myself. Perhaps he consulted no one more than myself in matters of public business, and I enjoyed his confidence and friendship unremittingly at all times. When he was stricken down with sickness I received the following note from Sir John Macdonald :

EARNSCLIFFE, OTTAWA, 26th April, 1886.

MY DEAR MILLER,—Our poor friend Campbell has sent me word that it will be impossible for him to be in the Senate during the session, and he suggests that I should ask you as his friend to take charge of the government business in his absence.

We shall be exceedingly obliged to you if you will undertake the task, although we know it is one that will give you a great deal of trouble.

Believe me, yours sincerely,
JOHN A. MACDONALD.

The Honourable
The Speaker of the Senate.

As a further instance of the friendship and confidence which existed between that distinguished leader of the House and myself before Sir Alexander left his sick room to go to Europe, he sent this letter to me :

OTTAWA, 22nd May, 1886.

MY DEAR MILLER,—I am intending to leave on Monday to get to Quebec by easy stages, and to sail from there on Thursday. * * * *

I write to say good-bye, and to send you my best wishes.

I have been hearing from time to time of the Senate, and am much gratified to learn of the able and firm manner in which you have presided over the debates and proceedings in that House. You have commanded universal respect, and no one is more delighted to hear it than I am.

Trusting that when we next meet, I will be in health and strength again.

Believe me, yours sincerely,

A. CAMPBELL.

To the Hon. WM. MILLER,
Speaker of the Senate.

When I left the Chair of the Senate Sir John Macdonald sent me the following note :

EARNSCLIFFE, OTTAWA, April 2, 1887.

MY DEAR MILLER,—The government have selected our friend Plumb to be the Speaker of the Senate for the next parliament, and Ouimet to be Kirkpatrick's successor. The absence of most of my colleagues owing to snow-blocks and other causes has prevented the formal appointment in an official shape.

Let me thank you on behalf of the administration for your valuable services as Speaker during the last parliament, and assure you, that if we can forward your personal interests in any way, we shall only be too glad to embrace the opportunity.

Believe me, faithfully yours,

JOHN A. MACDONALD.

The Hon. WM. MILLER.

I may add that the very last official act of the great Conservative leader was, on the day before he was stricken with his fatal illness—to approve of my appointment as a member of the Queen's Privy Council for Canada.

I think it is very evident from all these facts, that Sir Alexander Campbell, who had long experience of me in this House, as well as the other great men I have mentioned, cherished a very different idea of my character to that which the hon. gentleman from Halifax appears to entertain.

But I can go further. When that eminent man Sir John Thompson was called upon to form a government, he asked my advice on certain points relating to the Senate. I insisted that there should be three members in the Cabinet in this House—one from Quebec, one from Ontario and one from any one of the smaller provinces, either east or west, as the circumstances might dictate. I was free to urge this on him because I was not in a position myself to expect any consideration, as the Nova Scotia contingent was full. Sir John Thompson wrote me on the 12th of January, 1893, after he had formed his government, and I think his letter shows his confidence and friendships in an unmistakable manner :

OFFICE OF THE MINISTER OF JUSTICE,
OTTAWA, 12th January, 1893.

MY DEAR SENATOR,—I read with great interest your last letter and beg to thank you for the care with which you discussed the question of reconstruction—from the point of view of the Senate.

I have been greatly impressed by what you have thus stated, and by what you have said on the same subject on former occasions. What has been done towards meeting the reproach of neglect of the Senate seemed all that was practicable at the time of the reconstruction.

The matter which remains undisposed of, and, seemingly, but not really, unconsidered, is your own position and the claims which that position and your past great services establish. Far from being indifferent about this, I feel very deeply about it, and have conferred about it with my colleagues. I am conscious that you regard my coming here and remaining here as having interfered with your advancement. If that be so I have been an unwitting obstacle. I came most reluctantly and after often repeated assurances that I would not interfere with the prospects of any one else in public life. My staying here has not been the result of my own choice, or of my own interest. Far from it. I sincerely hope that in time I may be able to remove this feeling from your mind—or rather to remove the cause—which will be better.

I thank you very heartily for your congratulations and good wishes, and hope that we shall, together, be able to do much for our party and country and that you will have no reason to regret the sacrifices and trials of the past.

Wishing you a very happy New Year, and hoping to meet you soon to talk over these and other matters.

I remain, dear Senator,
Sincerely yours,
JNO. S. D. THOMPSON.

That statesman had in view for me the highest honours he could possibly bestow, but before he could put them into realization he met his sudden death. I know I could have had a judgeship from him had I been so disposed. I must have enjoyed his respect and confidence, if the above letter contains a true expression of his sentiments, and if Sir John Thompson was not an arrant hypocrite. The last time I met him was at Antigonish, by appointment before his last trip to Europe. He then said to me, in the course of conversation, "I hope to be in a position, when Mr. Daly's term expires, to offer you the governorship," meaning the lieutenant governorship of Nova Scotia. I replied, "Sir John, the position would not suit me, and I do not think I would accept it." He observed, "Well, you will have plenty of time to consider it." This was the highest position he had in his power to give and he assured me, on that occasion, without any suggestion on my part, he would offer it to me, when a vacancy occurred, for I have this to say, that during the thirty-five years of my public life I have never sought an office of

emolument, and never would lessen my independence by asking any favour of that description from any government or any minister. When the governorship of Nova Scotia became vacant, a delegation of members of the House of Commons, representing every county in Cape Breton, with which island my public life has been connected, waited upon the then premier —Sir Mackenzie Bowell, and strongly urged my claims to the governorship. They went without my authority and without my instigation, but I fully appreciated their kindness. The following day I met Sir Mackenzie Bowell, and knowing what had happened the day before, I broached the subject, and told him what had taken place between Sir John Thompson and myself in reference to the lieutenant governorship, and that my mind was not changed, that I did not want the office, that it would not suit me and that I would not accept it. I think, after showing as I have done by evidence that cannot be controverted, that I have enjoyed the confidence and friendship of many of the best men this country has produced since confederation and I could add many more great names, I can afford to allow individuals like the hon. member from Halifax to attack me by innuendo wherever I am known, confident that their assaults will do more injury to themselves than they can possibly do to me.

I never fear open assaults on my conduct, my motives or my character, for when I do not consider them beneath my notice, I can always have the privilege of reply, and when I notice them I have little difficulty in dealing with my slanderers. But what I do fear, and what I have often felt, is the virus of the serpent-tongue of secret slander—the assassin's stab in the dark—against which no man can defend himself.

I hope the Senate will forgive me for obtruding this personal subject on its attention, on account of the provocation that justified it; but I have presumed to do so from the recollection of the indulgence and consideration I have invariably received from the great majority of hon. members in this chamber, for which I am always duly grateful. My constant desire is to stand well with my colleagues, and in this respect I have little ground of complaint. I have spent the best years of my life as a member of this Senate, and as a member of it I expect to die. I will allow no man to asperse my reputation here, either by insinuation or otherwise, with impunity. It is generally the case that when a public man is doing his duty most fearlessly and faithfully, he is the most violently attacked by the bad elements with which he comes into collision; and this happens to be precisely my case at the present time.

Hon. Mr. POWER—The House will perhaps permit me to say a very few words after the speech of the hon. gentleman from Richmond. I may say to that hon. gentleman and to the House that the speech appears to be based altogether upon a misapprehension of the facts. I did not, in the little difference which the hon. gentleman and I had on Friday, use the language which the hon. gentleman understood me to have used. It will be remembered that I called attention on that occasion to the fact that an amendment which the hon. gentleman said he proposed to move did not come next in order, and that the House had decided that the amendments to the Franchise Bill should be taken up seriatim. I spoke in a very quiet way, and said I thought that the hon. gentleman had overlooked the fact that the House had so decided. That was my impression. I was not quite sure that the hon. gentleman had been present when the Minister of Justice moved that the amendments be taken up seriatim, and thinking that he might have been absent that I said I thought perhaps the hon. gentleman was ignorant of the fact. The hon. gentleman said something, interrupting me when I was speaking, about want of courtesy on my part, and I then said that I did not propose to take that hon. gontleman as a model of courtesy—that he was the last man in the House whom I would take as a model of courtesy; I did not say a model in any other way. I do not care to go into past history, but I must say, looked at from my own standpoint, I have not as a rule received any excess of courtesy from the hon. gentleman, either in the House or on committees. Then the hon. gentleman spoke as though I entertained unkindly feelings towards him. The hon. gentleman is mistaken; I have no unkind feelings towards him whatever. Some hon. gentlemen with whom I have talked about him will bear me out in saying that the feeling I have expressed towards him was not unkindly at all. I made, and

wished to make, no charge against the hon. gentleman the other day, and as I had no charge to make I could not be guilty of cowardice in not making openly a charge which I had no desire to insinuate. I do not suppose this House is very much interested in the history, some of it very ancient indeed, to which the hon. gentleman has referred. What took place over twenty-one years ago in a sort of lively exchange of courtesies between the hon. gentleman and myself hardly interests the House to-day; but I think it only fair to myself to say, that, in respect to other things, the hon. gentleman labours under a misapprehension as to the paragraph which appeared in the *Free Press*. I had nothing to do with the paragraph. I did not write it nor inspire it, and although I have occasionally written for the *Chronicle*, I had nothing to do with the article on which he based his libel suit. The hon. gentleman went on to say that I had persistently manifested a bitter and hostile spirit towards him, not only in the House but on committees. I am not aware of it. The hon. gentleman is a man of very strong will and very strong views and we have often differed in opinion both in the House and on committees; but I certainly have never sought those differences, and as a rule, where I have spoken with anything like feeling, it has been more or less in self defence. This is all that I propose to say. The hon. gentleman is mistaken in thinking that certain paragraphs which appear occasionally in Liberal newspapers are inspired by me. I meet the hon. gentleman here, and we have our differences on the floor of the House and in committee, as is perfectly natural and reasonable, and I have never gone to the newspapers or to any other outside medium to express my feelings with respect to him. I may, on the present occasion, have acted the part of a friend to him, as I have given him an opportunity of producing certificates as to his past history which must be very gratifying to himself and his friends, and which will now be embalmed in the columns of the Senate debates.

THE FRANCHISE BILL.

THIRD READING.

The Order of the Day being called:

Third Reading of (Bill 16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act," as amended.

Hon. Mr. MILLS said: I promised my hon. friend opposite to move an amendment to this bill before it left this House, and instead of now moving that the bill be read the third time, I move that it be referred back to the Committee of the Whole with a view of adopting the following as an additional clause:

It shall be lawful for the Governor in Council to prepare, as schedules to this Act, the oaths in the form required to be taken by voters at an election held under the authority of this Act.

I think that will meet the views of my hon. friend.

The motion was agreed to, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Hon. Mr. MILLS moved the amendment.

Hon. Mr. POWER—Before that amendment is adopted, I wish to point out that some of those oaths are provided for by provincial law, and it might be well to limit the amendment to such oaths as are not provided for.

Hon. Mr. MILLS—It is for the very purpose of meeting that. The words in section 20, for instance are:

Before receiving his ballot paper, take such oath of qualifications as by the law of the province he may in the like case at a provincial election be required to take, such changes being made in the form of oath as are necessary to make it applicable to the election.

Therefore it was to authorize the Governor in Council to make those changes in order that there may be no doubt.

The amendment was adopted.

Hon. Mr. MILLER—I desire to call the attention of the Minister of Justice to subsection 10, clause 10. It reads as follows:

So long as and whenever, for any reason, a certified copy of any list of voters as finally revised has not been transmitted to or received by the Clerk of the Crown in Chancery pursuant to the provisions of this section, the original and legal list for Dominion elections shall be the same as that for provincial elections.

The objection I took was that, by collusion between the parties preparing the Dominion list and a candidate, say, on either side, the Dominion list might, after revision, be sent astray on its way to the Clerk of the Crown in Chancery, and that officer might be obliged to fall back on the provincial lists, and the election would be held on them, though they might not have names on them

which would be on the Dominion list. It may be said those could be put on. Perhaps they can, but there is another difficulty in a case of that kind—there might be cooking of the provincial list, and there might be names on it that should not be there. There ought to be means of striking such names off. I call the attention of the minister to it, in order that he may make a new clause, or to so amend it as to prevent the possibility of such an abuse as I have indicated. I do not intend to move against the clause myself. The only amendments I intended to move were the chief amendment and the consequential amendments which are incorporated in the bill. I did not intend to move against any other provision of the bill; my object in rising now is to point out to the Minister of Justice the objections I have to the clause, and leave with him the responsibility of either amending it or allowing it to stand, or striking it out, as he thinks proper. I think it is liable to these objections which I have mentioned and should be amended. I do not see why it is not stricken out.

The CHAIRMAN—The bill was referred to the committee to add a clause, I understood, and not to go into the bill generally.

Hon. Mr. VIDAL, from the committee, reported the bill with one amendment, which was concurred in.

Hon. Mr. MILLS moved the third reading of the bill, as amended.

Hon. Mr. BOULTON moved:

That the said bill be not now read a third time, but that the amendments made in Committee of the Whole, referring to the alteration of the provincial laws, be reconsidered.

He said: I should have worded the last clause in my notice, "the same being contrary to the government of the country." I think the point is worth considering before the bill goes down to the other House with amendments. I think myself that the bill is not on such lines as we should attempt to govern the country upon, that we should keep the constitutional powers of the national government and the constitutional powers of the various provincial governments as separate as we possibly can. The British North America Act has created a constitution which gives to this national government unlimited freedom in its governing power, where its own interest as a national government is concerned. On the other hand, it is a written constitution in so far as it draws a line between the powers of the provinces and the powers of the national government. The constitution of each province is perfect within its own bounds. It makes its own laws and we have no power to interfere with it. This Electoral Franchise Bill, I think, generally throughout its provisions ignores that principle, and to that extent it is a weak measure as compared with the Act that has just been repealed, in so far as it controls the franchise and the national representation of the people in the electoral franchise. I do not think it is wise for us, as a Senate, to acknowledge the principle of the bill, or to acknowledge the validity, so far as amending it upon the same lines. We are not as a Senate responsible for the electoral franchise. It is the business of the government to introduce it. It is connected with the representation of the Lower House. While we have a perfect right to discuss the principle of the bill and discuss it upon any lines that we think desirable. Still there are certain limits which we should not go beyond in the discussion of the measure. This amendment provides that we have to make an alteration which the government in the Lower House has declared it could not accept. The amendment goes so far as to provide for certain contingencies in the event of an appeal, and calls upon the provincial authorities to take certain steps in order to give effect to that appeal, such as the posting of notice, the advertising of the list of names of persons who are:

Through inadvertence or otherwise inserted in the voters' list who are not entitled to be voters and shall be made to the judge of the county court at any time within twenty days after the voters' list at first made up shall be filed with the officer who, under the law of the province, has the custody of the same, and notice of such appeal shall be given in form "C."

The amendment is entirely contrary to the principle that I am arguing, and that is that we have not the power to interfere with or to direct what a provincial government shall do in regard to our national legislation. That was brought up very forcibly in the Manitoba school law. We attempted to pass that Manitoba school law at one time, but we had to change the principle of that legislation on the very same ground that I am now arguing; that is, that this parliament had no right to dictate to the provin-

cial governments what steps their officers should take in regard to the carrying out of the law that we sought to enact, I think that principle was acceded to generally by both sides of the House, and for that reason the School Act that we brought into existence at that time was engaged in order to provide for that contingency. The power of this parliament to take any steps they choose in regard to the carrying out of any law and utilizing the provincial lists or anything of that kind, is all right so long as we apply Dominion machinery and our own officers to the carrying of it out. But the very moment we employ provincial officers and direct them what they shall do or shall not do, then there is a weakness in the legislation, because the provincial governments that are hostile to the federal government in power, or take any hostile position of any kind or discription, may order their officials not to assist the Dominion government in executing the law. The point I am raising is not a contumacious point at all, or for the purpose of anything more than to bring forward this point in regard to this matter. The question arose in the Lower House when this very clause was under consideration which is similar to the amendment that the hon. gentleman from Richmond moved on Friday. It was Sir Charles Hibbert Tupper that raised the point and this is what he said :

I know of no case, for instance, where the courts intimated that we might take to ourselves the officers of the local legislatures and add to their duties in a singular particular. This opens up a very interesting question, and of course one too large to fully discuss at this stage and in committee. The question probably will, in some form or other, yet come before the courts in connection with this very subject, because if we can go this far and take advantage of the machinery of the local legislatures and add to the duties of the officers of these legislatures, which they have to carry out under local legislation, it seems to me that this question of provincial rights' is presented in an entirely new aspect, and it would be very difficult indeed for the autonomy of the local legislatures to be preserved. If in this roundabout way we can impose this duty upon officers paid salaries or fees, we can in the same way take complete charge of the whole machinery of any local legislature. I shall be glad to hear from the Solicitor General how it is that he thinks we can impose these duties upon these officers, in the first place, or how we can, by saying that neglect on the part of these local officers to do certain things for us can fairly be made a crime.

The SOLICITOR GENERAL—My own opinion is that the mere declaration on our part that this is a crime will not make it so. But after having conferred with some of the officers of the department who are of a contrary opinion I have come to the conclusion that it would be safer for me to defer to their opinion in a matter of this sort. This is not a new departure so far as the franchise law is concerned, because my hon. friend will remember that under the Franchise Act of 1885 we utilized the provincial machinery. Under section 15 it is provided that "the revising officer shall, as soon as possible after taking the oath of office obtain a certified copy or certified copies as the case may be of the last revised assessment roll or rolls," and so on.

Sir CHARLES HIBBERT TUPPER. That is our officer.

Under the old Act we did provide machinery and we could appoint any one to act as our officer in carrying out our laws; but when we direct what provincial officers should do in regard to the matter, that seems to me to be quite a different position :

The SOLICITOR GENERAL—By section 16 it is enacted that the registrar shall cause "one copy of each list to be posted up in the office of the clerk or other corresponding officer of each municipal or parochial or other known territorial division." Under section 17 every sheriff, warden, clerk of the peace, treasurer, parish court commissioner or other officer to whom two copies of the said list are to be mailed shall forthwith after receiving them post one up in a conspicuous place in his office, and so on. Thus it will be seen that the Franchise Act imposes duties on the local officers.

Sir CHARLES HIBBERT TUPPER—Is there a penalty imposed for neglect? I do not think so.

The SOLICITOR GENERAL—I am not prepared to say further than to draw attention to section 40 which has just been handed to me by the hon. member for Guysborough (Mr. Fraser):

"Every officer or person who is by any law the custodian of any assessment roll or list of voters prepared under the laws of any province, or of any other list or document, or any duplicate or certified copy thereof, which, under the foregoing provisions of this Act, the revising officer is required to obtain and use for the purposes of revising any list of voters under this Act, shall furnish the same, or a certified copy or copies thereof to any revising officer who applies for the same, and as by him required; and every such officer or person who refuses or omits to furnish the same to such revising officer within a reasonable time, upon being paid or tendered the cost of preparing the same, according to the fees or rates allowed therefor by the laws in force in the province to which such assessment roll, list or document relates, is guilty of a misdemeanour, and shall be punished accordingly."

Then Mr. Clement in his work on the constitution, page 437 says :

"It is, of course open to the Dominion parliament to utilize existing provincial machinery, or to confer upon 'boards' or bodies of provincial creation powers and authorities in relation to the enforcement of Dominion laws, but, quoad the duties imposed by Dominion legislation, the members of the municipal bodies or 'boards' are not provincial officers."

I apprehend that that would cover what we are attempting to do even if we had not the precedent of the Franchise Act.

Sir CHARLES HIBBERT TUPPER.—I think that the case of the Franchise Act stands upon the same footing, following the reading of the Solicitor General; but I do not recollect that the point was ever raised or discussed.

Mr. POWELL. This matter received a great deal of discussion, I may say to the Solicitor General, when the Manitoba Remedial Bill was passing through the House, and there was not an hon. gentleman on that side who did not hold a very strong opinion on

the matter. The hon. gentleman from Charlottetown (Sir Louis Davies) expressed a very strong opinion that this parliament had no power whatever to impose obligations upon the Governor in Council in the province of Manitoba in relation to the school board. That opinion was also expressed very strongly by the hon. member for North Simcoe (Mr. McCarthy). It was acquiesced in by Professor Weldon. It was assented to by the present leader of the House. It was acquiesced in by the present Minister of Justice. In fact, I do not know a legal gentleman who was opposed to the bill but expressed in the strongest terms—or assented to the strongest assertions of those who expressed opinions—the opinion that we have not the power to do it. However, I think it must be conceded that the Dominion of Canada has the power to seize upon any person it likes and require him to perform any duty it sees fit.

Those are the opinions of hon. gentlemen in the Lower House when that particular point was under discussion. They did not go into it any further. They did not raise the point for the purpose of defeating the bill, but they pointed out that weakness. I think hon. gentlemen must recognize that there is a weakness in the bill in that regard, and that the Senate in taking hold of it to amend it in the particular that the hon. gentleman for Richmond has taken hold of, assents to the validity and principle of the bill in so far as the attempt to change its character and to alter the conditions on which the different provinces make these lists and provides for the machinery for their local lists.

Hon. Mr. BELLEROSE—What are the words to which you refer?

Hon. Mr. BOULTON—I will read from the amendment of the hon. gentleman from Richmond :

Such appeal may be, at the instance of any voter or person entitled to be a voter in the polling division, the voters' list for which is appealed from on all or any of the following grounds, viz.: that the names of voters are through inadvertence or otherwise omitted from voters' lists or wrongly stated therein, or that the names of persons are through inadvertence or otherwise inserted in the voters' list who are not entitled to be voters, and shall be made to the judge of the county court at any time within twenty days after the voters' list at first made up shall be filed with the officer who, under the law of the province, has the custody of the same, and notice of such appeal shall be given in form "C" in the schedule hereto annexed, by posting the same up in at least three public places within the polling division, and by publishing the same for at least ten days previously to such appeal in some newspaper published in the county, and circulating in the said polling division; and if no newspaper is published in the county, then in a newspaper published in the nearest county having a newspaper published therein, provided that in the case of an application to strike off names from the voters' list, such notice shall be mailed, duly registered, with postage prepaid, at least one week previous to such appeal, to the address of such person or persons, if known to the appellant. The judge shall hear the appeals on affidavits, or if requested by the appellant or by the person opposing the appeal on evidence *viva voce* under oath, and may make an order in writing directing that the name of such person as voter shall be struck from or added to said list, and in case of more than one appeal from the same voters' list, the judge shall embody in the one order the results of his adjudications in respect to all such appeals, and such order shall be filed with the officer who has the custody of the said voters' list, who shall in pursuance of said order, strike off from or enter upon said list the names of persons as voters, and such voters' list, so amended, shall be the voters' list for the polling division.

Hon. Mr. BELLEROSE—That is the amendment?

Hon. Mr. BOULTON—Yes. This amendment called for the official action of one of the officials of the province—called on him to do certain things.

Hon. Mr. BELLEROSE—Under the Dominion law?

Hon. Mr. BOULTON—Yes, under the Dominion law; but the question is this; he is not a Dominion officer but a provincial officer.

Hon. Mr. MILLS—Neither, a judge of the county court; he is a provincial officer.

Hon. Mr. BOULTON—Yes, we could make him a Dominion officer by so enacting. Now I will quote from Clement's constitution, an authority which shall not be questioned :

Until the parliament of Canada otherwise provides, (i) all laws in force in the several provinces at the union relative to the following matters or any of them, namely,—the qualifications and disqualifications of persons to be elected or to sit or vote as members of the House of Assembly or Legislative Assembly in the several provinces, the voters at elections (ii) of such members, the oaths to be taken by members, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during which elections may be continued, the trial of controverted elections, (iii) and proceedings incident thereto, the vacating of seats of members, and the execution of new writs in case of seats vacated otherwise than by dissolution,—shall respectively apply to elections of members to serve in the House of Commons for the several provinces.

That is when the provinces were four in number, at the origin; we had no machinery created and we just took the provincial lists as they were, and they would remain that way till parliament otherwise provided. Parliament otherwise provided by the Election Act of 1885; and there they provided the Dominion machinery by which the franchise of Canada was nationalized as opposed to that principle of provincial representation. Since that day when the British

North America Act was passed the country has grown to an enormous extent. That was for the provinces of Ontario, Quebec and the maritime provinces, except Prince Edward Island. Those four were the small part, and they had been accustomed to work in provincial lines, but now we are dealing with a country that extends from the Atlantic to the Pacific. We are governing a country of enormous extent, each province far removed from the others in all its operations over which this national government has no control in this provincial aspect, and it is a question how far it is wise for us to proceed on the lines of going back to the origin of the provincial list at the time when confederation was established, or to maintain the national franchise that we established in 1885. Now, this question came up in the United States, which is somewhat similarly situated in so far as theirs is a national government, and there are state governments. Formerly the state provided the franchise for the election of members to Congress, and the election of members to the Senate. It was all done on the state franchise, the state providing all the machinery. A climax came in the election where Tilden contested with Hayes the right to the position of President, and it was the weakness of their franchise at that time that did what I call a wrong to the people of the country, in so far as a great many people believed that Tilden was really the man. But they had to accept from the states whatever the states chose to send them. They had no power to change. If one state chose to send a corrupt voters' list, or a corrupt return, or anything of that kind, the national government had no power but to accept the *ipse dixit* of the various states. The same position is likely to arise in Canada in so far as controverted elections might be affected by it. It is impossible for us to tell what may arise, or what litigation may ensue from a question of this kind if the legislation proceeds in the way we are now proposing it shall go forward, and there is no provision which would prevent the provincial lists being altered. At the present moment I do not suppose there would be any great hitch in carrying out this legislation, as nearly all the provinces are of the same political complexion as the government that is now in power here, and they will no doubt assist the present government to carry out this law; but we cannot provide for that position for all time. Supposing one, two or three provinces should be in antagonism to the government that is in power in the parliament of Canada, then we are brought face to face with what may present itself as a difficulty. Now, is it wise in this Senate to give its assent to the principle or the validity of a measure such as this, by attempting to amend it on lines which I am pointing out to you are irregular, an amendment which was taken exception to in the House of Commons, and about which the Solicitor General himself was not very clear. In the discussion of the Manitoba school question the Minister of Justice took exactly the same ground that I am taking on this bill. I say, with regard to the School Act or this bill, or any other measure which we chose to pass, we can take provincial officials and make them Dominion officials and provide for the discharge of their duty and apply any machinery we like for carrying out our own laws, but we cannot make use of provincial laws for doing it. That is the difference between the old Franchise Act and this bill. The old Franchise Act was weak in many particulars, and expensive, and there were just grounds for the agitation to remodel it, but to depart from a national franchise and adopt the provincial laws, is a retrograde step which will have to be retraced some day. It is well in any legislation we may enact to keep the national perfectly distinct from the provincial power and assert the right to do what we consider best for the Dominion as a whole and not accept legislation which may be good for the provinces and not good for the Dominion as a whole. It is with a view of bringing these facts before the House that I make this motion. I am not sufficient of a lawyer to declare that it is ultra vires, but I say that it is not in harmony with the constitutional principles which govern Canada. There is another view also to be taken of it, and that is the question of whether it is wise for this Senate to stop the whole bill. That is a matter that is worthy of consideration. It is quite proper for us to say we are opposed to the principle of the bill, but to knock the bill out by an amendment which, if what the government says is true, they reject as taking the life out of the measure, I am inclined to think is not a wise step for us to take. We ought not to destroy the bill by a side issue of this kind. For these reasons I have this amendment.

Hon. Mr. POWER—In order to get the motion before the House I second it.

The SPEAKER—There is no resolution; there is no result to the motion.

Hon. Mr. MASSON—We can only go into committee to deal with a specific clause. We cannot go back to committee to reconsider the principle of the bill. You cannot give us a general proposition and let us go back to committee to deal with it.

The SPEAKER—The motion is lost on a division.

Hon. Mr. MASSON—But His Honour the Speaker has said there was no motion, and therefore it cannot be lost on a division.

Several hon. MEMBERS—Withdraw!

The SPEAKER—Is it the pleasure of the House to allow the hon. gentleman to withdraw his motion?

Hon. Mr. BOULTON—If the House does not desire to discuss the subject, I am prepared to withdraw my motion.

The motion was withdrawn.

The bill was then read the third time and passed on a division.

THIRD READINGS.

Bill (81) "An Act respecting the Montreal and Southern Counties Railway Company, as amended."—(Hon. Mr. Bernier.)

Bill (130) "An Act further to amend the Dominion Lands Act."—(Hon. Mr. Scott.)

Bill (110) "An Act further to amend the Post Office Act."—(Hon. Mr. Mills.)

QUEBEC HARBOUR COMMISSIONERS' BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (142) "An Act to authorize the Quebec Harbour Commissioners to borrow money." He said: The bill provides for the borrowing of money to the amount of $350,000—and that the corporation may issue debentures for the sum so borrowed.

Hon. Sir MACKENZIE BOWELL—Do I understand that the Dominion government guarantees the interest on the bonds? If it does, does it not take priority over the amounts which have been already guaranteed, and if not, is it an additional sum for the completion of the docks, or harbour improvements? How much in arrears are the harbour commissioners of Quebec to the government now, for moneys already advanced or guaranteed? Could the hon. gentleman tell us whether the dock is paying interest upon the investment now made, or has the interest due upon the amount advanced been paid out of capital or out of earnings?

Hon. Mr. MILLS—I cannot tell my hon. friend. I cannot give him the information he asks for, because it did not originate in my department, and I have not had the facts placed at my disposal by the Minister of Public Works. No doubt they are easily accessible. I am not in a position to state whether the harbour dues are adequate to pay the interest on the investment or not. My hon. friend will see there is nothing in the bill making any additional charge in consequence of this loan.

Hon. Sir MACKENZIE BOWELL—It will take priority of all others.

Hon. Mr. MILLS—Yes. It is giving it a more advantageous position than it would legally have if it were not so stated in the bill. It is a bill to authorize the Quebec harbour commissioners to borrow money, and simply defines the status and the position of the bonds issued by the government to the parties who are making the loan, and I read the bill over for the purpose of enabling hon. gentlemen to see what the precise position of the bonds will be.

Hon. Sir MACKENZIE BOWELL—Could the hon. gentleman ascertain these points before we go into Committee of the Whole?

Hon. Mr. MILLS—Yes, I will try to.

Hon. Sir MACKENZIE BOWELL—And also let us know whether the amounts which the harbour commissioners of Quebec have been authorized in the past to borrow have been borrowed and expended, and if this sum is necessary for the completion of the works, or whether it is for new works.

Hon. Mr. MILLS—When we go into committee I will endeavour to give the hon. gentleman all the information.

The motion was agreed to, and the bill was read the second time.

WINNIPEG GREAT NORTHERN RAILWAY CO.'S BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (148) "An Act respecting the transport contract between Her Majesty and the Winnipeg and Great Northern Railway Company." He said: In July, 1895, an Act was passed authorizing the Winnipeg and Great Northern Railway Company to extend their lines to the Saskatchewan and directing that a subsidy of $80,000 in addition to the land subsidy be paid to the company, and subsequently to that a diversion of the line was agreed upon, and this bill proposes that the line now being built to Swan River shall be substituted for the line to Saskatchewan and that the subsidy shall be applied to the present line. It is desirable, in the interests of the country, to construct a road and it is thought the money will be better expended in building a line to these districts. It is the application of the subsidy to a diversion of the line.

Hon. Sir MACKENZIE BOWELL—What is that subsidy?

Hon. Mr. SCOTT—$80,000 a year without the land subsidy.

Hon. Mr. LOUGHEED—I thought it was $40,000.

Hon. Mr. SCOTT—$40,000 for half the distance and another $40,000 when the whole is completed.

Hon. Sir MACKENZIE BOWELL—This bill provides for the transfer of the other $40,000, does it not?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BOULTON—This is $40,000 for 125 miles.

Hon. Mr. SCOTT—Yes.

Hon. Mr. BOULTON—It is not $80,000?

Hon. Mr. SCOTT—It will be $80,000 when it is completed. They built half of the line and got $40,000, and this bill is to authorize the payment of $40,000 when the line is built to Swan River. The objective point is the Saskatchewan and it is to divert the line to the other place.

Hon. Mr. BOULTON—I wish to make a motion, but I should like to get first from the hon. Secretary of State the position of matters. From Winnipeg to the Saskatchewan River $80,000 a year was the transport contract. The Lake Manitoba Railway and Canal Company built 125 miles and got a transport contract for that portion of their line. It had nothing to do with the Winnipeg and Great Northern. That company has been amalgamated with the Great Northern Railway Company. This bill gives $80,000 for a much smaller portion of the line than it contemplated when the contract was made, because 125 miles was already built by the Manitoba Railway and Canal Company.

Hon. Mr. SCOTT—There is no new grant whatever. This does not contemplate a new grant. It proposes to apply the subsidy of $40,000 a year for half of the line extending to the Swan district.

Hon. Mr. BOULTON—And then from the Swan River to the Saskatchewan another half.

Hon. Mr. SCOTT—No. I will read the clause in the original Act:

> In order to enable the Winnipeg and Hudson Bay Railway Company to construct so much of their railway to Hudson Bay as reaches from the city of Winnipeg to the Saskatchewan River; the Governor in Council may enter into a contract with the company for the transport of men, supplies, materials and mails, for a term of twenty years, and may pay to the company for such services during the said term $80,000 per annum in manner following, that is to say: one-half of the said sum of $80,000 to be paid annually, commencing from the date of the completion by the company of one-half of their line to be constructed between Winnipeg and the Saskatchewan River; and the remaining one-half of the said sum of $80,000 to be paid annually, commencing from the date of the completion of the remaining half of their line to be constructed between Winnipeg and the Saskatchewan River.

There was an agreement that instead of commencing at Winnipeg, they commenced at a point higher up the line. They were allowed to count that as part of their line. They got $40,000 a year for that.

Hon. Mr. BOULTON—No; the Winnipeg and Great Northern did.

Hon. Mr. SCOTT—The two charters are held by the same person.

Hon. Mr. BOULTON—But it is a different charter.

Hon. Mr. LOUGHEED—It was part of the same grant.

Hon. Mr. SCOTT—Yes.

Hon. Mr. LOUGHEED—The government transferred one-half of the sum to the company, and now they propose to transfer the other half.

Hon. Mr. POWER—I am surprised the hon. leader of the opposition has nothing to say about this measure, because he was very much interested in the original bill going through this House at the time when the Governor General was about to prorogue parliament.

Hon. Sir MACKENZIE BOWELL—And the hon. gentleman will remember the extraordinary exertions he himself put forth to aid the hon. Secretary of State to prevent its passage. I compliment them on their conversion, and I also am glad to know that the dire consequences which they foretold would take place have not been realized; and that the corruption, the rascality, the villainy predicted by them have not taken place. Most people in the city and country will remember how the hon. gentleman endeavoured to prevent a vote being taken, and that it was necessary to send word to the Governor General that the House would not be prorogued that day. It appears that 100 miles of that road has been built, and, what is more gratifying to those who supported the bill, is the fact that the road, though new, has within a very small sum paid the running expenses and fixed charges on the bonds which have been issued. This simply provides for the transferring of the other portion of the subsidy, $40,000, for the construction of the balance of the road to the changed route from the Saskatchewan to the Swan River district, northerly and westerly for 125 miles. The reason for that my hon. friend has not vouchsafed to state to the House. But I take it for granted that it is for the purpose of opening up for settlement a better section of the country than that which was provided for in the original bill. If that be the case, it is not only commendable but should receive the support of the House, as it has already received the support of the Commons In its consideration my hon. friend from Shell River will see that the road must be constructed within a year—before December of next year, which would be a short period for the construction of 125 miles even in a country like that.

Hon. Mr. BOULTON—They built 125 miles last year.

Hon. Sir MACKENZIE BOWELL—It will open up the whole of that country to settlement, 255 miles, in two years. I think the government have taken a very wise step in proposing this change in the route, providing it is for the purposes I have indicated, although no report has been laid before the House that it is going to open up a better section of the country.

Hon. Mr. BOULTON—Would the hon. gentleman for Calgary (Mr. Lougheed) give me his authority for saying that half of this $40,000 has been absorbed by the Manitoba Railway and Canal Company?

Hon. Mr. LOUGHEED—You will find it in the statutes.

Hon. Mr. BOULTON—It took it away from the Great Northern?

Hon. Mr. LOUGHEED—Yes; so that this will practically absorb the whole $80,000.

Hon. Mr. POWER—I am glad to know that this measure receives the support of members on the other side of the House.

Hon. Mr. BOULTON—I rise to move an amendment to the bill.

Hon. Mr. LOUGHEED—This is the second reading and not the committee.

Hon. Mr. POWER—That is something the present government had inherited from their predecessors, but I trust that the time that country will be called upon to give to colonization railways large grants of land and, in addition to those large grants of land, large money grants, is about over. In a country like that a land grant should be enough to secure the construction of a railway, and the observation of the hon. leader of the opposition bears out that view, because I understand from him that the Manitoba Colonization Railway is really paying its way now, and once that condition of things set in, I do not think the country should be called upon to pay large sums of money.

Hon. Sir MACKENZIE BOWELL—It is not paying its way, but comes within a very few thousands of it.

Hon. Mr. MACDONALD (B.C.)—With the $40,000.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. FERGUSON—This appears to be a harmless bill, but not more harmless than the bill my hon. friend (Sir Mackenzie Bowell) introduced near the close of the session of 1895. It was merely to provide that the $80,000 which had been voted for the construction of this road should be divided into two parts, one-half to be paid when the first half of the road was built, and the balance to be paid when the remaining portion of the road was built. As I understand it, this bill provides that the balance of that $80,000 shall be allowed to be applied to a line differing a little from the line at first in contemplation, but having the same object in view. Therefore, I can see no objection to the bill. This reminds me of what occurred in 1895. It was at the close of the session, and parliament was held over till Monday to get the hon. gentleman's anxiety and trouble settled. When I got home I found two of our Charlottetown daily papers had telegrams, purporting to come from Ottawa, that the government had treacherously brought down a bill to loan two and a half millions to Mr. Sutherland's railway, and there was a great deal of excitement, and it has never been explained how that telegram got there or who was the author of it. But there was a great deal of excitement over it.

The motion was agreed to, and the bill was read the second time.

CIVIL SERVICE SUPERANNUATION ACT.

FIRST READING.

A message was received from the House of Commons with Bill (76) "An Act to provide for the abolition of the Civil Service Superannuation Act and for the retirement of members of the Civil Service."

The bill was read the first time.

Hon. Mr. MILLS moved that the bill be read the second time to-morrow.

Hon. Sir MACKENZIE BOWELL—I think the hon. gentleman should explain the provisions of the bill for this reason: I read the bill when it was originally introduced and had some little knowledge of its contents, but it has been amended in so many particulars that I think it would be much better if the House were informed what these amendments are, and they will be able to better judge of the merits to-morrow. From my own impression and recollection of what I have seen in the newspapers—I have not had time to read all the debates—the bill is less objectionable now than it was when first introduced, and if so it will not take up so much time to consider its provisions.

Hon. Mr. MILLS—I may say that it is entirely prospective; there is no party who entered upon the Civil Service under the present Act who will be discharged.

Hon. Sir MACKENZIE BOWELL—Is there a clause which permits the civil servants to take advantage of the Act, by having placed to their credit the amounts deducted from their salaries and retained by the Receiver General as if it had originally commenced as a savings bank.

Hon. Mr. MILLS—I think so. I cannot say what has been struck out in the House of Commons.

Hon. Sir MACKENZIE BOWELL—I suppose it will be circulated at once.

Hon. Mr. SCOTT—Yes. They give them an option.

The motion was agreed to.

ST. JOHN BRIDGE RAILWAY COMPANY.

FIRST READING.

A message was received from the House of Commons with Bill (157) "An Act providing for the repayment of the moneys advanced to the St. John Bridge and Railway Company."

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time to-morrow.

Hon. Sir MACKENZIE BOWELL—In connection with the St. John bridge we have had one bill already. What is the nature of this?

Hon. Mr. SCOTT—This seems to be very much in the line of the others. It is for the

extension of the term for fifteen years and to authorize the government to take the bridge at any time by paying what it cost and ten per cent in addition.

Hon. Mr. DEVER—Is that clause in the original bill ?

Hon Mr. SCOTT—I do not know whether it was in the original bill.

Hon. Mr. MILLS—And they can take over the bridge at any time within five years.

Hon. Mr. McMILLAN—The former bill extended the period for the debentures that were falling due this year of $125,000, which took a second place against the road. While this, if I understand, is extending the period to fifteen years for the first lien from the government.

Hon. Mr. SCOTT—Yes.

Hon. Mr. McMILLAN—With the understanding that they can take the bridge ?

Hon. Mr. SCOTT—Yes, by paying what it cost and ten per cent in addition.

Hon. Mr. McMILLAN—That was not the understanding at the time the money was loaned ?

Hon. Mr. POWER—Yes, the original bill provided that the government should have the option of taking the bridge for five years, and then the five years expired and it was extended for ten years further, and I am very glad to see that the government have again obtained the right to take the bridge over. I trust they will take it over, as I think it is a bridge which should come within the ownership of the government.

Hon. Sir MACKENZIE BOWELL—I should like to ask the reasons why this bridge should be taken over, any more than any other bridge which had been constructed in the interest of railways ? This bridge connects Carleton with the city of St. John proper, and it may be in the interest of the Intercolonial to cross, and more particularly is it in the interest of the Canadian Pacific Railway. It bears the same relation to these railway companies that any other bridge does. I can see only one object in taking it over, and that would be to relieve the railway companies of the tolls which are imposed upon them, which, I doubt not, would be the result once it came into the hands of the government.

Hon. Mr POWER—I do not see why the government might not get tolls.

Hon. Sir MACKENZIE BOWELL—We have reason to know what they would do.

The motion was agreed to.

DOMINION ATLANTIC RAILWAY COMPANY AWARD BILL.

FIRST READING.

A message was received from the House of Commons with Bill (162) "An Act to confirm a certain award in favour of the Dominion Atlantic Railway Company."

The bill was read the first time.

Hon. Mr. MILLS moved that the bill be read a second time to-morrow. He said : This is a bill resulting from the Dominion Atlantic Railway Company that was exempted from payment of certain customs duties on imports, and the matter was referred to the judge of the Exchequer Court as arbitrator, and he decided that they were entitled to $100,000, and then pay duty hereafter as other people. It is a commutation bill.

Hon. Sir MACKENZIE BOWELL—There was a provision in the old laws that gave interminable trouble and annoyance to every government, and particularly to every Minister of Customs. There was always a good deal of discussion over every settlement. I think the sum is large, but notwithstanding that, it is much better to be paid and do away with the difficulties. I take it for granted that this is a compensation for a surrender of all the rights which were guaranteed by the old province of Nova Scotia.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—It would be well if the government could go a little further, and make some arrangement by which the province of Prince Edward Island would be relieved of the incubus of the telegraph companies which have a monopoly of that island, and consequently charge what they please to the public.

The motion was agreed to.

PROTECTION TO CUSTOMS AND FISHERIES BILL.

FIRST READING.

A message was received from the House of Commons with Bill (153) "An Act to further protect the Customs and Fisheries."

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time to-morrow. He said: This gives larger powers than exist at present in the event of their noticing a smuggler they can fire a gun as a signal to bring him to. It appears they have some pretty swift smugglers down in the gulf just now, and they get away from the customs people who ask for a little more authority than to chase them.

Hon. Sir MACKENZIE BOWELL—I again compliment the government, and particularly the Customs Department on the advance and progress they are making in the measures they are adopting for the protection of the revenue. I had some thirteen or fourteen years of experience of all kinds of criticisms flowing from the lips of the members of the then opposition, and particularly from many of those who now form the government, for the attempts which were made by the late government to enforce the law and protect the revenue and punish the smuggler. I find they are going much further than I ever dared to propose in that direction, and I compliment them on the fact. It is an acknowledgement of the correctness of the policy pursued by the late government, and of the efforts which were made by the heads of that department in the past in their exertions to protect the revenue and punish the guilty. They are going on well and I hope they will continue. The gentleman now at the head of the department was one of the most earnest and persistent in finding fault with the old law, and he is now making it, not only as rigid as it ought to be, but has learned a lesson which, if he ever gets out of office, he will never forget.

Hon. Mr. MILLS—It will be hereafter "Billy get your gun."

The motion was agreed to.

CUSTOMS ACT AMENDMENT BILL.

FIRST READING.

A Message was received from the House of Commons with Bill (152) "An Act further to amend the Customs Act."

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time to-morrow. He said: This is to enable the Customs to give out ships stores for a short voyage, and fixing standards of tea.

Hon. Sir MACKENZIE BOWELL—Is there a provision in that bill in reference to spirits?

Hon. Mr. SCOTT—No; it only refers to the subjects I have mentioned.

The motion was agreed to.

FIRST READING.

Bill (146) "An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895."—(Hon. Mr. Scott.)

PLEBISCITE BILL.

COMMITTEE STAGE POSTPONED.

The Order of the Day being called:

Committee of the Whole House on (Bill 121) "An Act respecting the Prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors."

Hon. Mr. SCOTT moved that the Order of the Day be discharged and that it be made an Order of the Day for to-morrow.

Hon. Sir MACKENZIE BOWELL—As this is a matter on which there is not likely to be much discussion, we may as well proceed with it now.

Hon. Mr. SCOTT—There is a large number of orders on the paper and there are very few members in the House to-day.

Hon. Sir MACKENZIE BOWELL—Unless there is some other reason, we should proceed now.

Hon. Mr. SCOTT—Stand!

The order was allowed to stand.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (71) " An Act further to amend the Weights and Measures Act."

Hon. Sir MACKENZIE BOWELL—I wish to call the attention of the House, when we go into committee on this bill, to some amendments which I think, in the interest of the seller of grain, are necessary. The present system is of such a character as, I think, is detrimental to the farmer and those who have grain to sell. I shall not at the present moment go fully into the reasons, but it is simply in connection with the testing of the weight of the grain. I think I can show that it would be in the interest of sellers of grain that it should be changed to a much larger quantity, say a bushel, then the sixteenth of a bushel for the test. It is a matter of very little consequence how that is ascertained, a better means can be adopted for a fair measurement by increasing this test weight, than as at present. There is another paragraph of the bill that I must confess I cannot understand : It is provided that a bag of potatoes shall weigh eighty pounds. Why should that be restricted to the province of Quebec? If that be good for the purchaser and consumer in the province of Quebec, it strikes me that it must be equally good, and the reasons must be just the same in the province of Ontario. My hon. friend shakes his head. I should like to know some good reason for this special legislation for Quebec. If I buy a bag of potatoes in the market in Ottawa, why should it not be held of the same weight as if I bought it in Hull? I find no fault with the regulation. I think it is a very good provision of the law, but what I object to is that there should be a special provision applying to a bag of potatoes in one province, while in another province it matters not how much or how little a bag of potatoes weighs. I wish to call attention to this, so that when we go into committee we can have an explanation of it. Perhaps there can be some good reason why it is done.

Hon. Mr. MILLS—In the province of Quebec, where potatoes are offered for sale by the bag, this bill provides that the bag shall contain at least eighty pounds. There has been no definition of what shall be the weight of a bag of potatoes heretofore. The bag of potatoes sold in all the markets of the country, Toronto, London and elsewhere, is ninety pounds. The ordinary wheat bag will hold a bushel and a half, and I do not think that there are a great many persons who are buyers, at all events, that would care to see the weight cut down ten pounds by Act of parliament. The truth is, in the province of Quebec, especially in the city of Montreal, the habitants come into the city with flour bags that are somewhat smaller than the ordinary grain bags. They buy flour in bags and subsequently use the bag for marketing their potatoes. Those bags will not hold ninety pounds of potatoes, and the city of Montreal has made a regulation requiring that the bag of potatoes shall weigh ninety pounds, fining a number of farmers coming into market for offering bags of potatoes weighing eighty pounds. It is rather to meet an actual state of things which exists than to lay down a rule for the country, and so the parties who are pressing for this measure were quite content that it should be confined to the province of Quebec. I think it well that it should be so. I do not think that it is necessary to require that a bag of potatoes shall weigh less than ninety pounds elsewhere. The reason does not exist anywhere else and it does not affect the general weights and measures as amended by this bill.

Hon. Mr. McMILLAN—Why not apply that to other provinces as well as the province of Quebec?

Hon. Mr. MILLS—I have just stated why. In the other provinces the bags will hold the 90 lbs., and the man who is living in the city buying his potatoes would prefer 90 lbs. to 80 lbs.

Hon. Mr. McMILLAN—This does not say the bag shall contain 80 lbs. It says it shall contain at least 80 lbs.

Hon. Mr. PERLEY—I buy all my flour in bags.

Hon. Sir MACKENZIE BOWELL—The rule laid down by the hon. Minister of Justice is correct enough, but it is not the practice. The farmers know enough when they are selling their potatoes not to guarantee the buyer a bushel and a half to the bag. If you go to any market in Ontario and ask the price of potatoes, the farmer

will say so much a bag. The presumption is that there is a bushel and a half in each bag, but the fact is there is not a bushel and a half in every bag, and this legislation is to protect the purchaser in the province of Quebec so that when he buys a bag of potatoes he knows what he is getting just as well as if he were buying a bushel of potatoes. The majority of bags of potatoes bought on the market do not contain more than a bushel and a quarter.

Hon. Mr. MILLS—They are worse in your section of the country than they are in the other parts.

Hon. Sir MACKENZIE BOWELL—No, that is the general practice, and if you say that the weight of a bag of potatoes in Ontario shall be 90 lbs., all right; that will be establishing a uniform rate just as it is in the other provinces. If you say it is to be 100 lbs. I have no objection, because it is a fixture, and then everybody knows what he is doing.

Hon. Mr. PERLEY—The hon. minister should ask to have his explanation struck from the debates, because to my mind it is the worst explanation we have ever listened to. What an idea, fixing the weight of a bag of potatoes at 80 pounds because a farmer happens to buy flour by the bag in the province of Quebec. We buy our flour in bags in the North-west. I brought down a ton and a half and took it in two loads. Some of the bags had fifty and some had sixty pounds. The bags are not of uniform weight. A farmer does not bring in one bag at a time: he will bring two dozen and perhaps no two of them will be of the same weight. But that was not the part I was going to speak about. There is an omission. I think lime should be added to the articles which are given a weight per bushel. In the North-west Territories we buy our lime by the car load. It does not come there in packages. The cars are taken to the lime shelf on Stony Mountain, or east of Winnipeg, where they have lime kilns, and loaded. The lime is loaded in an unslaked state. But by the time it gets up to Wolseley there is a portion of it slaked. They sell it in a measure which they make themselves. I think it is about fourteen inches square. They fill that box with lime; some times they round it up and some times they do not. If a man bought a dozen boxes of lime, he would not find three boxes of the same weight. When it is fresh from the kiln it is lumpy, and when it is slaked it will not weigh half as much. There is no article with regard to which it is more necessary to have a fixed weight than lime. I have bought lime fresh from a kiln, and I have bought lime afterwards out of the same bin when it was slaked, when the same measure would not weigh nearly as much. You must take it or leave it. You have got to have it if you are engaged in building. The weight should be fixed at so many pounds to the bushel. As it is now, a great deal of fraud is practiced in that country in the sale of lime. There is no article I have wrangled over as much as lime. I called the attention of the hon. the Secretary of State to the matter the other day and told him that he ought to add lime to that list, and make it 60 pounds to the bushel. A man would then know what he was getting.

Hon. Mr. FERGUSON—I look upon it as a mistake to be making frequent changes in the market standards of all these commodities. We should adhere as much as possible to the old standards, or at all events, if they are not right get them made right, and not be making these frequent changes. Changing the number of pounds that constitute a bag of potatoes in Quebec and leaving it in the rest of the provinces at a different weight cannot fail to create confusion and do harm.

Hon. Mr. PERLEY—It ought to be a bushel all over.

Hon. Mr. FERGUSON—We are drifting away from the standard which has been accepted, I think, of 90 lbs. to the bushel in most of the other provinces. In England we know the market standards have been established, and you might as well attempt to change the constitution of England as to introduce changes. Every buyer or seller knows what they mean exactly and we sould know that the standards were not likely to be changed with us. The change is that a bag of potatoes shall be 80 lbs. instead of 90.

Hon. Mr. MILLS—That is not a change

Hon. Mr. FERGUSON—That has been the law, has it?

Hon. Mr. MILLS—No, there has been no such thing in the law as a bag of potatoes. It is an addition to the law.

Hon. Mr. FERGUSON—My hon. friend says it is not a change. It is the first time it is introduced into the Dominion law, and therefore it is a change.

Hon. Mr. MILLS—It is an addition.

Hon. Mr. FERGUSON—That is a change. I take it what my hon. friend means is that 80 lbs. is the weight of a bag in the markets of Quebec at present?

Hon. Mr. CLEMOW—Ninety.

Hon. Mr. SCOTT—No, eighty.

Hon. Mr. FERGUSON—I cannot understand why we should make this enactment for Quebec if that is not the weight in the other markets. It seems strange that we should impose an arbitrary rule upon Quebec which does not exist in the other provinces. I notice that in all the articles enumerated they are the same as in the Weights and Measures Act, and not only are the same articles contained, but the same weights except in the case of flax seed. That is now fifty lbs. to the bushel and it is here made fifty-six. I dare say fifty-six pounds is nearer the correct weight of flax seed than fifty. But it seems to me that if that change, and the change making the bag of potatoes eighty pounds in Quebec while a bag is understood to mean something else in Ontario and the other provinces, are all the changes, it is a pity putting such a bill as this on the statute-book. The necessity for it is so extremely limited and paltry in its character and it is not claimed that eighty pounds is what is understood by a bag of potatoes in Quebec. I think it would be better to drop this bill.

Hon. Mr. MILLS—I do not see why it should be dropped. I suppose the great object of legislation is to accommodate the law to the habits and customs of the people.

Hon. Mr. MASSON—Who has asked for that bill?

Hon. Mr. MILLS—The agricultural population all round the city of Montreal. If they were to come into the city of Montreal and conform with the by-laws of the city, they could bring in a bag with sixty pounds in it. They cannot get ninety pounds in the bag which would be a bushel and a half, which is ordinarily known as a bag. Under this they can put eighty pounds into a bag. This is simply to enable a farmer to fill his bags without violating the by-laws of the city. Surely this is not a matter about which this House will undertake to make difficulty, because after all what you are endeavouring to do is to secure uniformity as far as possible, but where there are differences we know how they arise and in what way we provide here on account of the municipal legislation, a provision in the bill which is new, not mentioned elsewhere, leaving the other portions of the community to do as they are doing at the present time. In Toronto if a man sells fifty-five pounds in a bag, he may not be selling it by the bushel. A man may say to him, I will not take the bag unless there are 60 pounds in it, but in the city of Montreal when a farmer comes in and offers a bag of potatoes, he is liable to be fined. And that is not so anywhere else.

Hon. Mr. MASSON—The government are making an innovation and should explain why they are doing it. The representatives of the people have not spoken about it.

Hon. Mr. MILLS—At least a dozen members of the House of Commons have brought this matter up.

Hon. Sir MACKENZIE BOWELL—I should like to know what authority the city of Montreal has to pass a city by-law regulating the weight of a bushel or a bag.

Hon. Mr. MILLS—They cannot do it with a bushel.

Hon. Sir MACKENZIE BOWELL—The Dominion parliament only has the power and authority, and exercises it in dealing with trade and commerce, to regulate the weights and the manner in which all things should be sold. The hon. Minister of Justice tells us there is a municipal regulation in the city of Montreal which fines the farmer who sells a bag of potatoes containing less than 90 lbs. It is not the municipal law which imposes the penalty. The presumption is that a bag of potatoes in Quebec as in Ontario contains 90 lbs., and we know they do not in many cases. In order to meet the case of the province of Quebec, they attempt to define what a bag of potatoes shall weigh, though if it contains 90 or 190 lbs. or more, you pay at the market rate of 80 lbs.

to a bag. It might contain a bag and a half, or a bag and a quarter as the case might be. I want to know if the Minister of Justice affirms the right of any city to regulate what the weight of anything shall be when sold in the market. If he does it is a new principle, and we shall have every municipality in the Dominion passing by-laws regulating how the farmers should sell the the products of their farm.

Hon. Mr. MILLS—There are a great many. A city can pass a by-law preventing a man stuffing a bird and offering it for sale.

Hon. Sir MACKENZIE BOWELL—Surely, that is not a constitutional question.

Hon. Mr. MILLS—There is no law saying what a bag of potatoes shall be.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—Then the city of Montreal is not running in contravention to parliament. They could not say a bushel shall be seventy pounds because we say it is sixty, but they might say a bag of potatoes should weigh at least ninety pounds, and that if it does not weigh that you are committing a fraud upon the purchaser and you shall be subject to a fine. The city of Montreal may say so and so. I am expressing no opinion as to the validity of such a by-law. But they are doing so and I say you may define a bag of potatoes in conformity with what the bags in use will actually hold, without doing any violence to anybody or interfering with any other portion of the Dominion. It is a matter of local trade. It is not a matter of trade affecting two or more provinces, and if you accommodate yourself to the habits of the community and make that lawful which otherwise might be unlawful and subject them to vexatious regulations then I think it is proper.

Hon. Mr. MASSON—What is the difference between a bag of flour in Quebec and a bag of flour in the lower provinces?

Hon. Mr. MILLS—They have the farmers' two bushel bag which will hold 120 pounds. Those are the ordinary bags in use.

Hon. Sir MACKENZIE BOWELL—The habitants of Quebec are not so stupid as to use good flour bags for potatoes.

Hon. Mr. MILLS—They do it.

Hon. Mr. FERGUSON—I am told the whole trouble has arisen out of the fact that sugar bags are very abundant in Montreal; that the sugar refiners being there, a great many sugar bags can be had, and they cannot conveniently hold 100 pounds of potatoes, and therefore we are going to change the law of the Dominion as far as Quebec is concerned and create a want of uniformity in our market standard all because of these sugar bags in Montreal.

Hon. Mr. MILLS—You have not defined a bag anywhere.

Hon. Sir MACKENZIE BOWELL—I want to point out the confusion in trade that this may possibly cause. A man in Toronto wants 1,000 bushels of potatoes. He sees them advertised, bag of potatoes so much. If he is acting upon the presumption that there are ninety pounds in the bag—a bushel and a half—he will order them, and when he gets home he will find they weigh ten pounds less per bag.

Hon. Mr. SCOTT—If I buy 1,000 bushels, of course I must get a thousand bushels.

Hon. Sir MACKENZIE BOWELL—Not necessarily under this Act, you get a 1,000 bags each weighing 80 pounds.

Hon. Mr. POWER—This clause was not in the bill as it was introduced in the Commons by the government. I find in the Commons *Hansard*, June 1st, the bill was in committee:

On clause 2.

Mr. FORTIN moved in amendment that in the province of Quebec when potatoes were sold or offered for sale by the bag, such bags shall contain at least 80 pounds.

Motion agreed to.

There appeared to be no discussion on it in the Commons.

The motion was agreed to.

IRON AND STEEL BOUNTIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (159) "An Act to amend the Act to provide for Bounties on Iron and Steel made in Canada."

Hon. Sir MACKENZIE BOWELL—This is worthy of more consideration. We are going at race horse speed.

Hon. Mr. POWER—We can discuss it on going to committee.

Hon. Mr. SCOTT—By an omission in the bill last year no time was fixed and it was doubtful whether it could be enforced without stating the time.

Hon. Sir MACKENZIE BOWELL—Then it takes effect from the time it received the assent of the Crown. This must be for paying bounties on iron prior to the tariff becoming law. Otherwise there is no use for it. The other law made a provision for the payment of bounties. This must be to give it a retroactive effect.

Hon. Mr. SCOTT—When the Finance Minister makes his statement the law goes into effect. In the Act they omitted to put in the date.

Hon. Sir MACKENZIE BOWELL—Then it should go into force at the time the announcement was made.

Hon. Mr. MILLS—It went into force at the time the Act came into operation.

Hon. Sir MACKENZIE BOWELL—Then it is to the advantage of the manufacturer. If it were the reverse it would be to the advantage of the importer.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 7th June, 1898.

The SPEAKER took the Chair at Three O'Clock.

Prayers and routine proceedings.

THE SITTINGS OF THE SENATE.

MOTION.

Hon. Mr. MILLS—With the consent of the House I beg to move that after to-day we hold two sittings each day.

Hon. Sir MACKENZIE BOWELL—Would the hon. gentleman indicate at what hour the sittings would be held?

Hon. Mr. MILLS—I would like to consult the wishes of hon. members of the House on that point. There are two bills yet to consider, and it might be well to meet in the first instance in the afternoon and then hold another sitting in the evening. As soon as the matters necessary to go to committee are disposed of, then I think we had better meet in the morning and afternoon.

Hon. Sir MACKENZIE BOWELL—The motion is that there be two sittings a day, from three o'clock till six o'clock, and from eight in the evening till we adjourn, and after the committees have disposed of all their work, then there be a motion to hold a sitting in the morning, and a sitting in the afternoon, or perhaps three sittings daily.

The motion was agreed to.

MAIL SERVICE TENDERS FROM WOLSELEY, N.W.T.

INQUIRY.

Hon. Mr. PERLEY asked—

the Government for a list of the names of persons who tendered for the mail service south from Wolseley, North-west Territories, the amount of the several persons' tenders, and who was awarded the contract, and the price?

Hon. Mr. MILLS—I may say to my hon. friend that I have the following information from the Postmaster General:

"Tenders for the mail service south from Wolseley, N.W.T., have been received at the Post Office Department, and the lowest tender has been accepted, but the department has not yet been advised by the inspector of the contract having been signed, it is not possible at present to give the names of the persons, who tendered or the amount of each tender until the contract is made."

DELAYED RETURNS.

Hon. Mr. PERLEY—Before the Orders of the Day are called, I should like to ask the hon. leader of the government if they propose to give me an answer to the question that I asked the other day respecting the invoice of supplies bought from Bate & Company and other persons for military purposes.

Hon. Mr. MILLS—I brought down a statement a few days ago, and laid it on the table here, in reference to that, and I thought it came under the hon. gentleman's notice.

Hon. Mr. PERLEY—I have not seen that, but I will ask the clerk for it.

Hon. Mr. LOUGHEED—I should like to ask the hon. Secretary of State whether he has brought down those papers respecting the Soulanges Canal?

Hon. Mr. SCOTT—I am not able to say anything about the returns. I have asked frequently about it.

Hon. Mr. LOUGHEED—I should like to direct the attention of the hon. leader of the House to the fact that on the 9th May last a notice was placed on the paper asking for the return of certain papers with which this House should have been made acquainted, particularly by way of return to an address. Now, if that stage has been reached by which the government will purposely ignore such an address, I should like to be made acquainted with the fact. The papers I asked for relate to a well known contract, to which considerable attention has been directed, and the papers would not necessarily occupy a very great deal of time in preparation. They refer to certain specifications, tenders and notices, and, as I have said on three or four occasions, the papers can be prepared in three or four hours. It is my intention at each sitting of this House, until those papers are submitted, to direct the attention of the House to the fact that I have asked for these papers and they have not been brought down.

BILL INTRODUCED.

Bill (150) "An Act further to amend the Acts respecting the Judges of Provincial Courts."—(Hon. Mr. Mills).

QUEBEC HARBOUR COMMISSIONERS BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (142) "An Act to authorize the Quebec Harbour Commissioners to borrow money."

(In the Committee.)

Hon. Mr. MILLS—My hon. friend, the leader of the opposition, yesterday asked about the income of the harbour commissioners of Quebec, and whether they are paying interest on their indebtedness. They are not. I may say to my hon. friend that the gross income of the harbour commissioners is about $70,000, of which one-half is available and is being used for harbour improvements; that the interest on their indebtedness is in the meantime being deferred. The amount now required, $350,000, as my hon. friend will see, is to be extended over a number of years, and is for the purpose of making improvements as they may be required, and it is expected that, with these improvements, the income of the harbour commissioners will correspondingly increase and that the moneys that are now devoted to harbour improvements can then be applied to the payment of interest on their indebtedness.

Hon. Mr. MACDONALD (BC.)—Is the interest guaranteed by the Dominion?

Hon. Mr. MILLS—No, it is provided that it shall take priority over certain other liabilities.

Hon. Sir MACKENZIE BOWELL—Do I understand the hon. gentleman to say that the gross income of the harbour commissioners is $75,000 a year?

Hon. Mr. MILLS—About $70,000 of which $35,000 goes to local improvements.

Hon. Sir MACKENZIE BOWELL—That would leave about $35,000 that is not required for management.

Hon. Mr. MILLS—No, it is not required for management. I cannot tell my hon. friend how the balance is applied. A portion of it of course is required for management. Half the sum, as I said, is applied to improvements, the construction of new works, and, under an arrangement made a couple of years ago, no portion of it has been applied to the payment of interest. With the privilege of borrowing money for the purpose of carrying on improvements it is intended that that income shall go towards the payment of interest and the ultimate abolition of the debt.

Hon. Sir MACKENZIE BOWELL—I can understand that, but it seems to me the hon. gentleman, in making a proposition of this kind to the House, should be able to tell us what becomes of the money which is really collected. If the gross income be $70,000, and half of it goes for improve-

ments, then the other $35,000 must be appropriated in some way or other—I presume some of it for management, but it could not by any possibility require all that amount. Is any portion used to pay interest on some preferential bonds, if not for what purpose is it used by the commissioners?

Hon. Mr. MILLS—I sent to the Minister of Public Works for information on the subject, and he misunderstood me and sent in the information relating to the harbour of Montreal, which does not throw much light on the harbour of Quebec. I may tell my hon. friend that I have given him all the information that is in my possession at the present time. Mr. Dobell, one of the representatives of Quebec, is thoroughly conversant with this subject and has been for years a member of the harbour board, and if my hon. friend will permit the bill to go through the committee with the information I have given him, which I admit is scanty enough, before the bill is read the third time I shall endeavour to give him all the information for which he has asked; that is, as to how the $70,000 is applied at the present time. I have told my hon. friend that something more than one-half of this is applied towards making new improvements. How the balance is applied I cannot at this moment tell him.

Hon. Sir MACKENZIE BOWELL—One thing evidently the hon. gentleman does know, and that is, that it is not applied in paying any interest which is due the government.

Hon. Mr. MILLS—Yes, that is under an arrangement made a year or two ago.

Hon. Sir MACKENZIE BOWELL—I am not at all surprised that the Minister of Public Works gave the hon. gentleman the information with respect to Montreal instead of Quebec harbour. I have no doubt that is the most prominent picture in his brain just now, and consequently he would not think of anything else at the present time. However, I have no further question to ask.

Hon. Mr. PRIMROSE, from the committee, reported the bill without amendment.

Hon. Sir MACKENZIE BOWELL—I think we might as well take the third reading now.

Hon. Mr. MILLS moved the third reading of the bill.

The motion was agreed to, and the bill was read to third time and passed.

WINNIPEG GREAT NORTHERN RAILWAY CONTRACT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (148) "An Act respecting the transport Contract between Her Majesty and the Winnipeg Great Northern Railway Company."

(In the Committee.)

On clause 1.

Hon. Mr. BOULTON—I have given notice of a motion to amend.

Hon. Mr. SCOTT—The hon. gentleman moves to strike out the land subsidy. It is a very unusual proceeding to take away from a company a gift that has been made to it under an Act of parliament. I presume they are building their road and that their bonds were issued on the faith of it. I do not think my hon. friend will insist on moving his amendment.

Hon. Mr. BOULTON—I intend to insist upon it and I move:

That the words "and the company's land subsidy shall apply to the line hereby authorized," at the end of the said bill, be omitted.

Hon. Mr. POWER—Before the motion is put, I should like to suggest that that motion is not in order. It deals with the subsidy, and we cannot touch the subsidy in this House. We can reject the bill altogether, but we cannot touch the subsidy.

Hon. Mr. BOULTON—It is not a money subsidy.

Hon. Mr. MILLS—It does not matter; it is an appropriation of the land of the Crown. The same rule applies to this which applied to the Yukon Bill, and which I mentioned when that bill was under discussion, that there was no difference between appropriating the lands of the Crown and the money of the Crown, and that neither the lands nor the money were under the jurisdiction of this House. So that my hon. friend's motion is not in order.

Hon. Sir MACKENZIE BOWELL—I am in favour of the motion, but I cannot concur in the opinion given by the hon. Minister of Justice. This is neither reducing the subsidy to be paid nor increasing it; the proposition before the House, is to transfer it from one work to another, and if that clause be struck out it will leave the appropriation for the original road. I cannot understand how it is claimed that it is out of order. I do not see how it can be considered an infringement of the principle laid down by the hon. Minister of Justice. If a proposition be made in the House of Commons for the granting of a certain sum of money to any person for any purpose, any member has the right to move the rejection of that paragraph in the bill, or to take the more moderate course of moving the reduction of the same, but he has no right to move to increase it, nor to make any motion which would lead to an extra charge upon the revenue of the country, unless it was laid before parliament with the sanction of His Excellency.

Hon. Mr. BOULTON—This is not a charge upon the revenue?

Hon. Sir MACKENZIE BOWELL—No, this is not a charge on the revenue, nor is it an interference with the appropriation which has been made, but it is a declaration that you will not change the purposes for which it was originally granted. I do not think the amendment is out of order.

Hon. Mr. POWER—The House of Commons, in which body is vested the sole right to deal with the property of the country, send us up a bill which provides that a certain money subsidy to the line that is authorized by the bill and they say that the company's land subsidy shall also apply to the line authorized. Surely this House would not have the right to say that the grant of $80,000 should not be given to the new company, but should be given to the old company. We would have no right to do that, and we have no more right to decide that the land subsidy shall be given to the old company and not to the new. We have a perfect right, if we wish things to remain as they are, to reject the bill, but we cannot amend them.

Hon. Sir MACKENZIE BOWELL—This is not changing an appropriation from one company to another; it is giving power to a company to which a subsidy was granted last year to change the route, and not to a new company.

Hon. Mr. BOULTON—I claim my right to speak to my motion. It is not asking for an appropriation of money, but this deals with a subsidy to the Great Northern Railway, which was designed to go between the Lake Manitoba and Lake Winnipeg towards the Saskatchewan and Hudson Bay. Now, the appropriation made by the late government was to that railroad as part of the line to Hudson Bay. This is a transference from that line on the east side of Lake Manitoba to a line on the west side of Lake Manitoba, which runs in an entirely different direction. I wish to oppose the transference of that land grant to the new line and to keep it for the old line.

Hon. Mr. SCOTT—The old line is abandoned.

Hon. Mr. MACDONALD (B.C.)—What will be the effect of the hon. gentleman's amendment? Will it change the land grant, or will it leave the land grant to the old line?

Hon. Mr. BOULTON—Yes. Of course when I speak to my amendment I shall explain what I want. I claim my motion is not out of order on the grounds that I have mentioned.

Hon. Mr. MACDONALD (B.C.)—What will be the effect of the amendment?

Hon. Mr. BOULTON—That is a legal point that I am not acquainted with. The Winnipeg and Great Northern Railway has a charter to go to Hudson Bay, or so far as it has life at the present moment, and this is designed to tack on the bonus, which was granted to the Great Northern Railway, to the Manitoba Railway and Canal Company, which starts from Gladstone, an entirely different point, and which, goes in an entirely different direction.

Hon. Mr. LOUGHEED—Without speaking on the merits of this question, but confining my remarks to the question of order, I should not like to see a ruling in accordance with the contention of the hon. member from Halifax on this point. It would simply divest this House of, at any

time, dealing with a land subsidy, because this is nothing more or less than a land subsidy given to this particular road. Surely the Senate has a right to say whether it will support or reject the bill.

Hon. Mr. SCOTT—We can reject the bill in the whole, but we cannot reject part of it.

Hon. Mr. LOUGHEED—It is equivalent to rejecting a land subsidy.

Hon. Mr. BOULTON—The Secretary of State cannot surely urge that if the government brings down land subsidies for half a dozen railways, one or two of which may be very objectionable indeed, that we have to take the objectionable ones along with the unobjectionable ones and have no power to amend the bill at all? I do not think that that is the intention.

Hon. Mr. SCOTT—The point in this case is this: there is a money subsidy and a land subsidy.

Hon. Mr. BOULTON—I am not asking that the money subsidy shall be interfered with.

Hon. Mr. SCOTT—The rule is that you cannot change the amount; you can reject the bill altogether. It seems to me, under the ruling which has heretofore prevailed, we cannot divide the amount and say we accept so much and reject so much.

Hon. Mr. MASSON—Can the hon. gentleman give us any authority? There is only one bill, the Supply Bill, which we are obliged to accept or reject as a whole. We have always understood it that way. Can the hon. gentleman show us some authority for the position he takes? We have great powers. We can do anything we like with any bill except the Supply Bill. Not only land bills but money bills. We can strike out but we cannot add. We cannot say that money shall be spent, but we can say the money shall not be spent.

Hon. Mr. POWER—This question has come up rather unexpectedly.

Hon. Mr. BOULTON—It has been on the order paper for three days.

Hon. Mr. POWER—But the question of order has come up unexpectedly. I remember in the session of 1885 when the hon. gentleman from Richmond occupied the chair of this House, I moved an amendment to a railway bill which was before the House to the effect that work should be begun at both ends of the proposed railway at the same time, and that motion was ruled out of order, and as I admitted afterwards, was correctly and properly ruled out of order by the Speaker. He gave the authority at the time. That was a smaller interference with the bill before the House than that which is contemplated by the hon. gentleman from Shell River. I presume the usual course, when a question of order is raised in committee, is for the Speaker take the chair.

Hon. Mr. MACDONALD (B.C.)—I should like to ask an explanation of the last words of the bill—whether they mean that the old land grant shall remain a subsidy to the old line.

Hon. Mr. SCOTT—The old line is abandoned.

Hon. Mr. MACDONALD (B.C.)—Then the old land grant is on the old line still but this other company has got it.

Hon. Mr. BOULTON—I wish to speak to the amendment.

Hon. Mr. McKAY—I think that it would be wiser to pass the bill now and let the hon. gentleman move the amendment on the third reading.

Hon. BOULTON—I would like to make a speech on this at the present time and on the third reading as well. Before it comes to the third reading I wish to explain the reasons for my opposition to it.

Hon. Mr. POWER—I persist in the question of order.

Hon. Sir MACKENZIE BOWELL—The committee should rise, and then the Speaker could decide the question of order after which we could proceed in committee again.

Hon. Mr. CLEMOW, from the committee, reported that they had taken the bill into consideration and asked leave to report the same for the decision of the Chair on the point of order.

Hon. Mr. POWER—My hon. friend's amendment proposes to strike out of this bill

the words, "and the company's land subsidy shall apply to the line hereby authorized." I say that this House has no right to deal with the property of the Crown; that it has no more right to deal with a land subsidy than with the money subsidy which is dealt with by this bill. The Senate have the right to reject the bill but not to amend it in the manner proposed.

Hon. Mr. SCOTT—I refer to May, at page 542, where he says:

THE COMMONS PRIVILEGES AND LEGISLATION BY THE LORDS.

By the practice and usage based upon that resolution, the Lords are excluded, not only from the power of initiating or amending bills dealing with public expenditure or revenue, but also from initiating public bills which would create a charge upon the people by the imposition of local or other rates, or which deal with the administration or employment of those charges. Bills which thus infringe the privileges of the Commons, when received from the Lords, are either laid aside or postponed for six months.

It follows accordingly that the Lords may not amend the provisions in bills which they receive from the Commons dealing with the above mentioned subjects, so as to alter, whether by increase or reduction, the amount of a rate or charge, its duration, mode of assessment, levy, collection, appropriation or management, or the persons who pay, receive, manage or control it or the limits within which it is leviable. Other forms of amendments by the Lords have also been held to infringe on the privileges of the Commons, such as the addition of a clause providing that payments into and out of the Consolidated Fund should be made under the same regulations as were applicable by law to other similar payments; of provisions for the payment of salaries to officers of the Court of Chancery out of the suitors' funds; and alterations in a clause prescribing the order in which charges on the revenue of a colony should be paid.

Hon. Mr. BOULTON—Does it say anything with regard to the appropriation of land?

Hon. Mr. SCOTT—It is an asset of the Crown.

Hon. Sir MACKENZIE BOWELL—The extract read from May is not pertinent to the question before the House. We have always adhered to the doctrine laid down there, in dealing with public properties or public moneys, but this bill makes no provision either for the reduction or the increase of land grant, or the increase of a money subsidy, or the decrease of a money subsidy. It provides for the transferring of a subsidy which has been granted in land from one line to another. It neither adds to the revenue nor takes from the revenue. If the motion was carried—I do not anticipate that it will be—it would leave the appropriation, as it was passed by parliament in 1895, in the same position as the bill provided for at that time. It does not take from nor does it add to, but it says the same company that built the 125 miles, may extend their road upon another route, and that they will transfer the subsidy which was given for the line from Dauphin Lake to the Saskatchewan, to a road to be built from Dauphin Lake to the Swan River. That is the proposition before the House, and it is a question whether that comes within the meaning of the paragraph read by hon. Secretary of State from May. To my mind, it does not. I do not think it has the slightest application to the question before the House.

Hon. Mr. BOULTON—I must give His Honour the Speaker the information with regard to this road. A charter was granted to build a line from Winnipeg to the crossing of Lake Manitoba between Lakes Manitoba and Winnipeg; that is serving a tract of country on its route from Hudson Bay to the Saskatchewan. There was forty miles of that road built, as hon. gentlemen all know, about ten years ago has never been utilized or brought to completion.

Hon. Mr. ALLAN—Is the hon. gentleman speaking to the question of order or the resolution?

Hon. Mr. BOULTON—I am speaking of the transference of this subsidy upon the line that the hon. leader of the opposition has laid down. I want to show that the people expected this appropriation to be expended for their benefit between Winnipeg and Manitoba, that it is now transferred to the west side of Lake Manitoba, some 120 miles from Gladstone north, and now this is designed to transfer that appropriation of 6,500 acres per mile from that line for which the appropriation was originally granted, and the money subsidy originally granted, to the Lake Manitoba Railway and Canal Company. I am moving now that that transfer shall not take place. It is not a question of what is to become of the land grant hereafter, whether it shall be utilized for the purpose for which it was originally intended or not; that is for the government to say, but I claim the right to speak to my motion and I am quite in order in regard to that, because it is still leaving the land grant in the hands

of the government and for the purpose for which it was originally intended.

Hon. Mr. MILLS—I do not think the point taken by my hon. friend opposite is well taken. This land grant, as my hon. friend argues, is a grant transferred from one company to another; it is not an appropriation from the Crown. The appropriation has already been made. That is the contention of my hon. friend, and it is just a question whether it shall go———

Hon. Sir MACKENZIE BOWELL—My contention was not that it was transferred from one company to another.

Hon. Mr. MILLS—From one line to another, under the same company.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—The money has not yet been earned. It is still an appropriation to be made. Parliament has entered into a contract, that is all. There is not an appropriation. But that being so, this is as much a dealing with the revenues of the Crown as if there were no other bill in existence except this particular bill. In a supply bill you cannot amend it. You cannot propose to strike out certain items, but must deal with the measure as a whole. Any bill making an appropriation of public moneys, or of public revenues in any form, is not exactly like a supply bill taken as a whole. You may amend, for instance, any clause of this bill except that relating to the appropriation. My hon. friend says we would have the right to reject the Supply Bill, therefore we have a right to strike out this particular clause. I say no, because this is not the only clause in the bill. There is another clause making an appropriation of a certain sum for a year. The question may arise whether you can deal with both or one only. You cannot deal with one, and my hon. friend will see that applying the principle of analogy of the Supply Bill, you cannot amend this bill by striking out a part of the public appropriation to support the road and leave the remainder in the bill.

Hon. Mr. MACDONALD (B.C.)—By what authority can you place public money and public land in the same position?

Hon. Mr. MILLS—They are both assets of the Crown and both have values. My hon. friend put a very high value on land the other day—considered it of immensely greater consequence than money.

Hon. Mr. MACDONALD (B.C.)—I put that value on it still.

Hon. Mr. MILLS—And now he argues that the lands are of so little consequence that they cannot be regarded as money.

Hon. Mr. MACDONALD (B.C.)—I want to know on what authority the hon. gentleman places land and public money in the same category?

Hon. Mr. MILLS—Because they are both revenues of the Crown.

Hon. Mr. MACDONALD (B.C.)—There might be the other way; there might be a loss of revenue to the Crown.

Hon. Sir MACKENZIE BOWELL—The paragraph referred to by the Secretary of State reads as follows:

> By the practice and usage based upon that resolution, the Lords are excluded, not only from the power of initiation or amending bills dealing with public expenditure or revenue, but also from initiating public bills which would create a charge upon the people.

Then the next paragraph goes on to say:

> It follows, accordingly, that the Lords may not amend the provisions in bills which they receive from the Commons dealing with the above mentioned subjects, so as to alter, either by increase or reduction, the amount of a rate or charge, &c.

Is this an interference with the revenues of the country? Is it an interference with the expenditure of the country? I contend that it is neither the one nor the other. If it were an original appropriation of these lands, then there might be some force in the argument that the hon. gentleman is making. But it is not an original appropriation, and I hold that the granting of land is not an expenditure, nor is it an interference with the revenues of the country.

Hon. Mr. SCOTT—It is the taking of the lands from one corporation and giving them to another corporation.

Hon. Sir MACKENZIE BOWELL—It is not, my hon. friend is wrong. It is allowing the same corporation to expend the money in one section of the country and

not in the other for which it was originally appropriated.

Hon. Mr. MILLS—Is it not the same corporation?

Hon. Sir MACKENZIE BOWELL—It is.

Hon. Mr. SCOTT—One is the Winnipeg Great Northern Railway Company; that is the corporation that up to the present time has had this land grant. The hon. senator who made the motion to amend does not wish to take it from that company. The Crown takes it from one company, at the instance of the parties interested, and gives it to an entirely different company. It stands in the name of the Winnipeg Great Northern Railway Company. We gave it to that company, and that company has not forfeited the land yet. Now the Crown says, for public reasons and with the consent of the parties, we are going to take that land back, to cancel or repeal that original grant, and we are going to make a new grant altogether to the Winnipeg Great Northern Railway Compay.

Hon. Mr. BOULTON—The bill does not say that.

Hon. Mr. SCOTT—But we do it virtually by this. The hon. gentleman will admit that it now stands in the name of the Winnipeg Great Northern Railway Company.

Hon. Mr. BOULTON—Yes.

Hon. Mr. SCOTT—If this bill passes with that clause in it, it will then have been taken from that company and transferred to the Winnipeg Great Northern Railway Company.

Hon. Mr. BOULTON—What is the difference?

Hon. Mr. MILLS—They are two corporations; they have two Acts of parliament.

Hon. Mr. BOULTON—They are both the same except in name.

Hon. Mr. SCOTT—The other is the Manitoba Railway and Canal Company.

Hon. Mr. BOULTON—There was a bill passed through parliament the other day allowing the Manitoba Railway and Canal Company to amalgamate with the Winnipeg and Great Northern. It is still the Winnipeg and Great Northern. This land was vested in the Winnipeg and Great Northern Railway Company, and this bill still leaves it vested in the Winnipeg and Great Northern, and allows them to expend it in another direction.

Hon. Mr. DE BOUCHERVILLE—Supposing those words were struck out which the hon. gentleman from Shell River wishes by his motion, what grant will there be to this new railroad?

Hon. Mr. BOULTON—I am only trying to get the matter before the House and explain about that.

Hon. Mr. SCOTT—I withdraw the point of order if the hon. gentleman will allow the House to divide on it.

Hon. Mr. BOULTON—The hon. member from Quebec wants the information; you will not let me give the information.

Hon. Mr. POWER—Chair, chair!

The SPEAKER—It has been maintained during the discussion of the point of order that the Senate had no right to interfere with bills which increased the expenditure of money, but would have the right to amend such bills in order to decrease or prevent the expenditure of money. I admit that I was, at first sight, of that opinion, but the authority of May, cited by the hon. Secretary of State, at page 542, after saying that the House of Lords is excluded, not only from the power of initiating or amending bills dealing with public expenditure or revenue, but also from initiating public bills which would create a charge upon the people, or which would deal with the administration or employment of those charges, adds:

> It follows, accordingly that the Lords may not amend the provisions in bills which they received from the Commons, dealing with the above subjects, so as to alter, whether by increase or reduction, mode of assessment, levy, collection, appropriation or management; or the persons who pay, receive, manage or control, &c., &c.

To this the hon. leader of the opposition said that there is in that amendment neither a question of increasing or reducing the expenditure of money, but of transferring the grant of land from one line to another. But in reading the amendment as it is, I cannot now come to any other conclusion than that this amendment would really interfere in

the disposition of the public money, and the very words of the amendment say: "and the company's land subsidy shall apply to the line hereby authorized." By this the amendment goes to say that the disposition of the land grant will be changed; and as the hon. gentleman from Montearville pointed out, if this amendment is carried, then the land already granted will be removed from its destination or appropoiation, that is, from one line to apply it to another, and there will be no grant of land for one line which had it before. And as I am of opinion that public land, representing public property, ought to be considered as public money, I cannot come to any other conclusion than that the point of order is well taken, and that the amendment is not in order.

Hon. Mr. BOULTON—Then I beg to give notice that on the third reading of the bill I will move the six months' hoist.

OTTAWA AND GEORGIAN BAY CANAL.

MOTION.

Hon. Mr. CLEMOW moved the adoption of the final report of the Select Committee appointed to investigate and report upon the construction of a canal uniting the waters of Lake Huron with those of the St. Lawrence, via the Ottawa River.

He said: I have much pleasure in reviewing the proceeding of the committee appointed to inquire into the feasibility of constructing this canal. I may say, hon. gentlemen, that this matter was thoroughly inquired into by the committee, and evidence was adduced before them, clearly showing that this route is a most desirable one, a route which will contribute greatly to the future prosperity of this Dominion. As hon. gentlemen know, this subject has engaged the attention of the public men of this country for the last fifty years. At one time it was viewed as a local project, an Ottawa project, and therefore, did not attract the attention it has commanded of later years. It is now viewed in a different light, as a national work, a work, which in importance exceeds any public work undertaken in this country in the past—I will not except even the Canadian Pacific Railway, although we must admit that that great enterprise has been of inestimable benefit to the Dominion generally. I think that you will find that this proposed canal will be equally advantageous in the future and will succeed in diverting the trade that has hitherto passed our doors and entered United States channels, and we will get the benefit of this transportation in the future. There can be no greater advantage to any country than a cheap, safe and expeditious means of transportation. In the past it was necessary to build the St. Lawrence and Welland Canal. They have been of great benefit to the country, I admit, but at the present day we are in a different position. We find now that it is absolutely necessary that increased accommodation should be provided for the expanding commerce of this great Dominion. With this Ottawa canal you will have, instead of a very small percentage of the cereals of the west transported through this country, in the future the great bulk of passing through this channel to the sea-board. We had before the committee experts of the highest character—men well acquainted with the trade and business operations of the country—and they all came to one and only one conclusion, that it is of the utmost importance that this work should be undertaken with as little delay as possible for the purpose of obtaining the results that we expect to follow from the construction of this canal. It is unnecessary for me to go over the evidence. It is in tpye and will be published in pamphlet form. The members of the committee were perfectly amazed at the evidence produced showing the great advantages of this route. Some years ago the Imperial government undertook the construction of the Ottawa and Rideau Canals from Montreal to Kingston. That work did an immense deal of good in its time. It was undertaken not merely as a commercial enterprise, but as a work in the interest of the defences of the country. If it was necessary then, how much more necessary is it now to provide another means should it ever be necessary for the defence of the country to be used for the transportation of vessels from the sea-board to the upper lakes without molestation. Whether we view it as a defensive work or as a commercial undertaking, its advantages are so great that it is not necessary for me to waste the time of the House impressing hon. gentlemen with its importance. It will make Montreal and Quebec the New York and Boston of this country. It will bring trade to this

country that will astonish our people. Had this canal been commenced as it was ntended forty or fifty years ago, in all probability it would have been of small dimensions. In those days we did not have the same large ideas we have to-day. At that time a canal of nine feet draft would have been considered sufficient, but now we find that commerce demands a larger channel. This proposed canal will have fourteen feet of water. With that depth of water it will carry an immense volume of traffic. It will be the great highway through the Dominion between the North-west and the sea-board on all-Canadian route, and we will have the proud satisfaction of knowing that both as regards canals and railways we are superior to any other people on the face of the globe. The day is not far distant when this canal will be constructed. When the government see the evidence adduced in this report they will come to the conclusion, I am satisfied, that if they do not accept the proposition of the great contractors who offer to construct the canal as a civil undertaking, they will themselves undertake the construction of it as a national work. The firm of Pearson Company was represented here by Mr. Meldrum, who came all the way from Mexico to appear before this committee and give evidence of that project. I believe the govèrnment will yet take this matter into favourable consideration, and when they do they will find that there is a unanimous opinion in favour of this route—that not a dissentient voice will be raised against the early completion of the canal. The contractors undertake to commence work on this canal immediately. They propose to complete it and have it in full operation in between three and four years, and they do not ask the government to give them a dollar in advance. When the work is in running order they expect that the government will endorse their bonds for twenty years. It is a very favourable proposal. Whether the policy of the government will be in favour of the canal or not, I do not know. If they undertake it as a government work, that is a matter which they alone have the power to decide. However, we have this proposition before us. We know what the cost of the work will be, and it is very easy to ascertain whether one course or the other will be best in the interests of the country. I do not intend to dwell at any great length on this question, but I may say, as far as it concerns the great North-west, no proposition can ever be submitted to the people of this country that will more enure to the settlement of that part of Canada. It will have the effect of settling every acre of land in that fertile country. We know that the North-west is capable of producing an immense quantity of grain. Probably a great many of us here may not live to see it, but our successors will find that this country will be able to produce such quantities of grain as will astonish the world. If this project is to have the effect of settling our great North-west, it should at once be proceeded with. Settlers will not go into that country to the same extent under present circumstances as they would if they had the best facilities for the transportation of their produce. Apart from its value as a short highway from the great lakes to the sea-board, this canal will develop immense water powers, capable of producing electricity for light and power, and will facilitate the development of our vast deposits of iron ore, and lead to the establishment of great manufacturing enterprises. When we see all the advantages to be derived from the building of this canal, we would be wanting in our duty to ourselves and to our country if any of us offered opposition to the construction of this great work. The gentlemen who composed the committee were unremitting in their attention, and criticised very properly every word uttered by the different witnesses. I believe I voice the unanimous sentiment of the committee when I say that they heartily recommend the government to ensure the construction of this great work. I believe the time has arrived when action should be taken for the purpose of bringing this project to a successful issue. The cost of maintenance and operation of the canal should not exceed those of our present canals, and should be considerably reduced, steel and concrete being largely used in construction. The works will be of a very permanent character, and repairs will be slight for years to come. The location of the falls is such that separate locks will be few, and the locks being in chains, the expenses of operation will be reduced to a minimum. The fact that the excavations are largely in rock, and the character of the Ottawa River give absolute assurance that the annual cost for dredging to keep an open

channel, breaks of canal banks, &c., will be trifling in the extreme.

An estimate of traffic heretofore made places its total at the opening of the canals and for the first years of their operation at 4,050,000 tons per annum divided as follows:—

	Tons.
I. From Lake Superior.....	750,000
II. do Lake Michigan.	1,800,000
III. do Lakes Huron and Erie (including coal trade)	250,000
IV. Lumber.....	1,000,000
V. Other traffic of local origin	250,000

(These figures include in all cases traffic both ways.)

Further analyses of traffic since this estimate was made lead to the belief that it is in some respects much too low.

Counting one-fourth of this estimated tonnage as west bound, there would remain 562,500 tons east bound traffic, and supposing this to be all grain it would amount to 18,562,500 bushels. When it is considered that a cut off from one and a half to two cents per bushel below any other route can be made by the Ottawa waterway, it will be evident this is far too small.

The figures for wheat passing through the Sault eastward are:

	Bushels.
1870.....	49,700
1880.....	2,105,820
1890.....	16,217,370
1896.....	63,259,463

Other grains:

1894.....	1,545,000
1895.....	8,542,000
1886.....	27,000,000

Showing a total of over 90,000,000 bushels in 1896. In 1895 Minnesota and North Dakota alone produced 126,000,000 bushels of wheat. Manitoba and the North-west will be producing that much more within very few years. It would be safe to estimate that before the end of the first decade of the twentieth century there will be 250,000,000 bushels of grain per annum pouring out from Lake Superior via the Sault. The present importations of the British Isles alone from this continent exceed 175,000,000 bushels per annum. It is not unreasonable to suppose that a large proportion of this grain will be carried by the cheapest route to the seaboard of the Dominion. Instead of 750,000 tons from Lake Superior the traffic might very safely be stated at from 1,500,000 to 2,000,000 tons per annum. To be beyond all question within the mark, it may be placed at 1,000,000 tons. The traffic from Lake Michigan has been estimated at 1,300,000 tons, based on a total traffic of 18,000,000 tons per annum. The immediate success of the Ottawa, Arnprior and Parry Sound Railway in attracting to itself grain traffic bound from Chicago and other Lake Michigan points as well as its shipments from New England to the Western States affords proof that upon the opening of the Ottawa waterway, it will find itself practically with a tonnage of freight passing along it limited only by its capacity. Nevertheless to be perfectly safe this may be placed at 1,000,000 tons. This item of 250,000 tons is far too low. Coal costs now for carriage from the boundary to North Bay $2 per ton. When it can be loaded at Lake Erie ports by lumber barges as a return cargo, and laid down anywhere on Lake Nipissing at a cost of not more than sixty cents per ton (including tolls) there will be such a development of the Sudbury and Temiscamingue mineral regions as has not yet been seen. Cheap coal on Lake Nipissing will also facilitate railroad operation through all the northern parts of Ontario and north-western Quebec, and will speedily develop resources beyond the height of land on the Hudson Bay slope. From these resources then (1) Mining operations, roasting ores and smelting processes. (2) Use on railways, and (3) Supply of towns and villages, will soon spring up a large demand for coal. On the other hand the output of all that region will be greatly enhanced. Over 100,000 tons of pulpwood alone are already shipped annually from the Lake Nipissing region. This costs, for transportation, from $2.75 to $3.25 per cord. With water transportation this item would be reduced to about $1 per cord, and it is perfectly safe to say the output would be doubled, or even trebled, at once. Pulpwood from Lake Nipissing alone, will furnish almost at once, more than the total indicated traffic of 250,000 tons. For this reason this item may be safely placed at 500,000 tons, and the figures increase rapidly beyond that. The lumber trade of the Ottawa has been placed at 1,000 tons, but may be safely increased to 1,500,000. The canals of the lower Ottawa have nearly 750,000 tons per annum of a lumber traffic. Considering the vast quantities of additional material made available, the estimate of 1,500,000 for the

whole route east and west and including all other forest products is clearly a very moderate one. This item includes building stones, clay, lime, marble, granite, iron ores, galena, phosphates, bulky agricultural products, lumbermen's supplies, etc., etc. The revised estimate appears thus :

		Tons.
I.	From Lake Superior	1,000,000
II.	" Lake Michigan	1,000,000
III.	" Lakes Huron and Erie (including coal trade)	500,000
IV.	Lumber	1,500,000
V.	Other traffic of local origin	500,000
		4,250,000

As to the quantity of water power which will be developed by the company's works, the estimate of Mr. Andrew Bell, C.E., is from 500,000 to 800,000 horse power. Mr. T. C. Clarke, consulting engineer, says :

> The most important change in the situation has come from the development of the electrical transmission of power. The dams designed by me in 1860 were then and are now absolutely necessary to give sufficient depth for navigation. These dams will also be the means of developing and controlling water power for electric appliances. I can state unreservedly that I know of no other place in any manufacturing country, Niagara Falls not excepted, where there is such an amount of water power as this scheme can make available.

Mr. Clarke places the amount of power developed at a minimum of 700,000 h.p. As to its value there can be no question that $20 per h.p. per annum is a reasonable estimate, but for purposes of calculating revenues it is placed at $10. The utilization of this large quantity of water power will no doubt be a matter of time, but it is not to be lost sight of that it will be located on one of the most advantageous water highways in the world, with the materials for various manufactures convenient, and all other conditions the most favourable possible. The immediate demand will be large for the following purposes :—(1) Pulp and paper mills. (2) Flour mills for grinding North-west grain in transit. (3) Electric light and power. (4) Wood-working industries and other manufactures The utilization of at least 100,000 h.p., may be looked for in the near future. The estimate of revenue submitted is based on that amount, although there is evidently no reason why it should be limited to that.

I think I have shown enough to convince hon. gentlemen that this project is one of such great natural importance that not one day should be lost in arriving at a decision that it is to be undertaken either in one way or another. I have no particular desire to recommend what action the government should take in this matter. I have no doubt they will view the evidence produced in this report and consider the advantages. I believe if this canal is undertaken it will place the Dominion in a position second to none in the world and develop enormous water power and increase our ability to transport cheaply the vast rescources of the North-west. We will overshadow any other nation on the face of the earth. We have built the Canadian Pacific Railway and it has been a great success and I want to see another great success in building the Ottawa Canal. I have considered the subject for the last fifty years. I was in the country in my early days. I was conversant with the natural resources of this country, and when my friend the late John Eagan undertook to bring the subject to the notice of the parliament of Canada in the fifty's every man thought he was insane, that he was asking for work that could not be under taken and would tax—I will not say the resources of the British Empire, but it would cost a great deal. However, the government did commence it, and they did excavate a certain amount between the Chats and the Deschênes Lake, but the rock was very difficult to remove with the explosives used at that time. We merely had powder and the cost of excavation was too great, but with the explosives at the present time that rock could be displaced as easily as any rock in the world. But we do not require that. This canal can be built at a comparatively low estimate. The whole work can be done for $17,000,000. That includes $1,500,000 for elevators at the city of Montreal, and $500,000 for the purpose of increasing the size of the locks on the Lachine Canal. If those two items were taken away, we would merely require $15,000,000 to accomplish this great work. That must be considered a very small price, indeed, for work of this magnitude, particularly when I tell you that the Suez Canal, 100 miles in length, cost $1,000,000 per mile, and the Nicaragua Canal cost about the same. On the other side of the line they do not hesitate to build canals at an enormous cost. I hope the government will proceed with this project, and I know that every acre of unoccupied lands in the North-west will be taken up by settlers. I trust that the government

will keep these lands in their possession for actual settlers. They ought to do everything they can for the future. We have given our timber lands, the best assets of the country, away for nothing, and I hope a different policy will be inaugurated by this government and that they will do everything they can to retain the properties in their own lands. The question was before us the other day as to the irrigation of lands in the North-west. I think it is well worthy the considertion of any government whether they should not do this irragating themselves. I do not like to see large areas of lands go into the hands of speculators. We have had too much of it in the past and I hope the government will take warning and retain these lands for the benefit of the country. The very moment that the people know that we are going to have this canal, they will go to that country to settle, and the steamers will not be sufficient to carry the people there. We are now in a fair way to get a fast line of steamers and that is another reason why we should construct this canal in order to build up Quebec and Montreal and make them the New York and Boston of this country. They are capable of it. No two ports in the country offer greater advantages, and I hope that Quebec and Montreal will assist the undertaking. I trust that hon. gentlemen here will give us all the aid they can and distribute this information in order to show that we are desirous of doing what we can for the best interest of the country in the future.

Hon. Mr. BOULTON—I should like to say a few words upon this question before the motion is put.

Hon. Mr. McKAY—An hour?

Hon. Mr. BOULTON—The hon. gentleman must recollect that the representation from our western country is small, and I have therefore to do double duty in discussing those questions that affect our interests, and if I tax his patience he must regard my criticisms in that light. I will endeavour to be as short as possible. Coming from the North-west country, it is a matter of very great importance to us to obtain transportation facilities for our heavy produce to the markets of the world, and for that reason I should like to have the privilege of saying a few words upon the benefits that the construction of this canal will be towards the development of our western prairies. Unfortunately, a large proportion of the grain that we produce in the North-west finds its way to the markets of England by way of New York instead of through Canada. That is a most unfortunate position for this country to be placed in. The reason of that is not hard to understand. First of all, our marine is a monopoly. It is a small marine, and it keeps everything within a close preserve. There is not sufficient development of competition within our lake marine to give us low rates The competition in the United States marine is very heavy indeed, and it is constantly increasing in tonnage, and constantly lowering rates. From Port Arthur to Buffalo the United States marine compete for the carriage of our grain and take it at a very low rate in the very large tonnages of vessels that are employed in that service. The United States marine cannot compete in carrying grain from Port Arthur to a Canadian port. That is a monopoly of the Canadian marine, and to the extent that that monopoly exists, and to the extent that the absence of competition exist, are difficulties placed in the way of transporting our grain through Canadian channels instead of sending it around by Buffalo and the Erie Canal. Now, the construction of this canal, as long as our Canadian marine is a monopoly, will always be the subject of the difficulties that I have pointed out in that respect, so far as carrying our Canadian grain is concerned, and I hope it will dawn upon our government that the statement I make is a fact. When it comes to drawing the grain from Duluth or Chicago to a Canadian channel, then the advantages of the canal will be very much increased and will be very manifest. For instance, a United States vessel can carry from Chicago to a Canadian port, while it cannot carry from one Canadian port to another Canadian port.

Now the grain that is delivered at Buffalo every year for transportation to the sea board is 200,000,000 bushels, hon. gentlemen can get through their minds what an enormous amount of produce and traffic that is. A portion of that, of course, is our own, but a great portion of it is from Chicago and Duluth, and all those lake ports in the United States. Now, to get a portion of that 200,000,000 should be the aim of Canada, and it is by the opening up of our transportation facilities, by the construction

of this canal that we can assist in accomplishing that object. Supposing by the increase of our grain producing power in the North-west and the continual increase of the producing power of the North-west prairies of the United States, we were to get 100,000,000 bushels of that grain transferred to Canadian channels of transportation, which are really the shortest. Now the carriage of 100,000,000 bushels of grain through this canal at two cents means an expenditure of $2,000,000 between Montreal and Georgian Bay. I would like to give you just a few figures here to show how the cost of carrying has been reduced. In 1868, lake and canal, all water communication, was twenty-five cents per bushel; lake and partially rail, twenty-nine cents a bushel; all rail was forty-two cents a bushel, that is from Chicago to New York. A gradual reduction has gone on from that till 1885, when the reduction was down to 4·55 cents by lake and canal, 9·6 by lake and rail, and fourteen cents by all rail. Since 1885 there has been a still further reduction of these rates. That will show you the great power that water communication has in continually reducing the cost of transportation. Now, that is the evidence given by Mr. Thompson, a very distinguished man in the engineering line in the United States. I would like to draw your attention to another observation he makes, and it is a point I have always tried to impress on hon. gentlemen in regard to our transportation in the west. This is what Mr. Thompson says:

Transportation is a tax. When you make transportation the least bit higher than it should be, it constitutes an unnecessary tax. If by some magic we could bring the grain from your western prairie here to your consumers, the farmer would get more and the consumer would pay less than is the case now. However, here is a special point I wanted to call your attention in speaking of France. They have over there a system of government guarantees of railway earnings, that their earnings will not be less than a certain amount, and we find that in the districts where they have the greatest canal traffic there they also have the greatest railway traffic. To name one specific instance, the Great Northern Railway of France traverses a district in which there is fifty-three per cent of the total voting capacity of France, and that railway is the only oe in the country—speaking of a few years ago—which was not obliged to call upon the government to make good its guarantee. Take another notable instance. I have so many here that I find it is going to take too long. Let me give you one further and noteable instance. During the time the Elbe River in Bohemis was being improved—fifteen years was the time—the steamboat traffic, the river traffic, quintupled; it was five times as great at the end of fifteen years when the improvements were made as it was at the beginning.

That is a point I would like to impress on hon. gentlemen. It is that fact I am arguing continually as to the heavy transportation rates we have to bear. Transportation is a tax upon the farmer and the consumer when it is costing more than it should either by increasing the demands for interest on securities, or by increasing in any form whatever the cost of construction. There is another point I would just like to draw your attention to, and that is the traffic in these western lakes, which, last year amounted to 19,000,000 tons. That is the trade that goes from those western lakes, and the object of the construction of this canal is to divert a portion of that enormous tonnage to our own channels. There is just one more reference I would make to show what other parts of the world are doing in regard to public improvements and enterprises of this kind. The evidence of Mr. James Meldrum, an English engineer who came before the committee, and of whom the hon. mover's motion spoke of, is as follows:

We have recently completed the Blackwell Tunnell for the London county council at a cost of about one million sterling, for which service the president of our company has been created a baronet. We have just completed the drainage of the valley of the city of Mexico by canal twenty-five miles long, and in places ninety feet deep, which has changed the whole area from a swamp into dry land, at a cost of about $10,000,000. At present we are constructing for the Admiralty of Great Britain, Dover Harbour, at a cost of about three millions sterling, which will convey to you that we are on the Admiralty list, which is the highest honour that a contractor can get. We are constructing Vera Cruz Harbour for the Mexican government. We have railway and dock contracts in England amounting, exclusive of the Dover Harbour contract, to three or four millions sterling. We have just completed an arrangement with the Mexican government by which we take over from them the Tehuantepec Railway from the Pacific to the Atlantic. We propose to build large harbours at each end and divert the whole trade of the Pacific to the Atlantic to a new route. More within your own knowledge, we built and are part owners of the Halifax Graving Dock.

The CHAIRMAN.—What did that cost?

Mr. MELDRUM.—I could not at this moment say.

Hon. Mr. POWER.—It is a good work.

Mr. MELDRUM.—I believe it is the only satisfactory graving dock on the east coast of America. Besides what I have mentioned we are at present in negotiation with the Egyptian, Chilian, Argentine and Uruguayan governments for other large works, amounting in all to about fifteen millions sterling.

I merely quote that in order to show you what other parts of the world are doing with this one firm in the construction of canals and public works of this kind, namely, to the amount of £25,000,000 sterling. I cannot speak too highly for the construction of the

Ottawa and Huron Canal, not only on acconnt of the transportation facilities which it will afford, but of the towns which will spring up along its route, which our farmers in the west will help to supply. I think one of the engineers who gave evidence before the committee said the water power along the Ottawa was equal to the water power on the Niagara River, and is a great deal better distributed for manufacturing purposes. In addition to that, the evidence as reported here shows that it would increase railway traffic enormously. Then we would have railways built from Lake Ontario across to the Ottawa Canal from all the central towns along the shore of Lake Ontario. All these improvements will follow upon the construction of this canal. It is one of those progressive works that I think should commend itself to the government. We must all appreciate the enterprise, of Mr. McLeod Stewart and others who are promoting this project with all the energy they can put into it; they deserve a great deal of credit in having brought such valuable evidence to the assistance of the government and of this House in considering this measure. The work of this committee and the Yukon committee have brought out a great deal of useful information in regard to the necessity for economical transportation based on sound, economic principles, which a guarantee of bonds will effect, and for which there is a justification in this case. I have very great pleasure indeed in seconding the motion of the hon. gentleman from Rideau.

Hon. Mr. SCOTT—The hon. senator from Rideau division need not have made any apology for the manner in which he presented the case of this proposed canal before this House and before the country. I think we are all indebted to him for his earnest efforts to give publicity to this question. It is not a new project, it is one that has occupied the minds of the people of this country for half a century—in fact, fifty years ago it occupied a very much larger place in the minds of the people of Upper and Lower Canada than it does to-day, larger than any other project at that time, because it was the route that had always been used in early times as the shortest, safest and best route between Montreal and the upper lakes, and it was always regarded as having advantages over the long route by the lower great lakes and the upper St. Lawrence. The feasibility of this canal cannot be questioned, for the reason that most eminent engineers have thoroughly examined the topography of the country and have given us the result of their information —Mr. Walter Shanly, Mr. T. M. Clark, who stands very high now in the United States as a leading engineer, and Mr. Marcus Smith, and recently Mr. Meldrum, who is engineer for Pearson & Son who propose to construct this canal if encouraged sufficiently by the government of Canada. So that the feasibility of the work is not questioned, and there is abundance of water for the purpose, and the traffic, from the evidence that we have had and the figures that have been given by both the hon. senator who moved this and by the hon. senator from the North-west (Mr. Boulton), is undoubtedly the most growing traffic in the world. There is no traffic anywhere that has grown with such rapidity as the traffic of the great North-west has. I suppose the traffic that passes down through Lake Erie is without exaggeration more than double that which passes through any locality in the world. The Suez Canal does not count in connection with it. The traffic of the Soo Canal is to-day greater than that of the Suez Canal, but when you take the traffic that comes out of Lake Michigan and add that to what comes out of Lake Superior, it is far beyond the traffic of the Suez Canal——

Hon. Mr. MACDONALD (B.C.)—Five times the amount, I believe.

Hon. Mr. SCOTT—Any one who stands on the wharfs at Detroit, or the docks at Windsor, and looks at that continual line of magnificent vessels that pass before the eye, witnesses a grand panorama. There is nothing equal to it, and this is a growing traffic. They are to-day building vessels along the shores of Lake Superior on the United States side, in anticipation of the traffic. The traffic actually keeps ahead of them, it is so large and so expansive. The figures that have been given already by the hon. member for Rideau division and the hon. senator from the North-west, indicate the leaps and bounds with which that traffic is developing. So, therefore, I need not say anything for the traffic, because it is a traffic that must grow. As years go by the people of Europe will depend more upon the great west, and more particularly on the great west of the Dominion for their food supply than they

have in the past. In addition to the quantity of grain, there are also cattle and minerals and pulp. The manufacture of pulp and paper is becoming a most important one in Canada, and this country is rapidly coming to the front as the best producer of paper. Among the advantages of this route is the saving in distance of 300 miles, but in my judgment there is even a more important matter, and that is the protected navigation. The insurance item of Lake Erie and Lake Ontario and Lake Michigan is a very large tax upon the marine. That insurance is absent on this route from the time the vessels leave the Soo Canal until they discharge their cargoes at Montreal, because it is a land-locked route. It is protected on the north of Lake Huron by thousands of islands, and from the French River to Montreal it is entirely inland. There is no possible danger of marine accidents. The cost of transport has already been given by the hon. gentleman who has spoken, showing what a saving of even two cents or a cent and a half on a bushel of grain would mean to the people of the North-west and to the shipping interests. This canal necessarily will draw the traffic towards the Ottawa route, and therefore if that work could be constructed, it would benefit, not only the shipping interests of Canada and make Montreal and Quebec shipping ports, but it would add to the value of every acre of land in the North-west. It would add so much to the value of every bushel grown and every pound of meat produced on the prairies. So that its advantages are almost immeasurable, and one cannot be too extravagant in expressing the beneficial effect of the construction of that canal. The misfortune has been that in past years Canada has been occupied with projects that had to be carried on where the settled population lived from the earliest period, when one hundred and fifty years ago Upper Canada was settled. The first settlements were along the frontier and there was always a constant opposition to the expenditure of any considerable sums of money towards the interior of the country. Naturally the people wanted the improvements made where they lived. This subject has had behind it some of the first men of Canada ; such men as Sir Francis Hincks, Mr. Drummond and Mr. John Young, of Montreal ; and I might say that the Montreal merchants of that day took a far deeper interest in this proposed canal than the merchants of to-day do. The merchants of to-day seem to have entirely lost sight of the trade of this country and the Ottawa region. I have known of this project for forty years. In the session of 1858 the subject was up before the parliament of Canada, and received a great deal of favour, but at that time we were paying, I think, about eight per cent interest —our credit was not as good as it is to-day—and it was too large a project for the country, then to enter upon. To-day we are face to face with a very large expenditure. We must, of course, finish our St. Lawrence canals. They must be completed at the earliest possible time in order that we may avail ourselves of their advantages. While we fully appreciate the magnitude and importance of this project, we recognize that it must be deferred, at all events for the present. I hope, however, the day is not too far distant when the project may be taken up and meet with the approval of the parliament of this country.

The motion was agreed to.

THE PLEBISCITE BILL.

IN COMMITEE.

The House resolved itself into Committee of the Whole on (Bill 121) " An Act respecting the Prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors."

(In the Committee.)

Hon. Mr. SCOTT—This subject was thoroughly discussed when the bill was up for second reading. It has also been freely discussed in the press of the country, and I presume hon. gentlemen are thoroughly familiar with the bill. It is a very simple one. It provides machinery for taking a vote on the question whether prohibition ought to be introduced into our legislation.

On clause 3.

Hon. Mr. SULLIVAN—I had no opportunity of saying anything on this bill at the second reading, and as this involves what I consider to be a most vicious principle in legislation, I might say a word or two about it. From the parliament of Canada down to the municipalities this principle ought not to obtain. I do not think that Great Britain has had such legislation, and I am perfectly satisfied that the great

champion of temperance in England, Sir Wilfred Lawson, has never been able to obtain the consent of the parliament of Great Britain to the principle of submitting such a question to the people. The government of the country or the parliament of Canada representing the intellectual power of the people ought to be able to discuss and settle such questions without submitting them to a popular vote. The government itself should take up this question and decide it, and if they think the people are not sober enough, and that they require some laws for the purpose of regulating the traffic in alcoholic liquors, they ought to submit a measure to parliament. The only memorable case of taking a plebiscite was in the days of Pontius Pilate, and from that time down I do not think there has been any justification for submitting such a question to the people except at parliamentary elections. The idea of an administration submitting a question which they are quite capable of deciding themselves, is, I think, unwise. That is why I contend against it. Moreover, the condition of the people of this conntry is not such as to call for any restrictive legislation. Every one will acknowledge that Canadians are a temperate people. I do not think there is any country in the world where they are so temperate, and if the present laws were carried out fully—the Ontario laws especially were fully carried out, I do not think there would be any necessity for such a bill as this. I contend that the principle of this bill is vicious and not in the interest of the country. It sets a bad example to the lesser bodies such as municipalities.

Hon. Mr. O'DONOHOE—I had not an opportunity at the second reading of the bill to express my views on this subject. It seems to me that it is undertaking a work which the country is unable to carry out. I believe the finances of Canada are not capable of enforcing such a measure in case the people should decide in favour of prohibition. The question is one of the largest with which the people have ever been troubled. We have only to look at the very initiative. We find the government of the country voting $250,000 for the purpose of merely taking the vote yea or nay. That is a small item after all, but a significant item as showing what must be provided in case the vote should be yea. What is involved? First of all the principle of any number of men in the community who may associate themselves together, saying to you or me or any one else: "You shall drink this or you shall not drink this; you shall eat this and no other kind of food." As reasonable would it be to say to them: "You shall not eat beef," as to tell me that I shall not take a glass of beer or a glass of wine, simply because they, in their high estimate of themselves, think that they are able to direct the community as to what they are to consume. The measure is the most preposterous and unreasonable one that ever was proposed. The revenues must suffer a loss, to begin with, of seven or eight millions of dollars. Are the revenues of the country able to bear that? I do not think they are. But is that all? We must consider the properties which have been built up throughout the Dominion under our laws, and with the sanction of the government and people of Canada, in which millions have been sunk. Take those vast distilleries and breweries where hundreds of thousands, yes millions, of money have been expended by their owners. Was it surreptitiously invested? Was it not invested as in other industries with the authority of the law, and are we to say that we shall take away the use of all that property? If we do take it away, it must follow in natural justice that it shall not be in confiscation; there must be a return made to the owners. How much would that amount to, and where would it come from? Add all that to the revenue you are losing in advance; what would it amount to? The hotels would no longer be of any use; the distilleries would stand wrecked and empty; the breweries in like manner, and this thoroughout the whole Dominion, what amount would it sum up? What is the value of the property that the country would be obliged to pay for—because it cannot in ordinary justice, be thought of for one moment that these properties should be confiscated. If the public are so united in opinion as to deprive the owners of the value of these properties, then the public at large must come down and indemnify the owners for the loss to which they are put. Add that to the millions which you are losing, and I ask where the deficiency is to be made up? Are you to get it from the farmer, whose apples cannot be used to make cider? Is the farmer to be called upon to make up this loss of revenue? The

farmer will do nothing of the kind, and the attempt to take this vote at such an expense to the people of Canada is in my opinion a very absurd thing. At any rate, if I stand alone, I shall vote against any measure which will enable any portion of the people at large to deprive another portion of the people of the property which they have accumulated under the sanction of law. What sort of a country is it after all?

Hon. Mr. PERLEY—A temperance country.

Hon. Mr. O'DONOHOE—We have a temperance country now. The temperance workers, the pulpit and the press have been using legitimate means to promote temperance. The improvement in that line has been vast in the last ten years. I saw the day when almost every farmer in Ontario at harvest took out a barrel of whisky for his men. The government have reduced the consumption by imposing heavy duties, $1.50 a gallon——

Hon. Mr. DEVER—$5 a gallon.

Hon. Mr. O'DONOHOE—The kind I speak of is $1.50. Take again the effect on society. We have our social hours. They are no less important than our business hours. We meet one another, we meet strangers who come here from abroad. Our mode of entertaining them would be very scant and very dry without a glass of wine. It would be perfectly dry and non-communicative, because as an old classic says, "In vino veritas," you get the truth when you treat your friends. In England, where social intercourse prevails, without that medium they would be very uninteresting and very non-communicative. So even in that phase, in a restricted sense, its moderate use is necessary. And it is so in many other lines to which I might allude; but the first one that strikes me as the most important is the one touching the properties which have been realized under the sanction of law and touching the revenue which we must lose. One of our premiers had the manliness to meet a most important delegation of temperance body and say to them in curt language, "It cannot be done. We cannot do without a revenue. We cannot incur the liability which must follow." I heard some of the weightiest and some of the best of that delegation saying, "It is a pleasure to hear such a man give his opinion instead of holding out promises." Not only that, but should prohibition ever carry, all the power of the arms that Canada owns would not protect the Dominion against the smuggling of liquor across the boundary from one ocean to the other. It would require an army under arms to protect Canada against a thing that we are making such a sacrifice to get rid of. I think it is scarcely justifiable, at this stage of the bill and so late in the session, to occupy the House to any greater extent than I have done for the purpose of placing my opinion on record that the measure is one that cannot be carried out; that there is no power in Canada to carry it out even if it were successful at the polls, and if it should be enacted into law, it would remain a dead letter and we would be only throwing to the winds the money of the people.

Hon. Mr. VIDAL—I am afraid my hon. friend from Toronto has entirely lost sight of the measure which is before us. His remarks would be perfectly applicable on a prohibition bill. Then all he has said will be worthy of consideration and it will give a splendid opportunity for the friends of the cause, like myself, to meet them and show the utter fallacy of many of the statements he has made. I do not propose to occupy the time of the House with a question which is not before us, but will confine my remarks simply to the principle of this bill. I would remind the hon. gentleman from Kingston that the principle of the bill is not before us just now. The House has affirmed the principle of the bill so far as to pass its second reading and send it to the committee to look into its details.

Hon. Mr. SULLIVAN—Cannot I move the rejection of the bill at any stage?

Hon. Mr. VIDAL—We are not dealing with prohibition, at any rate. It is well to bear in mind that we are dealing with the question which the government were compelled to bring before the House on account of the very grounds upon which they had appealed to the people, and on which they were sustained. It was one of the planks which they were agreed upon; consequently, they were only fulfilling a duty which they owe to the country which elected them to power to submit this question to the people.

I have already expressed my opinion that it is an unnecessary and useless measure and not the thing which the temperance people ask for, but at the same time, I say, having been adopted by the party as a matter to be submitted to the people, they are carrying out their pledges by submitting the plebiscite bill to parliament, so that in that way it is fairly and properly brought before us. My duty is to do what I can to make the bill effective, in order to carry out the object of it. The design, as announced by those who formed the project in the first instance, is to ascertain the actual opinion of the people of the country with reference to that question of prohibition. Then all these points will come out.

Hon. Mr. SULLIVAN—If it was a plank in the platform and the party were elected, what need is there now of getting the opinion of the people?

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. VIDAL—The plank of their platform was that it should be submitted as a plebiscite.

Hon. Mr. SULLIVAN—And they were elected, and it ought to be submitted.

Hon. Mr. VIDAL—That is what they are carrying out, and now our business is not to discuss the question of prohibition. It is too large a question and too much requires to be said upon it, especially at this time of the session. But we are dealing with the matter of the submission of the question to the people, and to endeavour to have it done in the best form. I have objections to the form in which it is being done, and my objections are so strong that I propose to move an amendment to the clause now before the committee. I propose to strike out the specific liquors which are mentioned here—wine, ale, beer and cider, in lines 16 and 17. So that it will read: "Are you in favour of the passing of an Act prohibiting the importation, manufacture or sale of spirits and all other alcoholic liquors for use as beverages?"

Hon. Mr. SULLIVAN—Wine is an alcoholic beverage.

Hon. Mr. VIDAL—This includes everything that is alcoholic. I would have preferred using the word "intoxicating," but I was told that there would be legal difficulties and therefore I have not used that word. This covers wine, beer and any intoxicating drinks The whole spirit of the bill is involved in the amendment which I propose. Why should these words be in? Every one of these articles can be made and not be intoxicating. There are large quantities of wines made which are not intoxicating. In Ontario it is carefully prepared without alcohol in it, and they have also a kind of beer, ginger ale and root beer which are said to be not intoxicating. There are large quantities of cider made on farms without any intoxicants in them. Of course it can be made intoxicating, but a large quantity is made which is not intoxicating. Why should these words be put in? I hold the insertion of these very words in the bill operates against the very thing you want to ascertain. It will have the effect of keeping many hundreds of people from coming out and expressing their views on this question, because they use cider and these other drinks themselves. Everything you want is ascertained by putting in these words I have mentioned. I cannot see any objection to them; surely the expression "spirits and all other intoxicating liquors" includes everything.

Hon. Mr. SULLIVAN—Wine will not keep without fermenting. You cannot make ale without alcohol in it.

Hon. Mr. VIDAL—I know wine does keep and without alcohol in it. There are plenty of wines made in Ontario without a particle of alcohol in them.

Hon. Mr. SULLIVAN—What part of Ontario?

Hon. Mr. VIDAL—I know all about it. If the hon. gentleman had been studying this question as long as I have he would know a little more about it. I think I have said enough to show why the retaining of these words in the bill will have the effect of keeping away thousands of people who would otherwise cast a vote, people who have been using unintoxicating liquors, who will say, "I will not go up and vote for prohibition, because I use cider and beer." If you strike out these words you still have in the bill all you want to get. I am only saying that we should not specify particular drinks of which there are

different kinds and which are not intoxicating and which would mislead people.

Hon. Mr. DEVER—I move in amendment that those words be not struck out of the clause, but that after the word "manufacture" the words "of malt for exportation" be inserted in the clause. We all know that the manufacture of malt in this country is very extensive, and malt being the basis of liquor, I do not see why it should not be put in as well as cider. Therefore if my hon. friend persists in his amendment I shall move that these words be inserted.

Hon. Mr. SCOTT—We will take one amendment first. The effect of the amendment proposed by the hon. gentleman from Sarnia would be to render the bill almost useless. Unless a man is caught drinking pure whisky he certainly would not be convicted of drinking anything else. You would have to call an analyst on every occasion in order to prove that the liquor was intoxicating. I entirely disagree with him in the interpretation he gives of the fluids. We had this thing all thrashed out twenty years ago when the Act that I introduced before this House was under discussion, and it was then recognized that it was absolutely necessary, if we wanted to prohibit the use of articles that were intoxicating, to name all those capable of intoxicating. Therefore, we named in the bill just the articles that are named here. We named more, in fact. We named brandy, rum, whisky and other spirituous liquors, wine, beer, ale, porter, cider and other vinus or fermented liquor, and that was very much broader. The hon. gentleman is not correct in his definition of the word "wine." Wine means a fluid that has been fermented; otherwise it is grape juice. I use very large quantities of grape juice in my house, some of it made in California and Jersey, and other parts of the country. It all goes under the name of grape juice, and of course it is unfermented. It has to be hermetically sealed. There is alcohol in it if exposed to the air, and the same way with regard to cider.

Hon. Mr. PERLEY—Would the hon. gentleman be able to keep grape juice under this bill?

Hon. Mr. SCOTT—Oh, yes, there is no fermentation in it. It has to be used when it is once exposed to the air. You cannot keep it over any time.

Hon. Mr. ALLAN—You must drink the whole bottle when you open it.

Hon. Mr. SCOTT—It will keep three or four days. All those various fluids named in this bill contain a certain percentage of alcohol, and cider contains much more alcohol than very many of the other fluids. I have seen men crush apples and hand out a glass: that would be the pure juice of the apple

Hon. Sir MACKENZIE BOWELL—When does it become cider?

Hon. Mr. SCOTT—Unless it is put up, just as the unfermented grape juice is put up, there are qualities within it which cause fermentation and develop alcohol in a very short time. We know very well that in order to keep it the farmers allow it to go through the fermenting process. You must do it, and it only can be kept by the infusion of a certain proportion of alcohol.

Hon. Mr. DICKEY—It would become vinegar.

Hon. Mr. SCOTT—Yes. If the hon. gentleman's proposal were to carry, the bill would be absolutely useless unless you caught a man drinking whisky. I will read from Mulhall, who is a very high authority on the subject, about the alcohol in various drinks. The following are the percentages:—beer, 4 p.c., porter, 4¼ p.c., ale, 7¼ p.c., cider, 8½ p.c.

A man would go before a magistrate and say, "That is only cider produced from the apple. I have only had it a day or two and it is not fermented." Then the other percentages are:—Mozelle, 9 p.c., tokay, 10 p.c., rhine wine, 11 p.c., bordeaux, 11 p.c., and the other wines become stronger. What would be the effect of the amendment: we would lose the revenue and the law would be inoperative. You would find lots of people voting for it and saying, "I drink nothing but wine and I can support that bill because it does not cover wine." Witnesses would come and swear that they were simply drinking wine. You would find many persons who would say, "That has no effect upon me. I can drink a bottle of it and it will not intoxicate me." A Frenchman could drink a large quantity of

that French wine and it would not affect him.

Hon. Mr. VIDAL—The hon. gentleman fails to see that before a prohibitory law is passed it must provide some specific definition as to what would constitute an intoxicating drink. I would have no objection if he thought it necessary to have the word "fermented" inserted in the clause. My impression was that the expression in the bill would cover everything.

Hon. Mr. PRIMROSE—When I rose a few minutes ago I simply asked the hon. gentleman from Sarnia, when he refers to the spirit of the bill, whether it was his intention to interfere with the spirit as well as all other spirits.

The amendment was lost on a division.

The clause was adopted.

On the 6th clause.

Hon. Sir MACKENZIE BOWELL—I would like some explanation as to this clause before it is passed.

Hon. Mr. SCOTT—It is proposed that the franchise under the bill that we are now considering, or that has been passed by this chamber, if not changed by the other House, will define the franchise under which the vote will be taken. It is intended to be that class of voters who have the right to vote for the election of members of parliament the same as the election of members to the House of Commons.

Hon. Sir MACKENZIE BOWELL—Is this bill dependent upon the passage of the Franchise Act, which has been before us? If so, and the Francise Act should not be passed, then what becomes of this bill? Can it be submitted to the people.

Hon. Mr. SCOTT—It would cost another quarter of a million or three hundred thousand.

Hon. Sir MACKENZIE BOWELL—That is not the question I asked. I want a simple answer to the question.

Hon. Mr. SCOTT—I could not answer the hon. gentleman. The hon. gentleman will quite understand that the government have not defined a policy for all possible circumstances which may arise. We cannot anticipate what may be done. It is a question which it is impossible to answer.

Hon. Sir MACKENZIE BOWELL—That seems to me to be a most extraordinary position for the minister who has this bill in charge.

Hon. Mr. SCOTT—The hon. gentleman wants an answer to a hypothetical question.

Hon. Sir MACKENZIE BOWELL—It is not a hypothetical question.

Hon. Mr. SCOTT—The hon. gentleman says supposing that bill does not pass, what becomes of this bill? Then I say the only alternative would be for us to have a revision of the roll, and I think that would not be justified. I do not think we would be justified in submitting the qustion to the people unless we had a proper franchise. It would neither be in the interests of the temperance people, nor would it be a fair expression of the people of Canada to have the vote taken on the franchise of 1894, because the changes have been very numerous. I gave an instance of it, where there were 9,000 people struck off the roll and 6,000 added. It would make a difference probably of twenty-five per cent in all the constituencies of Canada, and the government would not be justified in proposing that this bill should be submitted on the electoral lists of 1894.

Hon. Sir MACKENZIE BOWELL—I am much obliged to the hon. gentleman for the lecture. I asked a simple question, and it was not at all necessary to introduce an argument as to what the government should do and what they should not do. The simple question I asked was, whether, under the provisions of this bill, it could be submitted to the people without the passage of the Franchise Act. That is all I asked, and the reason I asked that is from its reading. It reads:

> For the purpose of submitting the question to the electors and taking the answer thereto and ascertaining the result of the vote, the same proceedings, as nearly as may be, shall be had as in the case of a general Dominion election under the Dominion Elections Act and the North-west Territories Representation Act and their amendments.

If it stopped there one could understand exactly what the provisions of the bill were, but it says:

> And the Franchise Act of 1898 shall be subject to the provisions of this Act and of any regulations, orders or instructions made by the Governor General.

And so on. If I understand the answer of the hon. gentleman aright, it is that this bill cannot be submitted to the people unless the Franchise Act, which has been before both Houses of parliament, but not yet finally passed, becomes law. Is that what I understand the hon. gentleman to say?

Hon. Mr. SCOTT—No, I said I could not announce any policy in advance, because it has not been considered.

Hon. Sir MACKENZIE BOWELL—It is not a question of policy, but of fact.

Hon. Mr. SCOTT—It is predicated on the assumption that the Franchise Act now before parliament shall be passed. If part of the assumption falls to the ground, I am quite unable to say what the policy of the government will be. I was giving the reasons why I thought it would be very improper for the government to submit the plebiscite on the franchise of 1894.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman must draw the distinction between the explanation he gives and the question I asked. The policy might be that they would not submit it owing to the reasons he has given. But I want to know whether this law compels the passage of the Franchise Act before the plebiscite is taken, and whether under this bill the government can submit it if the Franchise Act is not passed.

Hon. Mr. SCOTT—I do not think the government could—certainly not in the shape which this clause stands at present, because if the Franchise Act did not pass, this bill would be laying down a franchise which did not exist.

Hon. Sir MACKENZIE BOWELL—That is the view I should take of it, and it is only another illustration of the diversity of opinion which exists between members of the one cabinet. My hon. friend has told us, with a good deal of circumlocution, that under this bill you cannot submit the question of the plebiscite unless the Franchise Act is passed. But the Minister of Railways and Canals, who stands high in his profession, laid down a principle and gave an opinion diametrically opposed to the view held by the Secretary of State. When the bill was under discussion in the Commons the question arose as to the constitutionality of the enactment which delegates the powers that the Dominion has as to the local legislature. That was a legal question which was then under discussion, and this question of submitting the Plebiscite Bill to the people arose incidentally in that discussion. I will read what the hon. gentleman said and also the remarks which led up to the extracting from the Minister of Railways and Canals the opinion he gave. Discussing the legal question, Mr. McNeill said :

> Under these circumstances, I think the point made by my hon. friend is a very grave point indeed, that this Act is needlessly encumbered with that legal difficulty. I do not see any reason why it should be made dependent upon another Act which is not yet in existence, and which may not be constitutional when it does pass this House and the other chamber. According to the principles of hon. gentlemen opposite, I do not see why that is necessary at all. To those of us who object to the franchise of this House being made over to the local legislatures, I could understand that there might be more reason in the position the hon. gentlemen have taken : but in view of the fact that the government hold that the franchises of the provinces should govern. I do not see why they should not have provided that the vote should be taken on the local franchises. I do not see why they should have placed this bill in the peril in which it will stand when it does pass, by tacking it on to a bill which has not yet become law, and which when it does pass this parliament may prove to be ultra vires. They have the franchises of the provinces to go upon, if they wish, and, that being their principle, I do not see why they should not adopt it.
>
> The MINISTER OF RAILWAYS AND CANALS. Hon. gentlemen opposite have been complaining a good deal that their strictures on this portion of the clause have not been replied to at all on this side of the House.

Then he proceeds to argue the legal question, and finally he comes down to the question which is more immediately before the Senate, and says :

> There is no question at all that on principle it is quite proper and reasonable in every way ; and the reason on which it is founded is this, that these Acts will speak from the moment they receive the assent of the Crown. They are not Acts until they receive that assent ; and when this Act is put beside the Franchise Act of 1898, it is eminently proper that the one should refer to the other.
>
> Sir ADOLPHE CARON. Suppose it does not receive the assent?
>
> The MINISTER OF RAILWAYS AND CANALS. Then no harm is done. If there is no Franchise Act of 1898 in existence, this bill will not be injured in any way ; but if the Franchise Bill does become law, it would be an immense advantage that it should be referred to in distinct terms in this bill. The hon. member for York (Mr. Foster) said it was assumed on this side that the bill would be just as well without the Franchise Act of 1898 as with it. I have not heard that statement made nor am I prepared to make it, but I am prepared to say that it will be entirely effective, even if the Franchise Bill does not pass, because we have provided in the section 6 that the proceedings to be taken shall be those provided in the Dominion General Election Law. I do feel that my hon. friends cannot be serious in

spending so much time in making so many speeches upon a question which, if they were to take the trouble of consulting some one who has knowledge of the law, they would be advised has nothing in it.

Mr. CRAIG. I am glad to hear the hon. Minister of Railways say that if the Franchise Bill does not pass, it will not affect this measure.

The MINISTER OF RAILWAYS AND CANALS. I say that in that case you can take the vote under the Dominion General Election Law, according to this bill.

Mr. CRAIG. I am glad to hear that statement, because I have heard considerable talk to the effect that if the Franchise Bill did not pass, that would block this bill, and it would not be effective. The hon. Minister of Railways says that will not be the case.

I will not read any more. I wanted particularly to show that there is a diversity of opinion between the members of the cabinet. If you peruse this debate a little further, you will find that an opinion was endeavoured to be extracted from the hon. Minister of Marine and Fisheries, Sir Louis Davies, but he was too canny and refused to give an answer, and told the House that Mr. Craig and Mr. McNeill must have misunderstood the hon. gentleman; but his language is so clear and plain that there is no doubt as to the meaning he intended to convey. If this clause is passed and we are to accept the opinion of the Secretary of State, then this bill will not become effective if the Franchise Act is not passed. I want to intimate to my hon. friends opposite, in order that their pledges to the people, and their supposed intention to carry out these pledges in reference to the Plebiscite Bill shall not be bulked, if we can stop it, that if the Franchise Act does not become law, for reasons which it is not necessary for me now to intimate, we shall reserve the third reading of this bill until we ascertain whether that the government accept the Senate amendment. If they reject our amendments and send the bill back to the Senate, and the Senate think proper not to recede from their amendments and the bill falls, then I shall deem it my duty, if the Senate will concur, to move the bill back to a Committee of the Whole, in order to make provisions for the taking the plebiscite vote exclusively upon the local franchises irrespective of this bill. By that means we shall avoid the bugbear of expense, to which my hon. friend referred, of having a revision of the list through the whole country in order to ascertain the opinion of the people on the question now before us. I think there will be no difficulty in having such amendments made to the bill as will give the government the opportunity of submitting the question to the people, whether the Franchise Bill passes or not, and without incurring the large expenditure which, I admit, would have to be incurred by the revision of the lists of the whole Dominion. I thought it proper to intimate to the hon. gentleman the course that I think the Senate should take under the circumstances to which I have referred; I am, therefore, not prepared to vote for any amendment to this bill. I leave it to the government to take the full responsibility of the bill which they are submitting, and while I say that, I am fully in accord with the sentiments of my hon. friend from Sarnia. If I were to express an opinion, which would perhaps be improper for me to express, I would say that the addition of the word "cider," was included among alcoholic drinks for the express purpose of having the bill defeated.

At Six o'Olock the Senate adjourned.

Second Sitting.

The Speaker took the Chair at Eight o'Clock.

Routine proceedings.

THE PROHIBITION PLEBISCITE.

IN COMMITTEE.

The House resumed, in Committee of the Whole, consideration of Bill (121) "An Act respecting the Importation, Manufacture and Sale of Intoxicating Liquors."

(In the Committee.)

On clause 8.

Hon. Mr. VIDAL moved in amendment to strike out the words "wine, ale and beer," in lines 19 and 20.

The amendment was lost on division, and the clause was adopted.

On clause 9.

Hon. Mr. VIDAL—I have an amendment to offer which is a mere correction of an error in the bill. If the Chair will permit me, I would like to make a slight alteration in line 31 and after the second word "at" insert the word "also." This was suggested to me by an eminent lawyer in Toronto as being necessary. He points out that as

it is, it would seem to imply that the persons appointed must necessarily be the same at the counting-up as at the polling places, and it is not intended to be so. Then there is another amendment which ought to be made, and which is also merely a correction. You will observe that in this clause the word "questions" is plural and everything about it is plural. Now all through the bill elsewhere it is one question. I want to insert the word "a" in line 31 and strike off the letter "s" from the words "answers" and "questions."

Hon. Mr. SCOTT—At the time the bill was drawn, it was proposed to have two questions, and this clause was not altered when the second question was struck out. The amendments proposed by the hon. gentleman are merely clerical, and I think there is not likely to be any mistake as to the understanding of the clause. I think they may be treated as clerical errors.

Hon. Mr. SULLIVAN—I desire to say that I have no opposition to the bill. The government will take the responsibility and I will do all I can to aid them.

Hon. Mr. PERLEY—I should like to ask the government, now that this vote will be taken in the same manner that members are elected to the House of Commons, whether that implies a majority of the votes cast will, if in favour of prohibition, decide the matter. A member of the House of Commons is elected by a majority vote. Now I understand this election is to be on the same principle.

Hon. Mr. SCOTT—No. The only resemblance that it bears to the House of Commons election is that the electoral districts are the same, but certainly the result does not carry with it the consequences that a bare majority in the House of Commons carries. A majority of one may carry in the House of Commons, but I do not think the government would be quite justified in passing a prohibition bill if the majority was so narrow.

Hon. Mr. MILLS—My hon. friend will see this, that the object of taking a vote is not to shirk responsibility in the matter. It is to ascertain public sentiment and whether that public sentiment is strong enough, in case the government should submit such a measure, to sustain the bill. Now the vote polled might be very small, so small as to be no indication, taken by itself as a simple majority vote, of what the public sentiment was. The public sentiment might be gathered from the indifference of the population rather than from their active approval of prohibition; and the action that is to be taken upon the vote will certainly depend in a large degree upon the interest the people take, and the extent to which the voting population come out and support a proposition in favour of prohibition.

Hon. Mr. PERLEY—I should like to ask another question: may we expect this vote to be taken during the summer, or what time may we expect it to be taken?

Hon. Mr. SCOTT—I am unable to say. The government have not fixed any time yet. There are many things to be considered. In the first place, we have to see whether the Franchise Bill will pass or not.

Hon. Mr. FERGUSON—The announcement which the members of the government have made must be very comforting to the opposers of this bill. There is no question that if a majority is recorded against prohibition, the opponents of the measure will have their way and they will have no prohibition, and we have just had the assurance that if the majority is small there will be no prohibition. There is to be no prohibition unless the majority is overwhelming.

Hon. Mr. BELLEROSE, from the committee, reported the bill without amendment.

PUBLIC OFFICERS ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (T) "An Act further to amend the Act respecting public officers."

The motion was agreed to, and the bill was read the second time.

Hon. Mr. MILLS—As this bill is but a very slight modification of the law as it stands, I suppose there will be no objection to our going into committee at once and I moved that Rule 41 be suspended in so far as it relates to this bill.

The motion was agreed to.

The House resolved itself into a Committee of the Whole.

(In the Committee.)

Hon. Mr. MILLS—Hon. gentlemen will see that the only object of the bill is to furnish greater facilities to officers who are entrusted with public money to give security for the proper discharge of their duties and the fulfillment of their trust.

Hon. Mr. LOUGHEED—What is the intention of the government with regard to subsection three as to the establishment and maintenance of a fund? Is it the intention of the government to deduct from the salaries of public officers a certain amount towards the establishment of this fund?

Hon. Mr. MILLS—That is one mode in which procedure might be had, but if the public officer thinks best to give security by some other way than by the Guarantee Company he has the power of doing it.

Hon. Mr. LOUGHEED—That is an addition. First of all the official is compelled to give security as may be directed by the Order in Council. In the second place provision is made for the deduction of premiums in case of the government being called upon to pay a premium, and in the third place a proposal seemingly made to establish a fund out of which any loss may be made good to the government by reason of the default of the official. Now, what I desire to know is, has any scheme been adopted by the government in conjunction with this proposal whereby certain deductions will be made from the salaries of public officers for this purpose?

Hon. Mr. MILLS—None yet.

Hon. Mr. LOUGHEED—The government are simply taking power to devise such a scheme if they deem it advisable?

Hon. Mr. MILLS—Quite so.

Hon. Mr. MACDONALD (P.E.I.)—As the law stands at present, before this bill is passed, is it not the case that public officers can give security just in the same way as provided here? I know many years ago that officers in our province give the security of these companies for the due performance of the duties of their office, and I do not see anything in the twenty-second clause of this bill differing from the practice which has hitherto prevailed respecting the security.

Hon. Mr. LOUGHEED—It is a little more elaborate, that is all.

Hon. Mr. POWER—It adds a number of things. As I understand it the subsections are new.

The clause was adopted.

On subsection 3.

The Governor in Council may from time to time make regulations for the establishment and maintenance of a fund to be derived from moneys contributed by, or deducted from the salaries or pay of, the persons concerned, wherewith to make good to the Crown any loss sustained by reason of the failure of any person required to give security as aforesaid to duly discharge the duties of his office, trust or employment, or to duly account for public moneys entrusted to him or placed under his control.

Hon. Sir MACKENZIE BOWELL—I fail to see the necessity for this subsection. The first portion of the clause provides for the acceptance of a bond of the Guarantee Company. That is right enough. If the party to the bond fails to pay the amount of the premium, the Governor in Council must advance the premium, and provision is made, as I understand it, for a deduction, monthly, out of a man's salary to create a fund to recoup the government for the advance they have made. Now, supposing you take a guarantee bond for $1,000, where a man is getting $400 a year, you will have to deduct out of the $400 monthly, or semi-monthly as the case may be, so much of his salary. What necessity is there for this clause when you have the power conferred in the second clause?

Hon. Mr. MILLS—A number of men in the public service may say this: these guarantee companies are making a considerable amount of money at our expense. The risk is not as great as the amount of the premiums calls for. We would prefer that an independent organization should be had of those in the government service, and that the government should take a fair sum from each man's salary as a security instead of requiring us to go to a guarantee company. You have a provision of that sort corresponding with this 3rd subsection in the Post Office Act, but it does not apply to any other than the Postal Department.

Hon. Mr. LOUGHEED—In other words, you become your own guarantee company.

Hon. Mr. MILLS—Quite so. Officials may say, "you incur practically no risk.

The deduction from our salary is too large." It is merely a method of securing the government with as little expense as possible.

Hon. Mr. MACDONALD (P.E.I.)—That is scarcely the intention of subsection 3. It appears to me the object of that clause is, in the event of any person holding a public office not accounting for the money entrusted to him or not discharging faithfully the duties of his office, under subclause 3 of the bill the Crown is authorized to retain any money in its hands for the purpose of making good the loss which they sustained through his malfeasance.

Hon. Mr. SCOTT—Out of this fund that is made up by all the clerks.

Hon. Mr. FERGUSON—I understand this clause to apply to those who have failed to give other security. I think the words are very plain. I take it that this is another means of the government employees providing their own guarantee and establishing a fund by which they will give security.

Hon. Mr. MILLS—My hon. friend will see that the preceding clause amply protects the government against any loss that may be inflicted. The guarantee company will make up the loss. This is another method to attain the same result.

Hon. Sir MACKENZIE BOWELL—Is this confined exclusively to those who have to give security, or can any member of the civil service, whether required to give security or not, contribute to the fund? If so it is an investment of money, and are dividends paid to them, or is this confined to those who give security?

Hon. Mr. MILLS—To those who have to give security.

Hon. Mr. CLEMOW—It seems to me if it could be carried out it would be better to have these clerks furnish the security of a guarantee company.

Hon. Mr. SCOTT—Five hundred clerks may say "the guarantee company is making money out of us. We will unite and there will be a deduction from our salaries to form a fund, and in the event of any of us becoming liable to pay the Crown for default, it comes out of the fund." It requires a less assessment on the salaries than the premiums of a guarantee company, because the object of the company is to make a profit.

Hon. Mr. MACDONALD (P.E.I.)—I do not agree with the view taken by the hon. Secretary of State, because I think it would be impossible for the government to maintain a fund of this kind for any less consideration than the guarantee companies charge for the amount they give security for. They perform that service for an exceedingly reasonable consideration and I am very sure no arrangement could be made to carry it out for less money.

Hon. Sir MACKENZIE BOWELL—It seems to me to be a good provision, for this reason. My hon. friend from Prince Edward Island thinks that the government cannot carry the principle out any cheaper than a guarantee company. My impression is they can. They have a staff of officers now, and there will be no additional work to the staff of the department. Consequently they will not have to provide for expenses of clerks, president, office rent, taxes, etc., nor to pay dividends to stockholders. They ought to do it for one-half or at most two-thirds of the amount charged by the companies

Hon. Mr. SCOTT—When they get a certain sum—say ten or twenty thousand dollars—they can stop paying any more until the fund is drawn on.

The clause was adopted.

Hon. Mr. VILLENEUVE, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (71) "An Act further to amend the Weights and Measures Act."

(In the Committee.)

On clause 2.

Hon. Mr. PERLEY moved that lime be added to the list at eighty pounds to the bushel.

Hon. Mr. MILLS—I cannot very well accept my hon. friend's amendment. If he had spoken to the department about it——

Hon. Mr. PERLEY—The moment the bill came out I did.

Hon. Mr. SCOTT—I brought the matter to the notice of the Department of Inland Revenue and they said it was impossible to consider it this year—that in the House of Commons some seven or eight articles had been pressed, and the department had to refuse them all, but another year they would take the matter up and deal with them.

Hon. Mr. PERLEY—There is no other article in which greater injury is done to the people than in that article of lime. In New Brunswick it used to be sold by the cask—five bushels to the cask, weighing 400 pounds, and there never was any difficulty about it. In the North-west lime is bought at the kilns by the carload and retailed by the dealers.

Hon. Mr. MILLS—Take a bushel of burned lime that is unslacked, how much does it weigh ?

Hon. Mr. PERLEY—Just eighty pounds to the bushel, and when slacked it weighs forty pounds. It is a great injury to purchasers.

Hon. Mr. FERGUSON—There is a good deal of difficulty about this question of lime. When it is freshly burned I dare say my hon. friend has correctly stated the weight of a bushel of lime. There is a process of slacking called air slacking, and it becomes so compact when slightly slacked in that way that it weighs more than unslacked lime. Care should be taken in fixing the weight of a bushel of lime. In the early process of air slacking it crumbles away and fills all the crevices and it weighs more when partially air slacked than when fresh.

Hon. Mr. PERLEY—My hon. friend is entirely wrong. A bushel of lime when air slacked will occupy double the space it will when unslacked.

Hon. Mr. FERGUSON—When slacking advances a little further it will swell, but the first effect of air slacking is rather to shrink it in bulk than to increase it.

Hon. Mr. SCOTT—We should have some positive information on the subject.

Hon. Mr. PERLEY—I am very positive.

The CHAIRMAN—What kind of lime does the hon. gentleman refer to, slacked or unslacked?

Hon. Mr. PERLEY—I mean burned lime for masonry purposes.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman who has charge of the bill tell us if there are many changes in the weights in the sixteenth section from wheat down to bituminous coal ?

Hon. Mr. MILLS—I think nothing except flax seed.

Hon. Mr. POWER—Flax seed is to weigh fifty-six pounds.

The subsection was adopted.

On clause 2.

Hon. Sir MACKENZIE BOWELL—I have no objection to have the weight of a bag of potatoes fixed at eighty pounds in Quebec or anywhere else, but I object to having a different standard in different sections of the country. If a bag is to weigh eighty pounds, let it be eighty pounds in all parts of the Dominion.

Hon. Mr. MASSON—Hear, hear.

Hon. Sir MACKENZIE BOWELL—We do not want ninety pounds in Ontario, and Nova Scotia and other parts of the Dominion, and eighty pounds in Quebec. I think it would be better to strike out the words "province of Quebec."

Hon. Mr. McKAY—Oh, no, we do not want any of that stuff down with us.

Hon. Sir MACKENZIE BOWELL—I think there should not be two standards of weight in any two provinces. There should be one standard in the whole Dominion.

Hon. Mr. SCOTT—A bag is not a standard.

Hon. Sir MACKENZIE BOWELL—You are making it a standard by law.

Hon. Mr. MILLS—For one province.

Hon. Mr. PRIMROSE—And a sugar bag at that.

Hon. Sir MACKENZIE BOWELL—It may be in the interest of the sellers of potatoes in the province of Quebec to have a smaller quantity than any other place. There is no regulation for selling by the bag in any part of the country. The presumption, when you get a bag, is that you get a bushel and a half.

Hon. Mr. BOULTON—We do not sell by the bag.

Hon. Sir MACKENZIE BOWELL—They sell by weight in the west.

Hon. Mr. DEVER—By the bushel.

Hon. Sir MACKENZIE BOWELL—Well they give you 60 lbs. to the bushel.

Hon. Mr. DEVER—The farmer gives you the bushel measure filled and it is not weighed.

Hon. Sir MACKENZIE BOWELL—He does not in Ontario.

Hon. Mr. VILLENEUVE—A bushel of potatoes does not weigh 60 lbs.

Hon. Mr. PRIMROSE—Oh, yes.

Hon. Mr. VILLENEUVE—No, and in the district of Montreal farmers very often come to market with bags of potatoes, but they do not weigh 90 lbs., and I am sure that 80 lbs. is a fair weight for a bushel and a half.

Hon. Mr. FERGUSON—Oh, no.

Hon. Mr. VILLENEUVE—Your potatoes may be heavier in Prince Edward Island, because that province has a great reputation for potatoes. But I can vouch for the fact that a bushel and a half of potatoes never weighs ninety pounds. Perhaps the Montreal potatoes are not so weighty as the potatoes of other provinces, but I think there should be a general weight everywhere. If you wish to do justice to the farmers who come to Montreal with twenty-five or thirty bags you should fix the weight at eighty pounds.

Hon. Mr. LOUGHEED—Is not there a by-law in Montreal that a bag shall weigh ninety pounds ?

Hon. Mr. VILLENEUVE—Yes, and that is the reason why the farmers have been fined for having bags of potatoes under that weight. I think that we should fix the weight for Quebec at eighty pounds.

Hon. Mr. LOUGHEED—What about your by-law ?

Hon. Mr. VILLENEUVE—They will amend their law and make it eighty instead of ninety.

Hon. Mr. LOUGHEED—They must want ninety pounds to the bag.

Hon. Mr. VILLENEUVE—I do not see why the people of Quebec want to have more than a bushel and a half when they buy a bushel and a half. I see that the bill provides that oats shall be thirty-four pounds. Good oats will always weigh more than thirty-four pounds. The farmers when they are going to market will weigh the oats and make the bushel weigh thirty-four pounds.

Hon. Mr. FERGUSON—I cannot agree with my hon. friend that potatoes weigh less than 60 lbs. to the bushel. I have had a good deal of experience in potatoes and I come from a potatoe country where we sell nearly all our potatoes by weight, and our farmers infinitely prefer to sell potatoes at 60 lbs. than by measuring because they get more money than they would if they sold by measure. They are sold to the starch factories by weight, and 60 lbs. is the standard they sell by. My objection to this measure is that we are establishing a market standard for one province different from others, and we are establishing a new standard. There is no such thing as a bag recognized as a general standard, whatever there may be locally. We are only establishing it for one province ; we are not only establishing it as a standard there, but we are establishing an erroneous standard because it is under the assumption that a bag of 80 lbs. contains a bushel and a half, when it certainly does not. I regret that any such clause as this must be passed. I hope some other way will be found of meeting the convenience of the market of Quebec than by passing this clause. My hon. friend from Calgary and I walked down to the market in Ottawa, and told one of the dealers about the suggestion that was before the House, that a bag of potatoes should be 80 lbs. and we told him it would not apply in Ottawa, but would apply in Hull. He was somewhat amazed, and his amazement was still greater when we told him that we were

making such a law as that. I really wish there were some other way of meeting the difficulty than this absurd proposition.

Hon. Mr. MILLS—I do not see the difficulty at all. You have no such thing as a bag as a standard of measure; nevertheless, they are as a matter of convenience selling by the bag and everywhere else excepting in Quebec they are 90 lbs. for a bushel and a half. In Quebec they wish to sell by the bag and the bags do not hold 90 lbs, and they wish that the weight of a bag of potatoes shall be fixed at 80 lbs. That does not compel anybody to buy by the bag unless he wants to. You may say "I will buy your potatoes by the bushel, and pay so much a bushel." What possible harm can there be in saying that a bag of potatoes in Quebec shall be 80 pounds? If I go to Quebec to buy a piece of land, I find there that I do not get an acre; it is an arpent, which contains something less than an acre. Does my hon. friend say there is great mischief done because the mode of measurement in Quebec is different from the other provinces? If it becomes the custom, the law should recognize it, as a matter of convenience, and it seems to me no harm is done anywhere else, because this is a local law, and does not apply anywhere outside of the province of Quebec, and it meets the practice and custom of the province of Quebec. It has grown out of the practice of the city council in Montreal. They passed by-laws imposing a fine on the population for offering less than 90 pounds as a bag of potatoes.

Hon. Sir MACKENZIE BOWELL—There is not much analogy in the illustration about the arpent and the acre of land. If you buy an arpent of land you are not going to take it away with you into another country, but if you buy potatoes you can take them anywhere. In the markets of Ontario the same system prevails as in Quebec. When at home I have been in the habit of doing my own marketing, and I venture to say that if you go to that market next Saturday, you will find hundreds of farmers on the market all selling potatoes by the bag, and if you ask them if it contains a bushel and a half, 90 lbs., they will tell you that they do not know. If you say "I will give you so much a bushel," they will say "No, you can have the potatoes by the bag." They do not break the law, because they do not sell by the bushel. They say "There is a bag of potatoes; you can have it for 75c.," or 60 cents, whatever the price may be. That practice prevails as much in Ontario as it does in Quebec, and I venture the assertion that 99 out of 100 bags of potatoes will not contain 90 lbs. weight each.

Hon. Mr. SCOTT—But is there a by-law of the corporation providing that the bag shall contain 90 lbs? The city of Montreal has adopted such a by-law and it is to overcome this local regulation that this bill is introduced.

Hon. Sir MACKENZIE BOWELL—Then you propose to interfere with the local law. A few days ago you were endeavouring to uphold the local laws. What right have you to interfere with a matter of this kind, if it be a local regulation for a particular district. Your principles are adapted to the circumstances, I care very little about the clause, but I repeat that the same system of selling prevails in Ontario—I do not speak for the other provinces—and you might just as well say that a bag of potatoes in Ontario shall contain 90 pounds or 80 as to say that it shall be so in any other province.

Hon. Mr. POWER—These laws are made for the convenience of the population chiefly, and this is not the first time an exception has been made in the province of Quebec. The very next section of the Weights and Measures Act, section 17, reads as follows:

> In the province of Quebec the following shall be the standard weight for hay and straw unless the same shall be sold by the ton, or unless it appears the parties to the contract agree to the contrary. A bundle of timothy, clover or other hay, 15 pounds; bundle of straw, 12 pounds.

In that province they adopt certain weights for certain things, which they do not in other provinces.

Hon. Mr. MACDONALD (P.E.I.)—I think it is absurd for us to adopt municipal regulations in Dominion Acts. We have fixed by this law, and also the previous law, a certain standard for potatoes, 60 pounds to the bushel. That should be the standard all over the Dominion. It should not be interfered with by making another standard. That clause in the bill is sufficient for the purpose of regulating the weight of potatoes and there is no occasion to say how much a

bag of potatoes shall contain. If we look at this bill a little more closely we shall see the absurdity of it:

> In the province of Quebec, when potatoes are sold or offered for sale by the bag, the bag shall contain 80 pounds.

Now, a man has, unfortunately, a bag which will not contain 80 pounds, a bag which will only contain 60 or 70 pounds. He is subject to a fine under this Act. He cannot offer his potatoes for sale in any bag which does not contain 80 pounds. Then the penalty clause reads as follows:—

> Every person who violates any provision of this section shall be liable, for a first offence, to a penalty not exceeding twenty-five dollars, and for each subsequent offence, to a penalty not exceeding fifty dollars.

That shows the absurdity of passing a law regulating the size of a bag of potatoes, saying that it shall contain at least eighty pounds. There is a regular standard fixing the weight at sixty pounds to the bushel and we should adhere to that and not mix it up with any other weight, which will only confuse the matter and make it different in the different provinces of the Dominion. In our province there is no such thing as selling potatoes at eighty pounds or ninety pounds to the bag, or any fixed bag weight. They are brought into the market weighed, and then divided by the number of pounds, and in that way the number of bushels is ascertained, and paid for accordingly. Sixty pounds should be the one standard all over the Dominion, whether they come in bags, car loads or cart loads.

Hon. Mr. SCOTT—It does not seem to me that we are disturbing a standard. We are fixing the standard of a bag of potatoes. We are not interfering with or disturbing the sixty pound standard at all. If a large contract is made with parties, the contract would be based on the bushel standard, but as a matter of convenience to farmers coming to the markets of Montreal, who bring their potatoes in bags, we have fixed this standard. It is pretty hard that the farmers should be fined under a by-law of the corporation—which I think is ultra vires—declaring that there shall be a standard bag. They have no right to create standards at all. This by-law says that no farmer shall expose a bag of potatoes on the market unless it weighs ninety pounds. I think that by-law is ultra vires.

Hon. Mr. MACDONALD (B.C.)—Why not reduce it to the pounds and then there would be no trouble?

Hon. Mr. SCOTT—Thirteen petitions were presented to the government from farmers around Montreal and they felt very much aggrieved over the matter. You know you are not going to buy ninety pounds in a bag. You are going to buy what is convenient to the farmer. As the hon. leader of the opposition says, he buys a bag of potates on the market. There may be a few pounds over the standard weight or a few pounds less; but at the same time nobody ever quarrels with the farmer. If you were buying one hundred bushels of potatoes you would probably weigh them.

Hon. Sir MACKENZIE BOWELL—You might just as well provide that a cart or a wheel barrow contain so many pounds.

Hon. Mr. SCOTT—We have already passed exceptional legislation of that kind in the province of Quebec, where they have peculiar customs. Why should we not concede that? It does not interfere with any other part of Canada. The bushel remains where it is. The question only arises where a purchaser chooses to buy a bag of potatoes without having it weighed, and then it must contain eighty pounds. Nobody is being cheated by it. We say that no man shall offer a bag of potatoes unless it weighs eighty pounds.

The subsection was adopted.

Hon. Sir MACKENZIE BOWELL—I have something more serious which I propose to add to the clause, which might be made another subsection if the minister deems it advisable. It is in connection with the weight of wheat and other grains and the manner in which they shall be tested. I propose to add to this clause the following words:

> And no weighing machine used for weighing or determining the weight of any of the articles mentioned in section 16 shall be of less certified capacity than 60 pounds avoirdupois.

My reason for asking the consent of the Senate to make this addition to the bill is, that there is a certain machine used for the testing of the weight of wheat, and other grains the practical result of which is to lose to the farmer a certain amount on almost

every bushel of grain that he sells to the merchant or to any person. In looking at the report of the weights and measures, I find that as far back as 1880 the attention of the Department of Inland Revenue was called to the dissatisfaction with the machine which was used for testing the weight of wheat. The inspector then called the attention of the Inland Revenue Department to complaints which had been made, and asked whether the machine then used came within the meaning of the Inland Revenue Act. The third paragraph of Mr. Brunel's answer reads as follows :

As this is a very nice operation, I think it would be well if the owner of these instruments were to send at least one of them to the department, in order that it may be accurately tested here, as a verification of the correctness of your method of testing.

The question was subsequently referred to the police magistrate, and a decision was arrived at the point as to whether it came within the meaning of the Act. But what I want to call your attention to, more particularly is the experience of the Inspector of Weights and Measures. He said, in writing to the department :

1st. Acting on the opinion expressed in your letter of 1st inst., number 25000, I have seized five grain testers from two firms of grain merchants, and laid information against them for a violation of section 28 of the Weights and Measures Act, of 1879.
2nd. The cases will be brought before the police magistrate in this city on Monday next.

Then the next paragraph is the most important :

3rd. I have taken the course above referred to for the purpose of making a test case, and because I am convinced that I shall be able to prove that great injustice is being done to the farming community by the use of these grain testers. The injustice will appear when I state the following case—which is one of hundreds. A has barley for sale which, before leaving home, he tested by his imperial bushel and found it to weigh 49 lbs. to the bushel ; it is of a bright colour and clean—cleanness, colour and weight being the qualities sought for. B offers to buy it from him, agreeing to pay him 63c. if it weighs 47 lbs., 65c. if it weighs 48 lbs., and 67c. if it weighs 49 lbs. to the bushel. B weighs it with his grain tester, which being adjusted to the Winchester measurement, does not contain as much grain as if adjusted to the imperial measurements and A's grain, which at home weighed 49 lbs. to the bushel, weighs only 47 lbs., and he has to take four cents a bushel less for his barley than its market value.

That is the experience of the inspectors.

Hon. Mr. MILLS—Will my hon. friend give the date of that letter he read ?

Hon. Sir MACKENZIE BOWELL—It is in the official report on weights and measures of 1880, and it will be found on pages 42 and 43. The difficulty is I believe this, that by using the grain tester you take one-sixteenth part of a bushel, and in filling it the air displaces to a certain extent, a part of the grain, and consequently it will not weigh as much as it would if it were in a bushel measure. You take sixteen of those, which make a bushel, and the tests which have been made prove a loss to the seller. This is the result of the test on a bushel of wheat, after measurement in a bushel measure, made in the Department of the Inland Revenue. The test was made on a measured bushel weighing $62\frac{3}{4}$ pounds, and I understand was done in the presence of the minister himself. The following are the different weights of the sixteenth parts that the tester gave : $62\frac{1}{8}$, 62, $62\frac{1}{16}$, 62, $61\frac{15}{16}$, 62, 62, 62, 62, $61\frac{15}{16}$, 62, $61\frac{15}{16}$, 62, $61\frac{15}{16}$, $61\frac{8}{16}$. The same measured bushel weighed $62\frac{3}{4}$ pounds. It was tested in a grain tester in the capacity of $\frac{1}{16}$ of a bushel and it was found that there was an excess of $10\frac{1}{4}$ ounces left which was not weighed and consequently, rendered the grain less valuable to that extent, from the fact that the weight of the grain regulates the price. While that may not appear much in regard to one bushel, when it comes to dealing with thousands of bushels it makes a material difference to the farmer, who is selling his grain.

Hon. Mr. SNOWBALL—But he would gain it in the number of bushels.

Hon. Sir MACKENZIE BOWELL—It is on the weighing quality ; the bushel of grain as measured in the bushel weighed $62\frac{3}{4}$ lbs.

Hon. Mr. SNOWBALL—But how would they come out at the total ; he had more bushels but less weight to the bushel.

Hen. Sir MACKENZIE BOWELL—I do not understand what the gentleman means ; what I want to point out is that grain measured in a bushel measure would give better results.

Hon. Mr. SNOWBALL—Yes I understand the one bushel ; but he would have a greater total by the other mode of measurement.

Hon. Sir MACKENZIE BOWELL—I am dealing with the fact of testing the weight

of grain by this machine instead of by the Imperial measure. Taking a bushel of wheat that weighs 62¾ lbs., and testing it in the manner I have indicated by the $\frac{1}{16}$ of a bushel, the result is 10¾ oz. surplus in a bushel which is not weighed.

Hon. Mr. SNOWBALL—But he will have more bushels.

Hon. Sir MACKENZIE BOWELL—No this does not effect the number of bushels but rather the price if I have wheat which weighs 60 lbs. to the bushel, and when tested it weighs 10¾ oz. less to the bushel, I would get a less price per bushel for my wheat, and if I had 50,000 bushels of wheat for sale I would lose 50,000 times the difference between the price of wheat which weighed 60 lbs. to the bushel and wheat which weighed 10¾ oz. less than 60 lbs. to the bushel.

Hon. Mr. SNOWBALL—But it seems to me that if your tester weighed 10¾ ounces less to the bushel there would be so many more bushels.

Hon. Sir MACKENZIE BOWELL—I confess I do not know what the hon. gentleman means. I will try and explain in my way, and he can give his views afterwards. If a farmer has a bushel of wheat and it weighs by measurement in the imperial bushel, 62¾ pounds, he would have 2¾ pounds over the 60 pounds, which is the weight of a bushel of wheat by law, and the farmer would get a price per bushel for his wheat based on that weight; but what I say is, that if you test with a tester the weight of that bushel of wheat, the farmer loses; and that arises from the manner of pouring the wheat into the tester, and in doing so sixteen times to the bushel, there is just so much air gets in between the kernels of wheat that displaces the wheat and causes it to weigh less. The following table is used by grain buyers for the purpose of varying, and therefore determining the price of grain—that is if it weighs more than 60 pounds per bushel the farmer gets so much more, and if it weighs less than 60 pounds to the bushel the farmer gets so much less. Take for instance wheat, the standard being fixed at 60 pounds, and the price at 60 cents a bushel, which of course is an arbitrary price, and the following weights as determined by the use of the grain tester the price paid would be:

Test weight.		Price.
60 lbs.	standard or	60 cents per bushel.
59 "	1 cent off	59 "
58 "	2 "	58 "
57 "	5 "	55 "
56 "	8 "	52 "
55 "	12 "	48 "
54 "	16 "	44 "
53 "	20 "	40 "

You will see that the deduction in the value of the wheat does not decrease regularly so much per pound with the weight of the wheat, but the lighter the wheat the greater is the reduction till you get down to fifty-three, which has twenty cents per bushel deducted from the price. Then it must be observed that the above tests are merely for the fixing of the price and that sixty pounds must be given in every case. Now the farmer loses in this way: if he sells by measurement, and then weighs it, that being the test of the value of the wheat, he would gain just in proportion to the excess of the weight of the wheat in the price which he receives for it.

Hon. Mr. BOULTON—That is to say, if he grew a better and heavier class of wheat he would receive an increased price per bushel?

Hon. Sir MACKENZIE BOWELL—Precisely, but if it were decided by the grain tester, then he would lose so much to the bushel, as a bushel of grain weighs 10¾ ounces less by the use of the grain tester. Now here is another table which shows that the price paid for the wheat does not increase, proportionately to the increase in weight, as it decreases when the wheat is lighter:

Test weight.		Price.
60 lbs.	standard or	60 cents per bushel.
61 "	1 cent added or	61 "
62 "	2 cents "	62 "
63 "	3 " "	63 "
64 "	4 " "	64 "

That is taking the wheat the other way, with an increased weight to the bushel instead of less than 60 pounds to the bushel, and you will see that the increased price on the basis of 60 cents per bushel is only one cent for each additional pound more than the standard; on the other hand, if it is less than 60 pounds, then the ratio of deduction is a great deal more than the ratio of the increased price paid, when the wheat weighs over sixty pounds to the bushel. For in

stance, in the first table that I read, you will see that at sixty cents per bushel wheat weighing fifty-six pounds to the bushel is eight cents per bushel less than the standard; while, on the other hand, wheat weighing sixty-four pounds to the bushel is worth only four cents more per bushel than the standard. It has been pointed out to me, that this system of weighing has been a great grievance for a long time among the farmers, that the purchasers of wheat have that advantage over them; and I think it ought to be regulated so that the farmer should get the proper price for the weight of his wheat, and that the testing by this tester, a diagram of which is given in the report from which I read a little while ago, ought to be abolished and the Winchester bushel adopted, and have it properly filled and then weighed, and test a whole cargo, whatever it may be, by that system. I would therefore move an amendment to add section 1, to clause 6, the following words, "and no weighing machine used for weighing or determining the weight of any of the articles mentioned in section 16 shall be of less certified capacity than sixty pounds avoirdupois," so that that would be the test by which the weight would be arrived at and the selling and purchasing take place.

Hon. Mr. MILLS—I think my hon. friend has confused two different measures of capacity, and he has also made one standard for all kinds of grain. Now, sixty pounds might be all right for a bushel of wheat, but it would hardly be right for a bushel of oats. If my hon. friend said that the measure of capacity used shall hold not less than a bushel of the grain weighed, then he would accomplish his object, but he would not meet it in that form. Then there is another thing my hon. friend is mistaken about, and that is the capacity of the imperial measure. We have provided formally for the adoption of the imperial measure, all these weights here given are Winchester bushels. The imperial measure is one-fifth more; if I remember rightly, if a bushel by the Winchester were sixty pounds, by the imperial measure it would weigh seventy-two pounds. These are all Winchester weights given here; they are not imperial, and being Winchester we must keep the Winchester idea in view. We began by adopting the measure of capacity, the imperial measure which was founded, I think, upon a pint of distilled water weighing a pound, and that was taken as our pint of capacity, and so the capacity was fixed in that way for the imperial measure. But this is the old Winchester measure that we have adopted in this, and we cannot well depart from it unless we recast our whole system of weights from the beginning. I do not think it is going to make much difference, and it is important to bear this in mind; you take the purchasers of grain. If grain weighs a certain amount to the bushel and they use one-sixteenth of a bushel for the purpose of testing it, and as my hon. friend says that a sixteenth of a bushel in the tester will not weigh a real sixteenth of a bushel because the pressure in the tester is less than if you had a whole bushel—and the statement of my hon. friend is strictly correct in that particular—but this is the point that I wish to make, when the amendment which the hon. gentleman has made if adopted comes to be worked out, it will be found to produce results not very different from what they are at present. Let us suppose a buyer uses this one-sixteenth measurement for the purpose of fixing the weight of a bushel, and he says, "if the wheat weighs fifty-six pounds to the bushel I will pay you so much, and if it weighs sixty pounds to the bushel I will pay you so much," and so on according to the weight. Now all those prices are fixed with reference to his present means of testing the weight of a bushel of grain. You substitute a more severe test, and one that as my hon. friend says is more accurate, and which I have no doubt is more accurate, then he cannot make an offer of so much for sixty pounds wheat as he did when his test was somewhat different. For instance, if my hon. friend adopts this test and what, under the ordinary test existing at the present time would be fifty-nine pounds but under this other test will be sixty pounds, it is perfectly clear that the grain dealer, after you have adopted this test, will not offer as much for a bushel that weighs sixty pounds as he did for a bushel that would weigh sixty pounds under the test which is more favourable to him. That is perfectly clear. If the farmer is better satisfied, of course to remove a cause of grumbling or of a real or imaginary wrong it may be a substantial gain, but so far as the value of the grain in the granary is concerned, it will not differ under the closer test from what it was before, because the

value to the farmer must be the price which the grain merchant can offer him. He cannot go on and do business at a loss : he must consider what his profits are, and if he thinks his profits ought to be five or ten per cent and he adopts a test to secure that amount of profit, under the new test he will have to pay the farmer just such a price as would give the same result as he gets under the present system.

Hon. Sir JOHN CARLING—I have not had much experience in the purchase of wheat and I cannot speak with certainty about that product ; but as to the weight of barley, the statement that has been made by the hon. Minister of Justice is quite correct. The tester is a little brass bucket with weights, and it is carefully tested at Toronto by the department. Each buyer purchases one of those tests and keeps it in his office, and when a man comes with barley we want to know what is the weight of the grain. He says "my barley is fifty pounds to the bushel," that is two pounds more than the standard weight. If it is fifty pounds to the bushel we will give him a little more in price for that barley than we would if it was forty-six. He sends us a car of barley, and before having it delivered we send for a sample and test that barley by our tester, and if he sold it as fifty to the bushel and it only weighs forty-eight we refuse to take it. We communicate with him and he says "I do not think your tester is right. We have a tester which was brought from the government and is stamped as correct," and sometimes they come up with their tester and test the barley with ours and the two correspond, and he finds he has sold his barley at fifty pounds to the bushel when really it did not weigh more than forty-eight to the bushel. The purchasers of barley in western Canada would not be without a tester. That is a check on the grain they buy. Of course, when the barley comes it is all weighed in a hopper, ten, fifteen, twenty or one hundred bushels at a time, and we allow him forty-eight pounds to the bushel—that is the standard weight, and we allow him so much per bushel for barley ; but if it runs over the forty-eight pounds we allow him so much more for it because it is a superior article to an article that weighed only forty-six pounds to the bushel. So far as my experience is concerned, and so far as the experience of the brewers in western Canada is concerned, they would not be without the testers for any consideration, because it keeps a check on the seller and gives us the grain at the weight he agrees to sell it. I cannot tell you exactly the test ; perhaps it is the sixteenth of a bushel. It is carefully measured and carefully weighed, and when there is a dispute when you purchase barley in Toronto or any other point, the sellers come with their testers and test the barley, and sometimes our tester gives a better weight than their tester, and they have gone away generally satisfied that the barley they delivered was not up to the standard which they sold.

Hon. Mr. SNOWBALL—I do not profess to be proficient in the sale of grain and the modes that are adopted to ascertain the quantity. I think what has been said by the hon. member from Belleville bears me out in what I tried to place before the house in making this inquiry. What I wanted to come at was this : a farmer starts from home with a car load of grain, say one thousand bushels at sixty pounds the bushel, taking the weight that was given on the other side. He assumed that it weighed sixty pounds. He has started with 60,000 pounds of grain. When he gets to the market he finds he has been mistaken in the quality of the grain, that it did not weigh sixty pounds to the bushel—that it only weighed fifty-eight pounds. Instead of having 1,000 bushels by this reduced weight, he has 1,034$\frac{1}{29}$ bushels, that is assuming he had 60,000 pounds when he started.

Hon. Mr. MILLS—My hon. friend is quite right as to what would be the number of bushels by measurement, he would have 1,034 bushels ; but it is not bought by measurement. There would be just 1,000 bushels for sale and he would get paid for 1,000 bushels ; but, weighing only fifty-eight pounds to the bushel, he would get three or four cents a bushel less, and therefore 1,000 times three or four cents less for the lot.

Hon. Sir MACKENZIE BOWELL—The hon. senator from Northumberland evidently neither appreciated nor understood the point I tried to make. My hon. friend from London is strictly correct in the way he has put his argument. The minister just put the hon. gentleman for Northumberland right. If I were to tell a farmer coming to town that

his wheat weighed 60 lbs. to the bushel when it only weighed 58 lbs., he would be right in his contention, but I made no such contention. What was stated by the hon. gentleman from London, is the practice to-day. What I wanted to point out is that the very system by which he buys his barley, and by which wheat is purchased, by the tester, gives less than the actual weight of the grain when measured by the bushel. If that be the case, then the farmer loses in the sale of his grain just in proportion to the depreciation in weight when weighed by the tester, as against the weight by the bushel measurement—I do not know whether I make myself sufficiently clear.

Hon. Mr. BOULTON—In other words you contend that the Winchester system of measurement is unfair.

Hon. Sir MACKENZIE BOWELL—I say that the instrument by which they arrive at the weight of the grain does not, in testing, give the full weight of the grain, and if that is the case, the farmer loses in proportion. I explained it in this way, that in the sixteenth part of the bushel they pour the grain into the tester, and the displacement of grain by the air between the kernels is sufficient to make it weigh less than it would if it were put into a bushel measure.

Hon. Mr. MILLS—You can shake it down.

Hon. Sir MACKENZIE BOWELL—You have no right to shake it down. You are to pour it in gently until it is full, and then scrape off the top. I say that the smaller the quantities tested and the greater, the number of tests you make of a certain quantity, the greater is the displacement between the grain and the air, and you make it weigh less. If you were to take thirty-two instead of sixteen tests, the farmer would lose still more, because the air does not weigh as much as the grain. I can understand if a man has grain weighing less than sixty pounds he would not have a bushel according to law, and he would only be paid in proportion to the weight. The law fixes the standard of measurement at sixty pounds. If you are buying oats at thirty-four pounds to the bushel, you fill the measure with oats and ascertain exactly what they weigh, and then ascertain the total weight of the quantity you are buying. If the oats show a greater weight than thirty-four pounds to the bushel, the farmer is paid in proportion. I have never been in the grain business, but it seems so plain to me, with the tables placed in my hands, that I thought the farmer should not be placed in a position to lose on every bushel of grain he sold.

Hon. Mr. CLEMOW—Is it compulsory that this tester should be used?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. CLEMOW—It is evident that this tester has the same effect in testing grain as it has in testing flour. The inspectors of flour in Montreal used to procure as large quantities for a test as possible, and sometimes got three pounds out of a barrel, which was their profit. It shows there must be something imperfect in this test. Either the tester is incorrect or the original weight of the grain could not be right.

Hon. Sir MACKENZIE BOWELL—I did not say it is incorrect, but the results are what I have pointed out.

Hon. Mr. CLEMOW—I know perfectly well that men in Montreal made fortunes by having large testers and taking as much as they possibly could out of a barrel and the poor man who bought that barrel of flour, if he weighed it, found that he was two or three pounds short.

Hon. Mr. SNOWBALL—I quite understand now the position taken that if an unfortunate farmer goes to the market with grain which he assumes weighs sixty pounds to the bushel, when he gets there, by some doubtful mode of weighing he is told that his wheat does not weigh sixty pounds but only fifty-eight pounds to the bushel; consequently he must submit to a reduction in price on account of lightness in weight, but still has to give sixty pounds for a bushel. So the farmer is ground between the two millstones.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has made his statement not very clear. There is no such deduction to be drawn from what I said.

Hon. Mr. BOULTON—In a law suit, would the judge have to go by the tester?

Hon. Mr. CLEMOW—Yes.

Hon. Mr. BOULTON—Then it is an injustice.

Hon. Mr. MILLS—A larger tester is what is needed.

Hon. Mr. BOULTON—Yes, and let the farmer and the merchant fight it out, but if the farmer is handicapped in the measurement he has a poor chance.

Hon. Sir JOHN CARLING—If the hon. gentleman will be kind enough to allow the matter to stand over until to-morrow, we can look into it. I am satisfied that it will cause a great deal of dissatisfaction among those who purchase barley. We had a good deal of trouble in getting at the method of weighing barley, but with those standard weights we should give satisfaction to the buyer as well as to the seller. Take a car load of barley; you send and get a bushel of that out of the body of the car. You weigh it, test it, and if it is up to the weight you take it, and if it does not come up to the weight you notify the seller that you will not take it because it is not up to the standard: Sometimes some parts of the car will weigh more than others, because it is got from different farmers, and taken from their wagons, and we have to take the average car load and it is a method which gives general satisfaction to the trade all over Canada. I think it will be a mistake, as far as barley is concerned, but I cannot say about wheat.

Hon. Sir MACKENZIE BOWELL—My hon. friend is literally correct. It is a fight between the buyer and the seller. If the buyer can get a better bargain than the seller, he wants it continued; but if he loses by the tester, then he wants the change made. If my hon. friend buys a car load of barley at a certain rate, and it falls short in weight, he deducts a certain amount from the price paid, because it is not of as great value to him; but if it goes two or three pounds more to the bushel than the weight which was guaranteed to him, he should certainly pay the farmer the difference.

Hon. Mr. MILLS—The whole difficulty arises in this way: a farmer measures his grain in his half bushel measure and puts it into his bag and puts it on his scale and ascertains its weight; he says it weighs sixty pounds or more to the bushel. He takes it to the market and the tester is used, and there being so small a quantity tested there, it does not weigh as much and he believes he is being cheated. He has weighed his grain on scales that were marked as correct and he finds the tester gives a different weight. There is no doubt it will, as long as you use a very small tester. If you were to use a tester that would hold a bushel, or half bushel—not sixty pounds as my hon. friend says—that is all right for wheat. For oats it would be thirty-four pounds. So that it is the Winchester bushel you are using. The farmer would be dissatisfied if he was selling his barley by this tester; he would be disappointed when it came to be weighed, because the barley would weigh two pounds less to the bushel than it weighed at home. He makes his bargain with perfect honesty with reference to the weight as he has ascertained it, and he is disappointed because when it comes to be tested the weight is something less. But supposing you were to adopt the larger test that my hon. friend suggests, and his barley weighs more, my hon. friend buying his barley buys it according to the tester. When he says "I want barley that weighs fifty pounds," it is with reference to the weight as shown by that tester. It is a better quality of barley than the farmer has in view, because the farmer's barley is determined by a different standard. If we adopt the large test my hon. friend suggests, when he comes to buy barley he will find he gets a slightly inferior article, fifty pounds to the bushel, than he got before when he used the present tester.

Hon. Mr. BOULTON—He gets an inferior article.

Hon. Mr. MILLS—He gets an inferior article because it will not weigh fifty pounds by the tester. If he had got one that would weigh fifty pounds, it would be a better test than if it would weigh fifty pounds when you put a whole bushel together. What is the result? When he comes to buy, when you apply a new standard he cannot afford to give what he said he would give before, the standard being less. Therefore you must fix a lower price. Supposing my hon. friend was buying barley, and he says: "I will give you fifty-five or fifty-six cents a bushel if your barley weighs fifty pounds." He determines the weight of that barley to

the bushel by his present tester. That barley would weigh perhaps fifty-two pounds to the bushel by the ordinary bushel tester. It would weigh more than the fifty pounds, because there is a larger quantity of it together, and it is packed more closely ; but when he comes to get a bushel of barley that weighs by the bushel the fifty pounds, which would be an article inferior to what would weigh fifty pounds by the tester that he had before, he cannot afford to pay the same price, the market being the same, because he is getting a less valuable article than what he got tested by the former standard.

Hon. Sir MACKENZIE BOWELL—The only difference, as I understand it, is this : the contention of the hon. gentleman is quite right if the tester gives the actual bona fide weight of the grain. The contention is—and the figures I have given show—that it does not, because you weigh a certain amount of air which is in the tester with the small quantity of grain, and consequently you get a less weight than the grain honestly weighs.

Hon. Mr. MILLS—I will put this case to the hon. gentleman : supposing my hon. friend from London (Sir John Carling) were buying barley as he suggested, and that he said I will pay a certain price if it weighs fifty pounds to the bushel, but his fifty pounds to the bushel means fifty to the bushel as settled by the small tester that is in use. My hon. friend says that is more than a bushel. If you weigh a bushel altogether, I quite admit that if you put a bushel in the tester, it will pack more closely than a sixteenth of a bushel, but when my hon. friend is fixing a price on that barley he is fixing a price with reference to the standard that now exists, and if he were buying by that standard, and were buying to-morrow by the larger test that my hon. friend proposes to introduce, he could not pay the same price. Is not that clear?

Hon. Sir MACKENZIE BOWELL—That is clear if it were, but there is a market price for the barley, and if he buys by this tester more than a bushel, he gets more for his money than he is entitled to.

Hon. Mr. MILLS—But the market value amongst all purchasers is a market value fixed—

Hon. Sir MACKENZIE BOWELL—Fixed by weight.

Hon. Mr. MILLS—Not by weight, but by the bushel. But it is the weight to the bushel according to the means of testing it. If you adopt another it gives you barley of an inferior quality. Surely he cannot pay the same price.

Hon. Mr. BOULTON—But the farmer would like to have the actual weight.

Hon. Mr. MILLS—It makes no difference to him.

Hon. Sir MACKENZIE BOWELL—It is like buying a bottle of spirits where you can put your head in the hollow at the bottom of the bottle. You do not get the full quart. If you get an imperial quart measure you have the full quart. But whether the contention of my hon. friend be correct or not—and admitting for the moment that it is correct—then the purchaser knows exactly what he is getting, and the farmer knows he is getting paid for the 60 lbs. I will give notice of my amendment, if my hon. friend would prefer it, and let it go on the Minutes and move it on the third reading of the bill.

Hon. Mr. MILLS—Yes.

Hon. Mr. MACDONALD (P.E.I.)—I do not think the amendment would attain the object the hon. gentleman has in view. It would complicate the Act and make it more unworkable than it is at present. If any amendment is made it should specify that in making a test for grain by measure or capacity, the smallest measure to be used should be the Winchester bushel, and according to that the price should be fixed.

Hon. Mr. MILLS—That is contrary to what my hon. friend proposes.

The clause was adopted.

Hon. Sir MACKENZIE BOWELL—Clause 6 reads :

No trader shall use with a weighing machine a greater number of weights than is required by its certified capacity.

2. Every trader who violates this section shall be liable to a penalty not exceeding ten dollars for the first offence, and not exceeding twenty dollars for each subsequent offence, and to the confiscation of the weights.

What is the meaning of that?

Hon. Mr. MILLS—If the weighing machine is certified to weigh 200 pounds, he shall not use more weights than would make 200 pounds.

Hon. Mr. McKAY—If it will stand the weight it will not make any difference if you put another 150 pounds on.

Hon. Mr. MILLS—There are certain machines which, if you put more than the certified weight upon them, will never weigh accurately afterwards. That is true of spring scales. I dare say they have discovered that the scales are rendered inaccurate by this practice.

Hon. Sir MACKENZIE BOWELL—Allow me to make a suggestion from experience: the hon. minister should get from the department a brief of the reasons for the changes which are made in any Act. I frankly tell him that I never would take charge of a bill in the House, unless I had a brief from the department giving the reasons for the changes. Unfortunately my hon. friends have run through four or five bills of an important character and they could not tell us the reasons for the change. I can understand that no more weight should be put on a scale than it is intended to hold, but a reason should be given why a penalty for doing so. There may be results following. It may be that it disturbs the accuracy of the weighing of it, but I cannot tell.

Hon. Mr. MILLS—I know it is so with regard to some.

Hon. Mr. McKAY—As far as the platform scales is concerned this clause is vicious, but it may be very proper for the spring scales, because too much weight on a spring scale might strain the scale and it might never weigh properly afterwards. A platform scale could hold 150 lbs. extra and not be injured in the slightest. It would weigh just as accurately afterwards.

The clause was adopted.

Hon. Mr. SULLIVAN, from the committee, reported the bill with an amendment, which was concurred in.

COLD STORAGE ON STEAMSHIPS BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (149) "An Act to authorize certain contracts with steamship companies for cold storage accommodation."

(In the Committee.)

Hon. Mr. MILLS—This bill consists with only a single clause, which I will read:—

1. The Governor in Council may enter into contracts with Furness, Withy and Company, Limited, and with the Manchester Liners, Limited, to provide cold storage on steamships from Montreal, St. John and Halifax, to the United Kingdom, during the seasons of one thousand eight hundred and ninety-eight, one thousand eight hundred and ninety-nine, and one thousand nine hundred, on such terms and conditions as the Governor in Council deems expedient,—the sum to be paid for such cold storage not to exceed twelve thousand dollars in any one year.

Hon. Mr. FERGUSON—Has there been a sum placed in the estimates to meet this $12,000?

Hon. Mr. MILLS—I think not for this purpose, or else it would not be necessary to put it in the statutes. My hon. friend knows we have two methods of appropriation, one by special provision in the statute and the other in the estimates, which is an appropriation for the year only. This is an appropriation extending over three years.

Hon. Mr. FERGUSON—Then I understand this amount of $12,000 for the year 1898 will not be in any other Supply Bill that will come before us for the year 1898? My object in asking that question was that I scarcely understand why the government is not taking authority at the same time to provide for cold storage at Charlottetown. My hon. friend the Secretary of State knows very well that there has been a distinct promise that there would be such cold storage provided for Charlottetown. This year a sum of $5,000 has been placed in the estimates as a subsidy for a steamer to call at Charlottetown and to connect between Charlottetown and Britain. Now I do not see why if it is intended to utilize that amount, or if it is not intended to be put there for show, why there should not be authority taken at the same time by the government to make a contract to put cold storage on any steamer that will act upon the subsidy. There should be some provision in this bill authorizing the government to make a contract to put cold storage facilities on whatever steamers we may give the subsidy to. The other day, in answer

to a motion of mine, a return was brought down showing that the citizens of Charlottetown have made most strenuous efforts for the purpose of effecting cold storage there. They have subscribed nearly $20,000 stock for cold storage premises in the city of Charlottetown, but that is contingent upon getting a communication with the British market. There is no use putting cold storage premises in Charlottetown unless the government make a contract with a steamer to carry products in cold storage from those cold storage premises in Charlottetown to the British market.

Hon. Mr. MILLS—I understand the Minister of Agriculture has been endeavouring to make arrangements with parties.

Hon. Mr. FERGUSON—Why does not the Minister of Agriculture ask this power from the House the same as they are doing in this bill for other places?

Hon. Mr. MILLS—Because these provisions are for contracts that are consumated, the other is not. He is endeavouring to secure a contract, and there is an appropriation made for the other, contingent upon the ability to get the work done. Prince Edward Island is not overlooked, it is not neglected, but it could not be embraced in this bill because this is dealing with parties who have already made contracts with the government.

Hon. Mr. FERGUSON—We had a bill brought down just at the end of the last session to ratify contracts that had been made and the contracts themselves were brought down—my hon. friend the Secretary of State will bear that all in mind very well—and we found they were entirely for the ports of Montreal and Quebec. We were assured then that efforts were being made to embrace the other ports, and it was hoped that some of the other provinces would be included in the arrangement. Now, if these contracts are already made, why do the government ask for power to make them? I do not see why the government do not include Charlottetown in the bill; why they did not take the power to make a contract in reference to Charlottetown as well as with reference to the other ports. There has been a subsidy granted for the steamers to call at Charlottetown, but, as far as I know, there is no vote or authority for the government to contribute there, as they are doing in this bill. The promises made last year were not fulfilled and the cold storage was not supplied. Another season is now entered upon, and the government do not even propose to take to itself power to make this contract for putting cold storage facilities on a steamer to call at Charlottetown, although they are professing to offer a subsidy to cold storage steamers that will call there.

Hon. Mr. MILLS—This bill says:

> The Governor in Council may enter into contracts with Furness, Withy & Co., Limited, and with the Manchester Liners, Limited, to provide cold storage on steamships from Montreal, St. John and Halifax, to the United Kingdom during the season 1898, 1899 and 1900.

Now, if one of these companies could be persuaded to stop at Charlottetown, there is nothing in this bill to prevent it. Does my hon. friend say that if the government find it impossible to induce the Manchester Company, in running from Montreal to Manchester, to stop at Charlottetown that we ought not to have entered into this contract? Is this his contention? There is nothing in this that says they may not stop there, and the provision is that the sum paid is not to exceed $12,000 in any one year; that during the three years mentioned the Governor in Council may enter into contracts with these companies on such terms as the Governor in Council deems expedient. Now, in regard to this cold storage, if it is possible to induce any one of these companies to call at Charlottetown, I am sure that the government would be delighted, and if they cannot induce them, then they would be pleased to get some other company, if it can be done on terms that are at all reasonable. My hon. friend is railing at the government; he himself was a member of the government and he had just as much interest in Charlottetown then as he has today.

Hon. Mr. MACDONALD (P.E.I.)—I agree with the remarks that have been made by the hon. gentleman from Marshfield on this subject. We have been applying in Charlottetown for facilities for cold storage for several years. At the time my hon. friend from Marshfield was a member of the government, there was not the same need of cold storage in any part of Canada and there was not so much need of send-

ing articles in cold storage then as there is now. The people of Charlottetown went to a great deal of expense and trouble last year and the year previous in order to be prepared to take advantage of steamers which it was expected the government would obtain to call there and to take goods in cold storage to the United Kingdom. It was stated at that time that the government would give a bonus to any parties establishing cold storage in Charlottetown for the purpose of utilizing it for steamers calling there to take the goods to the old country. That promise has not been carried out. The government has not given any assistance in the way that was then suggested. Now, we find that Charlottetown is again getting the go-by in the bill that is now before us. There is no provision made there for the purpose of having steamers call at Charlottetown to give us the benefit of cold storage shipment as it was expected there should be. The hon. leader of the government says there is nothing in this bill to prevent their calling there. There is nothing in the bill to induce them to call there. It is not at all likely that any steamers would call at Charlottetown without some money inducement to bring them there. It is true there is nothing to prevent them going, but without this bill if it is to their advantage to do so. It requires something more than ordinary freight rates to induce a steamer to call there, although there is a large amount of freight now prepared to be shipped in cold storage from Charlottetown. We know that one firm alone has invested $100,000, in establishing a business in Charlottetown in connection with which there is a cold storage department where he prepares a large amount of bacon and other products for shipment to the old country, and without the benefit of steamers calling prepared to convey those with cold storage facilities to the old country, he is at a very great disadvantage compared with his competitors in the other provinces. I should like to see some provision made for a steamer to call there fitted out with cold storage facilities.

Hon. Mr. SCOTT—The hon. members from Prince Edward Island are not fair to the government. We were perfectly frank this year and last year. If you cannot induce steamers to call there for even a larger sum than is granted to other ports are the government to blame for it? The answer to the government is that there is not enough freight to make it worth while calling. It will not do to call there simply for the subsidy that is granted other ports. The Minister of Agriculture himself went to Prince Edward Island to ascertain if it was not possible to make an arrangement to call at Charlottetown, whether the products could not be sent to Halifax. That was found not to be feasible, because if the temperature is changed the articles become of less value; but the Minister of Agriculture has this year placed a special sum in the estimates and he will use it in his best endeavours to obtain a vessel to fit up cold storage to take products from Charlottetown.

Hon. Mr. FERGUSON—The people of Prince Edward Island are quite accustomed to hear such speeches with regard to this subject as the hon. Secretary of State and Minister of Justice have made. The Secretary of State says that the members for Prince Edward Island are not fair to the government, and my hon. friend the Minister of Justice asked me, do we want to prevent the government from making a contract with these companies for the purpose of connecting Montreal and Great Britain unless they will call at Charlottetown. Now we are not unfair and we do not ask any such thing as that, but when the government come down with a bill of this kind giving them authority to enter into contracts for the purpose of furnishing cold storage facilities in regard to other points, why do they not also come to parliament and ask for power to make such a contract for Charlottetown as well? If it is necessary in making these contracts to come and get power to do so, is it not also necessary to get some power from parliament in order to make contracts for Charlottetown? Here we have the government coming down and taking power to make contracts between the ports of Montreal, St. John and Halifax, on this side, and the ports of Great Britain on the other side, and they do not ask this parliament to give them power to make similar contracts with Charlottetown. Now it need not be with the Furness line or with the other line mentioned here, but they ought to take power from parliament to make a similar contract with some steamship company for Charlottetown and carry out what they have been promising for so long a time.

There has been a subsidy of $5,000 provided for, but the government did not do for Charlottetown what they are doing in this bill for other ports, and if cold storage is necessary at all, it is necessary that Charlottetown should be treated in the same way. We have had promises year after year, and I say plainly that unless something is done in addition to the grant of a subsidy, that the government will come back next year and say, "we have no power; we must get power from parliament to get a steamer to call at Charlottetown, and consequently we were not able to get a boat or to make any arrangement." I ask them why do they not take to themselves the same power from parliament to make a contract as they are doing in this bill? We ask nothing unreasonable for Charlottetown; we know that Charlottetown does not serve as large a territory as the other ports do; we only ask for facilities in proportion to the trade we would have, which, necessarily, would be small, but from the fact of it being small, it should not be withheld. Now, my hon. friend thinks he is going to get out of this difficulty by pointing to myself as a member of the late government. At that time there was no cold storage provided for any port in Canada. The government, of which I was a member, initiated a scheme; they had it all ready to put into operation, and it was known all over Canada that the matter of cold storage was being considered——

Hon. Mr. MILLS—Had you a steamship subsidy?

Hon. Mr. FERGUSON—My hon. friend says, had you a steamship subsidy? No; because the matter of cold storage had not developed at that time. My hon. friend takes care to say that the subsidy has been granted, but he takes care not to ask parliament to give the government power to apply that subsidy for cold storage steamers, and if they are sincere they ought to add to this bill a provision giving them power to provide cold storage facilities.

Hon. Mr. POWER—I do not read this bill in the same way that the hon. gentleman does. This bill simply authorizes the Governor in Council, who, I presume, have really come to some understanding with these two steamship companies, that on the steamers of these companies, which ply between the ports named, storage facilities will be provided. The hon. gentleman does not advert to the fact that the bill provides for three years.

Hon. Mr. MILLS—The contracts run at the same time.

Hon. Mr. POWER—The subsidies to these steamers and their contracts extend over three years. Now the sum to be paid for cold storage for these three ports is not to exceed $12,000 in any one year. Inasmuch as no arrangement has yet been made with either company to run a line from Charlottetown, it was not practicable to include that in this bill. The government have shown their desire to help the cause along by putting some $5,000 in the estimates; and I know myself that the hon. Minister of Agriculture was most anxious, when he was in Halifax last fall, to try and make some arrangement with the Furness Company to get their steamers to call a certain number of times at Charlottetown, at the time of the year when the products of the island were to be shipped; and I do not think the hon. gentleman is a bit more anxious than the Minister of Agriculture is to see the products of the island carried over by cold storage. But if he has up to the present time failed in coming to an arrangement with any of these steamship companies, he is not to blame for that. The government have put this $5,000 in the estimates, and I trust that before the season is out they may succeed in making an arrangement with some other steamship company. It is not necessary to have a bill to authorize the contract when the thing is authorized by the Supply Bill.

Hon. Mr. SCOTT—This $5,000 which appears in the estimates is an extra amount over and above what is paid to any other port. The arrangements at other ports have been offered to all steamship companies to send their steamers to Charlottetown, three companies, I am advised, the Furness Company, the Mosgrave and Mr. Carmichael of New Glasgow; they have corresponded with the department and they said they would not undertake it for three years, but they might for one. In addition to the offer to all the companies there is an offer of a sum of $1,000 each trip, specially to call at Charlottetown, and it was with a view of inducing

them to call five times at Charlottetown this year that the present sum was put it, but Mr. Fisher has not been able to induce them to accept that offer. The answer is that there is not freight enough to warrant their calling at Charlottetown. Mr. Fisher says he has abundant authority to make a contract with them if he can induce them to accept his terms, which are, besides paying half the amount of the fitting up of the cold storage on those vessels, to pay in addition $1,000 a trip if they will call at Charlottetown.

Hon. Mr. FERGUSON—I must draw this distinction between my hon. friend the Secretary of State and the hon. Minister of Justice. The hon. Secretary of State tries to talk fairly anyway, and the hon. Minister of Justice does not even try to talk fairly not to say anything about acting fairly in the matter. My hon. friend the Secretary of State gave us a good deal of fair talk and fair promises last year. I must say that the hon. gentleman behind the hon. Minister of Justice seems to know more about what the government is doing and their intentions than either of the government members in this House. There was more information in what my hon. friend said than we have got from either members of the government. But to come down to the point, there is about $20,000 subscribed in Prince Edward Island for putting up cold storage premises. It is subscribed with the understanding that there will be three years cold storage service connected with the port ensured. The subscribers to that cold storage warehouse in Charlottetown do not feel that they would be justified in going forward with the warehouse and incurring the expenditure unless they had an assurance of connection by steamers, and cold storage on board the steamers, with the markets of Great Britain. They feel that putting a sum of $5,000 in the estimates for one year only, and without any contract for cold storage, extending over a period of three years, by steamer, or without any ghost of assurance of that, there is not a bit of use in their going forward and establishing cold storage premises in Charlottetown. The fault I find with the government about this is that they do not take power to make a three years contract for cold storage steamers.

Hon. Mr. POWER—That is a new objection.

Hon. Mr. FERGUSON—It is only a subsidy for one year, but I have no doubt that it would be voted from year to year; but the government should take power to themselves to make a three years' contract and the money would be voted from year to year in order that the facilities should be continued for three years, because capitalists will not put their money into a cold storage warehouse until they are satisfied they are going to get the communication. If they do not get the communication the warehouse will be no use to them, because hon. gentlemen know very well that if the products that are intended to be preserved are once preserved in cold storage premises, they do not stand the stress of a long voyage even as well as if they had not been in the cold storage originally. The cold storage must be continuous. The goods must pass from a cold storage warehouse in which they have been preserved to a steamer having cold storage facilities, and landed in the markets to which they are being sent. If they do not have that facility right through it is better not to have a cold storage at all. The whole matter is tied up because the government do not take to themselves power to make a three years' contract.

Hon. Mr. SCOTT—The hon. gentleman is entirely wrong. The Hon. Mr. Fisher said: "I have endeavoured to make a three years contract, but they positively refused to undertake it."

Hon. Mr. FERGUSON—Why do you want this bill?

Hon. Mr. SCOTT—These companies have agreed to it. But with reference to Prince Edward Island, the hon. minister has asked the companies: "Will you undertake, if you receive an additional subsidy over and above what is given to Halifax and Montreal, to give us a contract for three years?" They say: "No, we will not, but we will consider whether we might not enter into it for one year. We will not undertake to make a contract for three years." Mr. Fisher was perfectly willing to have made a contract for three years if he could have got them to make the contract. But those three firms said they would consider it, and Mr. Fisher undertook to pay any one of them $1,000 for every trip, and that is the reason the item is there. If there had been the slightest

possibility of making a contract with them, he would have done so, but they absolutely refused.

Hon. Mr. FERGUSON—When was this?

Hon. Mr. SCOTT—Quite recently, and he now expects to hear from one of the companies, and he is quite ready to enter into a contract if they will agree to it for one year or three years, and in addition he is giving this bonus of $1,000 a trip over and above what any other port is getting.

Hon. Mr. FERGUSON—My hon. friend's information is more recent than mine.

Hon. Mr. SCOTT—I have just seen the hon. minister below the bar of the House.

Hon. Mr. FERGUSON—The president of the Charlottetown board of trade has taken a vast amount of trouble on this question during the last two years. He is working on account of his love for the province, and when Mr. Hazard was here trying to get this business arranged, he told me, when I was leaving for Prince Edward Island, that he was detained here because he found that all the government proposed to do was to make a one year contract and that would be of no use whatever, and he was compelled to remain to endeavour to get them to make a three years' contract, and I told him less would not do, because it would not justify the building of a warehouse. He was determined to remain until he got that arrangement effected and I thought we would have a bill on the subject giving the government power to make the contract.

Hon. Mr. SCOTT—I have no objection to putting a clause in the bill to make a three years' contract with any company who will take it. Mr. Fisher has not the smallest objection, but it would be entirely misleading, because he failed in it before.

Hon. Mr. FERGUSON—Will the hon. gentleman do what he suggested?

Hon. Mr. MILLS—The hon. gentleman knows no such contract can be made. Here are two companies with whom the government have a contract, and this appropriation, the hon. gentleman knows, is made under the provisions of the contract. The best we can do in the case of Prince Edward Island is to ask for the appropriation for a year, and if he can make the contract extending over a longer period, then we may legislate upon the subject. But the hon. gentleman knows that the appropriations made by parliament in the Appropriation Bill are appropriations from year to year. That is the condition here:—

The Governor in Council may enter into contracts with Furness, Withy & Co., Limited, and with the Manchester Steamship Liners, Limited, to provide cold storage on steamships, &c.

Why? Because they have a contract with these parties under subsidies granted to them extending over a period of three years. Then, having a contract for three years for steamers from Montreal, St. John and Halifax, they make arrangements for contracts running the same period of time. But my hon. friend knows the declaration here for the purpose of carrying out an arrangement with these companies which have no revelancy to a proposal that had no relation to these companies.

Hon. Mr. FERGUSON—My hon. friend, the Secretary of State, has made a suggestion, which, I think, is a very fair one. He suggests that the provision should be put in this bill giving the government authority to make a three years' contract. The hon. Minister of Justice certainly pays his colleague a very poor compliment when he tells me across the floor of the House that I know nothing of the kind can be done. He assumes that his colleague does not know it. I may reply to my hon. friend that I do not know that it cannot be done. On the contrary I know that it can be done.

Hon. Mr. MILLS—If there was a contract made, the hon. gentleman would have no grievance, and I know he would a thousand fold prefer a grievance to a subsidy.

Hon. Mr. FERGUSON—My hon. friend seems to be confusing things in a remarkable manner. I do not want that any contract shall be made with these people, or any other person. All I ask is—and that is just what the hon. Secretary of State suggested—that power should be taken in this bill by the government to make a three-year contract with somebody.

Hon. Mr. MILLS—Does the hon. gentleman suppose we can make a charge on the revenue of the country?

Hon. Mr. FERGUSON—The hon. Secretary of State proposed it.

Hon. Mr. MILLS—Does the hon. gentleman think we can make a charge on the revenue of the country?

Hon. Mr. FERGUSON—My hon. friend will settle that with his colleague.

Hon. Mr. MILLS—I am asking the question. The hon. gentleman is addressing me with a proposition that we ought to put an appropriation in this bill.

Hon. Mr. FERGUSON—It is simply taking power to make a contract. It is simply the suggestion of his colleague. He had better settle it with him. If this House cannot authorize the contract, the hon. Secretary of State is wrong and I have been wrong in believing it. The government certainly could have put it in the bill originally, and they should have done so.

Hon. Mr. SNOWBALL—There is something else to be said in reference to this matter besides the question of cold storage. The hon. gentleman from Marshfield knows perfectly well that those steamships will not make a contract for three years without knowing the quantity of freight they will get. If the local government of Prince Edward Island will give a guarantee of a large quantity of freight, they can get steamers under the Act. But I disapprove of all subsidies to steamship freight lines, and I think it is time a halt was made in Canada in reference to this matter. I fully approve of the mail service contract which we cannot avoid and the cold storage subsidies which we cannot avoid, but I disapprove of giving subsidies to carry ordinary freight across the Atlantic. What is the result of it? They say "steamers object to going to Prince Edward Island because they cannot get full cargoes. What is the matter with the whole east coast of New Brunwick, where we have very large exports and steamers can at all times get timber cargoes?" This matter should be taken into consideration by the government. They are subsidizing freight steamers to carry lumber from Montreal, St. John and Halifax, lumber certainly constituting a large portion of the cargoes shipped. There are certain sections in New Brunswick where we are handicapped in our trade with Europe on account of these very subsidies. Steamers are compelled to go to those ports. They cannot get full cargoes of farm products from the west, consequently they take in large quantities of deals. They have to take these deals at 15 to 20 shillings a standard under current outport rates, and handicapping the timber trade of Canada in the ports where they do not get the subsidy. Why should the people in St. John and Halifax get a bonus on these deal shipments when the east coast of New Brunswick and Nova Scotia are handicapped in this matter and are driven out of their own markets? I consider it is extremely wrong to subsidize steamers from these ports, especially to an inland port in Europe. It is bad enough to give a steamer a subsidy to induce her to call at Montreal or St. John, but what have we to do with subsidizing a steamer going to Europe, going past the port of Liverpool, say to Manchester? I thought it was important to bring this before the House and I have taken this opportunity to do so. I hope the members of the government will bear the matter in mind and give it due consideration.

Hon. Sir MACKENZIE BOWELL—Does the bill provide for carrying the cold storage articles to Manchester?

Hon. Mr. SCOTT—There is a line of steamers to Manchester, and they propose to fit up these steamers for cold storage to Manchester.

Hon. Mr. FISET, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

FIRST AND SECOND READINGS.

Bill (118) "An Act to incorporate the Dawson City Electric Lighting and Tramway Company, Limited."—(Hon. Mr. Clemow.)

Bill (123) "An Act to incorporate the Dawson City Electric Company, Limited."—(Hon. Mr. Clemow.)

BILL INTRODUCED.

Bill (163) "An Act to grant further aid to the Harbour Commissioners of Montreal."—(Hon. Mr. Scott.)

The Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 8th June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

THIRD READINGS.

The following bills, reported from the Committee on Railways, Telegraphs and Harbours, were read the third time and passed :—

Bill (126) "An Act respecting the Saskatchewan Railway and Mining Company"—(Hon. Mr. Lougheed.)

Bill (137) "An Act respecting the International Radial Railway Company"—(Hon. Mr. Clemow.)

Bill (145) "An Act further to amend the Railway Act"—(Hon. Mr. Scott.)

Bill (158) "An Act respecting the London and Lake Huron Railway Company"—(Hon. Sir John Carling.)

Bill (125) "An Act to incorporate the Ottawa Interprovincial Bridge Company"—(Hon. Mr. Clemow.)

RECORDING THE SPEAKER'S RULINGS.

MOTION.

Hon. Mr. LANDRY moved—

That all the words after "that" in the 43rd line, page 561 of the Minutes of the Proceedings of the Senate, of Friday, 3rd June, 1898, be struck off, up to the end of the paragraph, and the following inserted in lieu thereof, as follows :—

The SPEAKER—If I thought for a moment that the honour of the hon. senator from Stadacona was at stake, I should be the last one to encourage the letting of that opinion go abroad. I never understood by the language of the hon. the Secretary of State that he wanted to accuse the hon. senator from Stadacona of having stolen the letter. If I had so understood, I would state my decision in some other way, but as I have to decide a question of order, I must lay aside my personal feeling.

Rule 14 provides that no resolution prefaced by a written preamble is received by the Senate. In my opinion, if there is anything like a preamble it is certainly the wording of the four or five paragraphs which precede the motion. I cannot otherwise consider that as anything but a preface to the motion, and I am of opinion that the motion cannot be put in its present shape.

He said : My object in bringing this matter before the House is not to challenge in any way the correctness of the ruling given by the Chair. I made a motion previous to the one now before this House, in which motion I recited what I thought was the imputation of the hon. Secretary of State against my own character. I incorporated that alleged imputation in the motion which was then put before the House, and that motion was declared by the Chair out of order because it had a written preamble. The journals of the House contain actually the recital of that motion in which all the imputations that I thought the hon. Secretary of State had brought against me were contained ; and my object to-day in bringing up this decision of the Speaker with a view to having it recorded in the journals, is to put on record the answer to that imputation given by the hon. Speaker himself. It is because I consider the decision is something to my advantage that I claim, as an act of justice, that the decision be put in the journals, as the accusation framed in the way I drew up the motion is already on record in the journals.

Hon. Mr. SCOTT—It is clear to my mind, from the remarks made by the hon. gentleman from Stadacona, that he is under a very serious misapprehension as to the language used a few days ago, when discussing this subject, and the very words he has quoted as having formed the subject of the Speaker's ruling evidently should show him that other gentlemen, who heard my language, did not attach to it the meaning, which the hon. gentleman seems to have drawn. I made no personal charge against the hon. gentleman in connection with the letter. I was quite aware that it would have been practically impossible for him to have acquired the letter from either of the writers, and I was not aware that the hon. gentleman had visited Rome in the month of October or November last. Therefore, there were no grounds, and my language did not convey the personal imputation he seems to have attached to the words used. What I did say was that, from the evidence I had received, I had come to the conclusion that the letter had been purloined, or improperly obtained, and therefore, it should not form the subject of a debate before this House, particularly as it referred to a matter that, in my judgment at all events, was not one of which the public ought to take any note. I stated in addition that the grounds I had for that were letters I had seen from Mr. Russell, and also a communication, that I

was not at liberty then to communicate to the House, from Rome stating that the letters had been improperly obtained. I then said that the language used in the communication that I saw was very much stronger than the language I used on the floor of this House. What I did say and what I felt was that under those circumstances, as the hon. gentleman had not explained to this House how he came in possession of those letters, I was amply justified in saying that their possession by him was obtained in such a way as would not justify any gentleman in bringing them before the notice of parliament. I may say to him that the conclusion I had come to then as to the manner in which the letter had been obtained have been confirmed by the highest authority, and while I have no desire to parade the source of my information before the public, I have no objection to showing the hon. gentleman privately the communication on which I have based my observations. The hon. gentleman may rest assured, however, that I did not desire to make any personal imputation to him as to his having improperly come by the letters. Some one must have obtained them improperly. They may have been handed to the hon. gentleman innocently enough. He may not have inquired of the party who delivered them to him how they came into his possession, and therefore he is unnecessarily sensitive in applying my language to him personally. I regret very much that he interpreted my words as reflecting on his honour in connection with the letter. I presume the hon. gentleman will be satisfied with this explanation, and if it is contrary to the rules that this ruling should go on the journals, that he will not desire to press his motion. I acquiesced in the ruling of the Speaker in which his honour said he understood that I had not intended to make a personal application of my observations to the hon. member from Stadacona in the manner that the hon. gentleman interpreted them.

Hon. Mr. LANDRY—With these explanations, I ask permission to withdraw my motion.

The motion was withdrawn.

MANITOBA SCHOOL LANDS.

INQUIRY.

Hon. Mr. LANDRY rose to :

Direct the attention of the government to the following extract from No. 80, page 3 of the Orders of the Day of the House of Commons for Monday, 6th June, 1898 :—

House in committee to consider a certain proposed resolution declaring it expedient to provide that the Governor in Council may, from the moneys invested under the provisions of subsection three of section twenty-five of chapter fifty-four of the Revised Statutes of Canada, forming the school fund for the province of Manitoba, pay from time to time to the government of Manitoba, on the request of the said government, such sum or sums as the Governor in Council thinks proper, not exceeding in the whole the sum of three hundred thousand dollars, the sum or sums so paid over to be expended by the said government of Manitoba in the support and maintenance of the public schools in that province ; provided always that not more than two hundred thousand dollars shall be so paid to the said government for the purpose aforesaid during the present calendar year.—(Mr. Fielding.)

And asked :

1. By this Resolution does the government ask to dispose of, to the amount of $300,000, the very capital forming the school fund produced by the sale of certain Dominion lands ?

2. In giving this sum of $300,000 to the government of Manitoba for the maintenance of public schools in that province, does the government take account of the fact that the legislature of Manitoba has changed the definition of the term "public schools," and established in 1890 public schools different from what they were before that date, and that consequently this $300,000 will be destined for public schools as they exist to-day and not as they existed when this school fund was created by the Federal legislation ?

3. Will the Catholic schools of Manitoba be protected by the Federal legislation in such a way as to be able to get the proportion to which they would have a right in virtue of the spirit of the letter and of the Dominion Lands Act, or will this gift of $300,000 be made without any conditions to the government of Manitoba and with the right for the latter to dispose thereof as seems good to it ?

4. Has the government of Manitoba asked the government of the Dominion to cause to be adopted by the parliament of Canada this legislation which will permit the Federal government to give to that of Manitoba this sum of $300,000, to be taken out of the capital created by the sale of Dominion lands specially reserved as school lands ?

5. When did the government of Manitoba make such a demand or require such legislation, and upon what did it base itself in asking it ?

6. Is it a favour which it solicits, the accomplishment of a promise which it demands or the revindication of a right which it claims ?

7. If it is a favour which it solicits, what does it give it in exchange ; if it is an accomplishment of a promise which it demands, what is the promise and where was it made ; if it is the revindication of a right, when did this right arise and what arrangement has given birth to it ?

8. In any event, is the Federal government by the legislation which it asks, going to make the Greenway government this gift of $300,000 without regard to the rights of the Catholic minority, and going to give to the provincial government the proportion of money to which the minority pretends that it is an undeniable right.

Hon. Mr. MILLS—I may say to my hon. friend that it is not a usual thing to undertake to question the government in one House categorically about the proceedings of another House. My hon. friend has

quoted from a speech made in the House of Commons by Mr. Fielding with reference to a payment to the government of Manitoba of the sum of three hundred thousand dollars, and on that subject he puts a series of questions to me. It would not be in the public interest at this moment to undertake to enter into a minute discussion of the questions which the hon. gentleman puts. He asks me, in the first place, by this resolution, does the government ask to dispose of the amount of three hundred thousand dollars, the very capital forming the school fund produced by the sale of certain Dominion lands. My hon. friend will see that certain lands in Manitoba were, at a very early date, pledged towards the maintenance of the public schools, and I do not understand that pledge as tying the government of Manitoba or the government of the Dominion to the proposition that those schools shall continue to be of a particular form, but that whatever may be the public schools for the time being, whether they be secular schools or schools in which religious instruction is given of a denominational character, if they be such as, by the law of the province, are counted public schools, then those schools under the original reserves are schools that would be entitled to share in this appropriation; and if the school system to-day is somewhat different from what it was at the time these lands were set apart, it would not be contrary to the provision originally made, but on the contrary it would be in accordance with that provision that the payment should take place.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. MACDONALD (B.C.)—Were the lands set apart in Manitoba specially?

Hon. Mr. MILLS—Yes, and in the North-west Territory. These lands are lands that were under the control of the Dominion at the time they were so set apart.

Hon. Sir MACKENZIE BOWELL—And so are the funds arising therefrom.

Hon. Mr. MILLS—Yes, there is no doubt that the funds and the lands are alike pledged to the government and the people of Manitoba and that the country is being settled up and that the settlers who have gone there might very properly complain of a breach of faith that the funds were not paid over in accordance with this understanding. Of course we have the power of refusing to keep faith.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. BERNIER—The physical power.

Hon. Mr. MILLS—Yes, and the legal power, but it would be a gross violation of our pledge.

Hon. Mr. BOULTON—The hon. minister then claims that the provincial government could draw on the Dominion government for what capital has been paid.

Hon. Mr. MILLS—Not necessarily. That is a matter of which the Dominion government, whenever it chooses to make a payment at the instance of the province or at its request, assumes the responsibility, and that responsibility is assumed on the present occasion. The hon. gentleman asks whether the government of Manitoba has asked the government of the Dominion to cause to be adopted by the parliament of Canada, legislation which will permit the Federal government to give to the government of Manitoba the sum of $300,000 to be taken out of the capital created by the sale of Dominion lands and so on. The province of Manitoba and the government of Manitoba no doubt are anxious to receive these moneys. They are anxious that these moneys should be under their control, and my hon. friend will scarcely expect me to say that the Dominion government is doing this gratuitiously and against the will and wish of the government of Manitoba. That of course is not the case. But the government of Manitoba, being a government possessing the power of self government, these lands being set apart for the maintenance of the schools in that province——

Hon. Sir MACKENZIE BOWELL—Is the hon. gentleman not opening a discussion that he deprecated when he began? Because he is laying down principles to which many others object. I have no objection to his answering in his own way.

Hon. Mr. MILLS—I am answering in my own way. And I may go further and say that as far as the payment to the government of Manitoba is concerned, I think it is in accordance with the original

understanding and with the duty of the government and the parliament of Canada. It was never for a moment supposed or indicated, when these lands were set apart, that either the lands or the funds should remain for all time under the control of the government of Canada. That would have the effect of putting into the hands of the government of Canada the control over a subject which with certain limitations, is under the exclusive control of the province.

Hon. Mr. BOULTON—Unless the policy of the Dominion government was to capitalize it to pay the interest on it.

Hon. Mr. MILLS—If the Dominion government were at any time to refuse to make payment, it might be a source of serious embarrassment to the government of Manitoba, and therefore I say that when the government of Manitoba became an established government, when the party system was introduced, it was in the power of the government, in conformity with the spirit of the original intention, to pay over the capital to the province. It was in the power of the government of the Dominion, in conformity with the spirit of the original intention, to pay over the capital to the province in order that it might control all the sources of revenue except those specifically provided for in the terms of union upon which it relies.

Hon. Mr. LOUGHEED—The Act is silent on that.

Hon. Mr. MILLS—I am speaking of general principles that are deductable from the very nature of our system of government.

Hon. Mr. MACDONALD (B.C.)—Can Manitoba divert this fund to other purposes, if it wishes to do so, irrespective of the Dominion government?

Hon. Mr. MILLS—It would be a gross abuse of authority if it were to do so, just as it would be a gross abuse of power if we were to withhold payment or to divert this fund to some Dominion purpose. I think when the pledge of a parliament has been given, some regard should be had to it. That is a pretty well settled rule in public law, and it is one that will be applicable to a transaction of this sort. As the subject will likely be before this House at a later period, it is not desirable that I should go further at present into topics presented by the series of questions which the hon. gentleman has put.

Hon. Mr. PERLEY—The hon. gentleman made reference as to what was the intention of the government with regard to this land. May I ask him if it was the intention of the government that it should be for the common schools of the country or for sectarian schools?

Hon. Mr. MILLS—It was for the schools as they then existed that they were set apart, but if subsequently the system was changed, it would be for the support of the schools that might exist at any time. The whole system might fifty years hence be wholly different from what it is at the present time, and the schools that at that time would be regarded as public schools would be the schools entitled to the appropriation under this provision. The system in Manitoba has undergone a change, but I have no doubt that the practical results will, at no distant day, be found to be satisfactory to the country.

Hon. Mr. BERNIER—Could not the hon. gentleman answer specially question No. 7.

Hon. Mr. MILLS—I cannot gratify my hon. friend at this moment.

Hon. Sir MACKENZIE BOWELL—I shall not follow the example set by the leader of the government in this House, by entering into a discussion of the question at the present moment. He has given his views of the constitutional attitude of the Dominion in reference to the provinces, and the rights of parliament to deal with the question. Upon that point, there can be no difference of opinion; but when the hon. gentleman told this House that the lands were set apart with a prospective idea of having them transferred to the Manitoba government, the present or any other government, he is certainly labouring under a delusion. The lands were set apart for one special purpose. It was considered at that time that it would be a munificent endowment, for all time, in and of support of a common school system. So particular was the government at that time, to make provisions to prevent the lands, or the moneys arising from the sale thereof, being diverted to any

other purpose, or to allow in any way the Manitoba legislature to deal with the question other than the expenditure of the interest upon the money which was invested arising from the sale of lands, and so particular were they to protect the interest of this educational fund, that they placed upon the statute-book a law which provided for the setting apart of a certain section in each township in Manitoba and in the North-west Terrritories, that provision was made that that land should not be sold, even by the Dominion government itself, unless by public auction.

Hon. Mr. BOULTON—With a reserve bid of $5 per acre.

Hon. Sir MACKENZIE BOWELL—Yes, with a reserve bid, as my hon. friend says, of a certain sum per acre. That money, when received by the Dominion government, was to be placed to the credit of the school fund of Manitoba and the North-west Territories, and the interest payable thereon was to be handed over annually or semi-annually—I am not sure which—to the government, whatever it might be, for certain purposes only as specified in the Act.

Hon. Mr. MACDONALD (B.C.)—Not a dollar of the principal.

Hon. Sir MACKENZIE BOWELL—No, not a dollar of the principal. Had my hon. friend said that they proposed to advance out of the capital fund a certain sum to aid them in carrying on the public schools in Manitoba, to be recouped hereafter from the sale of the lands, then I could have understood him, because the late governments did precisely the same thing. The early history of that government was this: when the country was becoming settled, the amount of lands which were sold did not yield a sufficient capital to give enough interest to enable the Manitoba government to extend the educational system in the province, as far as they thought was necessary to meet the growing wants of the settlers, and the government at that time advanced out of the fund a certain sum of money to be recouped after the lands were sold; but it never was intended that any portion of the capital arising from the sale of those lands should ever be diverted for any other purpose than that of the maintenance of schools in that part of the Dominion; and it was thought at one time, and I think every member of the Senate and every member of the House of Commons knew well when they acquiesced in the policy of the government at that time, that it was establishing for all the time to come a fund in aid of public school education in that new and growing province. I speak sincerely in this matter, apart from all party feeling or predilections, as I should be very sorry indeed to see the capital depleted in the manner, in which the Minister of Justice has indicated it is to be depleted, because he does not tell the House that they propose to advance this money in order to enable them to meet immediate requirements, but he tells us that they are to give Manitoba this $300,000, and reduce the capital to just that amount. If the hon. gentleman's theory be right, if this Dominion thinks they should divest themselves of the position of guardians of that fund, then let them transfer the whole school lands, capital and all, over to the Manitoba government, and have done with it for ever, if such be considered advisable. I think it would be a fatal error in the interest of the education of the rising generation in Manitoba and the North west Territories, if this fund were handed over to the local authorities to be frittered away just as they please. We should hold it inviolable for the purpose for which it was set apart; individually, I would never be a party to diverting it from the original intention of the parliament of Canada. In Ontario, we all know that there are large sections of land which, many years ago, were set apart for this purpose. The proceeds from that was invested, and it is out of that fund to-day—although it is more than half a century ago, yes, three-quarters of a century, since these lands were set apart, in the reign of George III, for educational purposes in Ontario and Quebec—and it is the interest upon those investments that the Ontario and Quebec governments are now paying out annually to assist the common school system. I think it was a very wise policy in the past, and I sincerely regret that this government intends to depart from it.

Hon. Mr. MILLS—I did not say that, not a word of it.

Hon. Mr. BOULTON—I was speaking on the lines on which the leader of the opposition has spoken on this matter. I take the

ground that these school lands were a perpetual fund, the interests of which should be applicable as the capital is realized. The amount of lands—computing 25 townships and forty ranges—would make 1,280,000 acres. I have just included that area that is now comparatively settled. It does not cover one-half the whole province of Manitoba; but counting 25 townships running from north to south and forty ranges running from the eastern boundary of the prairie section to the western boundary, we have 1,280,000 acres. Now the reserve price of that, at which it can be sold, is not less than $5 an acre, and it readily brings that as settlement increases, and even seven or eight dollars an acre; but at five dollars an acre that gives a capital fund of $6,400,000. The question is whether that $6,400,000 capital is to be gradually paid over on any demand or request from the provincial government, or whether it is to be perpetuated as a capital fund which will yield for all time to come a matter of $200,000 annually to assist education in the province. That is a question that arises upon the introduction of the bill so far as I am concerned, and as the hon. leader of the government said that the bill is to come before us, I will defer any further remarks I have to make till then.

Hon. Mr. LANDRY—I wish to say a few words in answer to the hon. Minister of Justice. He refuses to answer my question, as he says I have taken the speech of Mr. Fielding.

Hon. Mr. MILLS—No, I did not say that.

Hon. Mr. LANDRY—I understood the hon. gentleman to say I had based my question on the speech made by Mr. Fielding in the House of Commons. I never saw or heard any speech of Mr. Fielding's. I just took what I understood to be the policy of the government, as indicated by Mr. Fielding bringing down his resolution, which I supposed embodied the policy of the government. It was to certain details in that policy that I was alluding. There is one question at all events that the government could answer, and it is this: the hon. minister could say if in the legislation which is to be introduced here the share belonging to the Roman Catholic minority has been provided for. Is there anything in the government measure making such provision?

Hon. Mr. MILLS—My hon. friend will see the bill when it comes here in a day or two.

THE YUKON SUPPLIES CONTRACT.

INQUIRY.

Hon. Mr. MACDONALD (B.C.)—I should like to ask the government whether it is a fact that the Boston Transportation Company, which contracted to take goods up the Yukon, has abandoned its contract, not being able to carry it out?

Hon. Mr. SCOTT—We have heard nothing of it. The minister was asked in my presence a couple of days ago whether the report to that effect in the papers was true, and he said no, that he had no information on the subject.

ABSENCE OF SENATOR ADAMS.

Hon. Mr. PERLEY—Before the Orders of the Day are called, I should like to direct the attention of the government to what I consider an oversight on their part in not providing the same sessional indemnity for Mr. Adams as for Sir Adolphe Caron and Mr. Beatty. I notice in the supplementary estimates that full indemnity has been provided for those hon. gentlemen, notwithstanding that they have been absent. It is known that these two hon. gentlemen in the other House have been absent through accident and illness, and in consequence of that, the government have decided to grant them their full sessional indemnity, which I think is right. Senator Adams attended to his sessional duties as best he could, but owing to extreme illness was compelled, not only to absent himself from the meetings of the House, but to go home. I hope the government, now that their attention is called to the subject, will see that the same justice is done to Senator Adams as to the other hon. members.

Hon. Mr. MILLS—This is the first time my attention has been drawn to the subject, and although I knew that Senator Adams has been for some time in delicate health, I was not aware that he was unable to attend on account of illness. I will draw the attention of my colleagues to what the hon. gentleman has stated.

Hon. Sir MACKENZIE BOWELL—I can confirm the statement of the hon. gen-

tleman that Senator Adams is absent through illness. Now that the attention of the government is called to it, I am quite sure they will add his name to the others which have been mentioned.

WINNIPEG AND GREAT NORTHERN RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (148) " An Act respecting the transport contract between Her Majesty and the Winnipeg and Great Northern Railway Company."

Hon. Mr. BOULTON—Before that motion is put, I move the motion of which I gave notice yesterday, that the said bill be not now read a third time but that it be read the third time this day six months. My intention yesterday was only to move with reference to the land grant, but I was ruled out of order on the grounds that we have no right to make amendments to any bill which conveys either land or money, and also on the other ground that we have no right to change the destination of any grant which has been made by the government of the day. I therefore want to offer my criticism and also to try and induce this honourable House to accept my motion that the whole bill be thrown out on the ground that the subsidies granted to this company are wasteful and extravagant, and detrimental to the best interests of the public in that part of the province of Manitoba through which this line passes. The hon. Secretary of State yesterday wanted me to put my motion to a vote without speaking. Silence gives consent in a great many cases, but criticism is the safety valve that the people have in any legislation that might come before this parliament. The policy of silence is thoroughly understood by a great many people. I was greatly struck by a sage remark in an article I saw in the Toronto *Globe* the latter part of the year, that silence would kill any agitation. It was an article referring to an agitation in the United States against the monopoly of the Standard Oil Company. By its control of the press, it could command a policy of silence. The policy of silence, where agitation on a particular subject is concerned, seems to be understood by that newspaper, and by some other newspapers in the country, I have no doubt, where the interests of our monopolies are concerned, railways or others. In fact, I was greatly struck, the last time the discussion of the Kaslo and Slocan Railway case was up here, when I opposed that bill which gives the Canadian Pacific Railway Company power to build that ten miles of a branch, although the debate lasted for three days in this House and was very heated and where the Canadian Pacific Railway Company was trying to get the advantage of the weaker company, I observed the next day I could not find any reference in the leading press to the fact that this discussion had taken place, or that there was any opposition to the bill, or that the weaker company had come here to ask the protection of this House. That is what I call the policy of silence in opposing the weak and allowing the strong to have their way. I think it is most objectionable that any portion of the press should in any way lend itself to a policy of that kind. The press is certainly a power, but if it is controlled, in special interests, the people's interests suffer, where they should be paramount. I am quite prepared to say that our press stands very high as compared with the press of other countries, in its business management, its news and everything of that kind, but it is the organ of communication between the people and the legislatures in all the various provinces and the Dominion, and it should be impartial and always give the people the full benefit, in relation to anything that may be said on the floor of either House, of the criticisms made in their interests. The reason I have moved in regard to this bill is to show the enormous subsidies which have been granted to the present railways. It is only in pursuance of a policy we have been for a great many years following, but it is a policy to which we should call a halt. We should stop encouraging the promoters of railways at the expense of the people, by giving them the lands of the people and bonuses of money. It is a policy that for many years was strongly opposed by the Liberal party when in opposition, and when the Liberal government now brings down a bill giving greater subsidies to this company than were given originally, in so far as they have reduced the mileage that the company are called on to build for the same amount of subsidy, in addition to the guarantee of the bonds of the company for

$8,000 a mile by the provincial government and in addition to the fact that their lands are exempt from taxation for thirty years, to bring down such legislation is an additional exhibition of the fact that what the Liberal party advocated in opposition they have no intention of carrying out when they have the power to do so. I wish to show to the House the subsidies which this company enjoys for 125 miles of road : they first of all have the contract subsidy of $40,000 a year, which is one-half the subsidy originally granted for the line from the city of Winnipeg to the Saskatchewan River. Afterwards, in 1896, this was changed, so that 125 miles of this road should obtain $40,000 of that contract subsidy between Gladstone and Lake Dauphin, or upon the 125 miles of road. Now the Winnipeg and Great Northern Railway is transferred over to the west side of Lake Manitoba, to be tacked on from the terminus of the Lake Manitoba Railway and Canal Company's line, and they are now to get that other half of that transport contract and $40,000 for building from a terminus in the neighbourhood of Lake Dauphin for 125 miles north. That is a less mileage than was originally designed, by a good many miles, when the transport contract was first made. In addition to that, they get 6,500 acres per mile, and they get from the provincial government a guarantee of bonds to the extent of $8,000 per mile at four per cent interest. In addition to that, the provincial government exempt all their lands from taxation for a period of thirty years. Those subsidies are enormous. The portion of the road which they constructed last year and the portion which they have to construct this year is as level as the floor of this Senate. It is an alluvial deposit which extends all the way on the west side of Lakes Manitoba and Winnipegosis, until they get their rise in the Riding mountains and Porcupine hills. It is along that alluvial bed that this railway has been projected upon the west side of Lake Manitoba, towards the Saskatchewan River. I wish to show, in addition to that, that they have the right to issue $20,000 a mile bonds. They have $40,000 a year from the transport contract and they have 6,500 acres per mile exemption from taxation for thirty years on that land according to Act of the provincial government. I wish to show that it is extravagant, because if the Dominion government wish to save the resources of the country and assist that country by a liberal policy, they will guarantee the bonds really instead of giving that company any grant. It is out of the building up and the settlement of the country and getting the business of the country that they should expect to make a fair return for the capital that is invested. When you guarantee the bonds of a railway, you secure its construction. You obviate the necessity of giving further aid of any kind or description. The object of giving the aid originally was to induce the opening up of certain portions of the country that had no settlement. When you guarantee the bonds you furnish that power. A guarantee of four per cent interest on $8,000 a mile by the provincial government is equal to a guarantee of $12,000 a mile at two and three-quarter per cent on the capital, the rate at which the Dominion government place their securities. It does not cost more than $8,000 a mile to build that road. The earth is easily removed. There is no fencing to be done and no right of way to purchase. The timber for ties is scattered all along the line. They have simply to purchase the rails under present circumstances. Take the evidence of Mr. Jennings as to the cost of the rails in the Yukon district, and you will find that the cost of constructing this road is only $8,000 a mile, with a good margin of profit. The guarantee of bonds by the provincial government furnishes the whole of the funds they require. If they were to sell their bonds, say $4,000 unguaranteed and $8,000 guaranteed at 4 per cent together, it will give the purchasers of bonds of $12,000 a mile two and three-quarter per cent on that capital. It leaves them enough to pay their interest and have a large surplus. Then $40,000 a year for thirty years is equal to another $8,000 per mile, or capitilized it is equal to a gift of a million dollars. There is $8,000 a mile guaranteed by the credit of the Manitoba government and $8,000 a mile a clear gift through the transport contract. That is spoken of as something they have to pay, but in this generation at least the outside that probably that railway will be called upon to do for the Dominion government is probably a couple of thousand dollars a year for the mails they have to carry, so that the transport contract is more of a loan to hide up an enormous subsidy than anything else. Then the sale of bonds at $16,000 a mile, on half

of which interest is guaranteed at four per cent, is equal to two per cent on the whole. The issue of bonds at two per cent would fetch a high price on the London market with the security of a railway serving prosperous settlements behind it, hon. gentlemen will see what a large asset they have in that. They have $16,000 a mile of a cash asset at two per cent, to build a road which does not cost more than $8,000 a mile to construct. Then, in addition to the bonding power, there is the land grant, 6,500 acres per mile, and exemption from taxation for thirty years, and a million dollars capitilized by the $40,000 a year. All the Hudson Bay Company's lands are taxed, and the Hudson Bay Company pays an average of six and a half cents per acre on all the lands that they own in the country. So that that is a fair basis for us to make a calculation upon as to what the bonus accorded to this company in the exemption of their land grant from taxation amounts to. It is equal to a cash bonus of $40,000 a year for thirty years. That is what that company gets. They are getting all the bonding privileges, the guarantee of interest and in addition to that they are getting an exemption for thirty years from taxation for a land grant. It is an outrage on the settlers. It is the settlers who live in the neighbourhood of those lands who have to bear that $40,000 a year.

Hon. Mr. MACDONALD (B.C.)—Is there a guarantee of interest in the old Act?

Hon. Mr. BOULTON—No, it is a guarantee of interest by the provincial government. The provincial government guaranteed the interest. I will read the section of the Act:

> And whereas by an Act of the legislature of Manitoba entituled "An Act to amend an Act respecting Aid to Railways," and being chapter 10 of the statutes of Manitoba for the year 1896, it was made lawful for the government, on such terms and conditions as might be agreed upon with the company, to aid and assist the construction of a line of railway by the company from a point in or near the town of Portage la Prairie or in or near the town of Gladstone or from some point on the line of the Manitoba and North-western Railway Company which may be authorized by the charter of the company, running in a northerly or north-westerly direction west of Lake Manitoba to a point west of Lake Dauphin, or passing west of Lake Dauphin to a point at or near Lake Winnipegosis, in the province of Manitoba, by guaranteeing the principal and interest of first mortgage bonds of the company to the amount of eight thousand dollars per mile of such railway, bearing interest at the rate of four per cent per annum, for a term of thirty years from the date of the issue of the said bonds, and by exempting the company, its property and franchises from taxation during the period of such guarantee; such bonds and the interest thereon to be a first charge upon the line of railway, and the franchises of the company, and the rolling stock, tolls and revenues of the said line of railway (other than any aid to which the company may be or become entitled from the government of Canada) in pursuance of the Act of Incorportion of the company and the General Railway Act of Canada.

The provincial government guarantee the bonds at four per cent, and they merely take a lien upon the line that is laid down, and the road bed and the station houses that are constructed. There is still left in the hands of the promoters the 6,500 acres per mile and the $40,000 a year from the transport contract, and, in addition to that, an exemption from taxation for thirty years. All those lands are exempt from taxation, and where the settlers live in the neighbourhood of those lands they have to bear the full burden of maintaining the roads, schools, their municipal institutions and everything else. That must present itself to us as a perfect swindle upon the public, that promoters should be able to get enough money by the guarantee of the bonds to build the whole road, and that then they should be allowed to walk in and deposit it in any shape or form wherever they like without any obligation to the public, a land grant of 6,500 acres per mile with exemption from taxation for thirty years, and a money grant of $40,000, which could be capitalized at any time and $1,000,000 raised on it. Is it a wise thing for us to pursue a policy of that kind? Is it right that the public interest should be sacrificed in that way? For what? For the enrichment of a few men. That is all it is. It cannot be shown by the government that, so far as the construction of that road, is concerned, it will cost anything more than the guarantee of four per cent interest by the Manitoba government. Is it right that the settlers of the country should be compelled for thirty years to live alongside of the land which is not called upon to pay any taxes of any kind, and that the settlers are compelled to maintain all the organization which is absolutely necessary and to construct bridges and roads and everything else. I say it is a wrong and should be stopped. I say we should stop it at the present moment. We should throw this bill back and remodel the principle upon which public aid is to be given. It was only my intention to amend it in so far as the land grant is concerned to save the settlers

from exemption of large tracts adjacent to their holdings. I moved yesterday that the land granted was ultra vires. I could find no record of the government having divested the Winnipeg and Great Northern of this land grant before reassigning it to another locality. As regards the transfer of the land grant on the first 125 miles, they apparently divested the company before transferring to another route, but they do not appear to have pursued that course in this case. If they like to leave the transport contract and the guarantee of the bonds the provincial government would then have no power to except these lands from taxation for thirty years. I ask this House to give the six months' hoist to this bill. The 125 miles which is supposed to be covered by this bill does not contain one solitary settler of any consequence at present. The settlement had gone up as far as Lake Dauphin and the 125 miles serves the whole of that district and it is paying its way,—paying interest on its bonds, paying all its charges and everything else ; so that what they got last year in the shape of a land subsidy and exemption from taxation and a cash subsidy of $40,000 a year, is a clear cash profit to the promoters of the road and a few friends that may be attached to them. There is no immediate demand for this road. What the transport contract that was granted and the petitions of the people were for was to urge that we should construct this road, because it is the opening of the Hudson Bay route. They would like to see that road opened as competition with the Canadian Pacific Railway and if this bill is not designed with that object in view, not designed in order to promote that object, and that these large assets should go to pay for the most expensive part north of the Saskatchewan, I say it is a fraud upon the public and the people there to construct that road at the present moment except in connection with the whole construction to the bay. I have no doubt a few people would be disappointed in Manitoba, by the postponement of the work, but that is not reason for haste in this matter. If hon. gentlemen will consider what the subsidies to that 125 miles of road on that level district amount to, they will find it is equal to the subsidies given the Canadian Pacific Railway as a whole. The aid given to that great line that we built from the Atlantic to the Pacific, which was a great national work, was denounced by members of the Liberal party, and we were told that the country was being robbed. This is a company that has only to build 125 miles upon alluvial soil and if you compare the subsidy given to this company with the subsidies given to the Canadian Pacific Railway, which ran on the north shore of Lake Superior and into the Rocky Mountains, and through the desert prairie for 800 miles, you will find the Canadian Pacific Railway mileage subsidies were no greater than you are giving to this company to build 125 miles on that level piece of land which cannot possibly cost more than $8,000 for its construction, even if they were to pay the men much more liberally than the Canadian Pacific Railway contractors were doing on the Crow's Nest Pass, and which has lately developed such widespread indignation in the neglect of the safety or ordinary comforts of their hands in that isolated section of the country which offered them no relief except that provided by the company.

Hon. Mr. SCOTT—I would ask the hon. gentleman whether he considers it would be better that the road should be built to the Saskatchewan as was originally intended, or in the section of country which it is now traversing. I had always opposed the building of the road to the Saskatchewan and I understood at the time of the debate that the country to the westward was very much better. I think that was clearly demonstrated. When the line was subsidized, as it was in 1891, with a land and money subsidy, the argument used was that it was traversing a country not fit for settlement, and few of us believed it would ever reach the Hudson Bay. At all events, the money and the land grants were also given for the construction of a line to the Saskatchewan. I have the statutes of 1891, but the land grant appears to have been earlier than that, because a reference was made to the land grant at that time. So that parliament, having committed itself to the land grant and money subsidy, my hon. friend considers we should now avail ourselves of the opportunity, when the road is being deflected through a country which I am advised is very much better than the road originally intended to open up, that we should now repudiate this land grant and the money subsidy.

Hon. Mr. BOULTON—Never refuse to repudiate an evil.

Hon. Mr. SCOTT—But it received a very large vote at that time, I voted against it myself.

Hon. Mr. BOULTON—There was no question of exempting the land from taxation then, or the practical abandonment of the Hudson Bay Railway.

Hon. Mr. SCOTT—Was it the present government that granted the exemption?

Hon. Mr. BOULTON—No.

Hon. Mr. SCOTT—Then the hon. gentleman's strictures are not intended for the present government. Having given a land grant and having confirmed it I do not think that we would stand in a very favourable light if we repudiated that grant.

The amendment was lost on a division.

The bill was read the third time and passed.

IRON AND STEEL BOUNTIES ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (159) "An Act to amend the Act to provide for bounties on iron and steel made in Canada."

(In the Committee.)

On clause 1.

Hon. Mr. SCOTT—When the Finance Minister made his statement on the 23rd April, he announced that it was proposed to give for another term of five years the bounties on iron and steel made in Canada. The five years were to expire on the 23rd day of April, 1902. In bringing in the Act, it was dated 29th June, and there was no reference to its ante-dating to the 23rd April, as it should have, and this is simply to correct what was an error at that time in order that the parties may be entitled to the full five years as promised.

Hon. Mr. MACDONALD (B.C.)—It was to continue the bounties?

Hon. Mr. SCOTT—Yes, the bargain was made that the bounties should be continued another five years. The bounties were to expire on the 23rd April, 1897. The Act was only passed in June, and the commission was made in the Act, and it was not made to date from the 23rd April as was promised in the Finance Minister's speech. This is simply to correct that in order that the five years term that was announced should be correctly given.

The clause was adopted.

Hon. Sir MACKENZIE BOWELL—Could the hon. minister tell me who is interested in this matter?

Hon. Mr. SCOTT—I asked the Minister of Finance as to that, and he said he did not know of anybody who was specially interested in it, but the announcement was made that it would be continued for five years. The five years would not have been complete unless it was dated from the 23rd April, 1897.

Hon. Sir MACKENZIE BOWELL—Some person must have been interested in this, for it is not likely that the attention of the government would otherwise have been called to the subject. It is not usual for the government, in cases of this kind, to dispose of the public funds without somebody applies, but if my hon. friend says he does not know, I must take his word for it.

Hon. Mr. SCOTT—I suppose my hon. friend will admit that the intention of the Finance Minister was that this bounty should date from that day for five years, and the country would naturally expect the promise would be carried out.

Hon. Sir MACKENZIE BOWELL—I know when it is intended by the Finance Minister, representing the government, to give effect to any proposition that he may make in changing the duties, to state by resolution when it shall take effect. That is the practice, and if that be not done, then the law goes into operation when it receives the Governor General's sanction. It is not always that the provision is made for bringing the Act into operation on the day of the announcement of the Finance Minister. What was the intention of the Finance Minister at the time I do not know.

Hon. Mr. McMILLAN, from the committee, reported the bill without amendment.

Hon. Mr. SCOTT moved that the bill be read the third time.

Hon. Sir MACKENZIE BOWELL—I should like to ask if the attention of the government has been called to the fact that some

of these smelting works have been bringing in ore from the United States, and if so, whether that ore in being mixed with the Canadian ore and the pig iron made therefrom receives the bounty? I know that under the old law that was not permissible.

Hon. Mr. SCOTT—No, I think not. The words are :

The Governor in Council may authorize the payment of the following bounties on steel ingots, puddled iron bars and pig iron made in Canada, that is to say :—

On steel ingots manufactured from ingredients of which not less than fifty per cent of the weight thereof consists of pig iron made in Canada, a bounty of three dollars per ton ;

On puddle iron bars manufactured from pig iron made in Canada, a bounty of three dollars per ton ;

On pig iron manufactured from ore, a bounty of three dollars per ton on the proportion produced from Canadian ore, and two dollars per ton on the proportion produced from foreign ore.

Hon. Sir MACKENZIE BOWELL—That being the law, as I understand it, the smelting works have the right to import free of duty, ore from a foreign country.

Hon. Mr. SCOTT—A part.

Hon. Sir MACKENZIE BOWELL—Yes, and they would receive two-fifths of the bounty on pig iron manufactured from the foreign ores and three-fifths on iron manufactured from Canadian ores.

Hon. Mr. SCOTT—Yes, that appears to be the law.

The motion was agreed to, and the bill was read the third time and passed.

CIVIL SERVICE SUPERANNUATION BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (76) "An Act to provide for the abolition of the Civil Service Superannuation Act and for the retirement of members of the Civil Service." He said : I may say to hon. gentlemen that this bill is intended to supercede the present Civil Service Superannuation Act. It does not affect civil servants who are now in the service of the government ; it is prospective in its provisions, with this exception, that any of those who are now in the civil service who desire to have the contributions they have made, with the interest at a certain rate, may come under the provisions of this bill, and in that event they would be counted the same as the civil servants who are appointed after this bill comes into operation. The bill provides that every person who is now in the service, and who before the 1st day of January, 1899, with the consent of the Governor in Council, elects to accept the provisions of this bill in lieu of the Civil Service Superannuation Act, he has the power to do so. Then it also provides for a retirement act. Hon. gentlemen know that under the Civil Service Superannuation Act at the present time the number who can enjoy the benefits of that Act are few and uncertain. If one lives up to the period of his retirement, on going out he is entitled to a certain retiring allowance during his lifetime, but if he dies in the public service there is nothing awarded to his wife, or his children, or his next of kin. In that respect the principle of the Civil Service Act that is now in force differs entirely from the principle on which this bill is based. Under this statute, a party who is appointed to the civil service, after his appointment, will contribute five per cent of his salary per annum, and upon the sum so contributed he will receive four per cent per annum, compounded half yearly, so that of course the amount he receives——

Hon. Sir MACKENZIE BOWELL—He does not receive it.

Hon. Mr. MILLS—Receive is not the proper word to use ; it is placed to the credit of the party, who receives nothing as long as he is in the public service, but if he should die in the public service, or if he should retire from the public service, then he himself, in case of retirement, receives the amount of money, with the interest accumulated on it in the way I have mentioned and at the rate I have mentioned at such retirement ; or on his death it will be paid to his wife, or children, or the next of kin. It is thought that this system, on the whole, will prove more satisfactory than the other, and that there will be less anxiety on the part of persons in the public service to retire before they have reached that age when they can no longer, to their own comfort or to the advantage of the public service, continue as public servants.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

On subsection *a* of clause 2.

Hon. Mr. MACDONALD (P.E.I.)—I see that the effect of this clause and of the bill generally would be to do away with the present Civil Service Superannuation Act, so far as the appointment of any new persons to offices under the government is concerned, and that after this bill passes, any person receiving an appointment in the public service will not receive the superannuation allowance to which he would be entitled under the Act as it stands at present. Now I think this is retrograde legislation: people who go into the civil service generally receive appointments which they hold during good behaviour, and which they should hold as long as they are capable of discharging the duties of the office. They should not be discharged from any office of that kind for political considerations, and it is owing to the very fact that people have been discharged for political considerations, from offices of this kind, that the Civil Service Superannuation Act has come to be considered as a burden on the revenues of the country. When a man goes into the civil service and has spent the greater part of his life in that service, it is but right that he should receive some consideration other than the salary he receives for giving up his life practically to the benefit of the civil service of the Dominion. He is unfitted for going into any other business after he has been a number of years in the civil service, and it is only right, and a reasonable policy, that there should be some further consideration given to him than that which is proposed under the bill we now have before us. The civil service superannuation of the Dominion is looked on as a good and wise provision for those who are in the civil service, and I am very sorry indeed to see that it is the intention of the government to do away with it so far as any new appointees are concerned.

Hon. Mr. MACDONALD (B.C.)—Those who have been in the civil service for ten years remain as they are, I understand.

Hon. Mr. MILLS—All who are in the civil service.

Hon. Mr. MACDONALD (B.C.)—I think that is a very good feature of the bill, that on the death of a civil servant his legal representatives will receive the amount to his credit.

The clause was adopted.

On clause 3.

Hon. Sir MACKENZIE BOWELL—Does this clause refer to those who have been paying to the superannuation fund for say six or eight years, who would not be entitled to superannuation until they had served ten years? Their rights and privileges are conserved by this bill, I suppose.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—I know that was a great cause of complaint. The original measure excluded them.

Hon. Mr. MILLS—This bill does not touch any one already in the service. Any one in the service has until the first of January next to make up his mind whether he will remain under the old Act or come under the provisions of this bill.

Hon. Sir MACKENZIE BOWELL—This abolishes the system of superannuation to all appointees in the future, and a reserve fund established in lieu thereof, which is taken out of the salaries instead of being applied to the superannuation fund, and it does away with the old system of superannuation and establishes a fund which goes to the family in case of death or dismissal.

Hon. Mr. MILLS—The man who contributes to the fund is absolutely certain to receive everything to which he is entitled, with compound interest at the rate of four per cent compounded half yearly, so that he and his family are absolutely certain to receive that to which they were entitled, whereas under the old law the chances were he would get nothing.

Hon. Mr. MACDONALD (P.E.I.)—Would he not receive as much or more in an insurance company as under this act?

Hon. Mr. MACDONALD (B.C.)—When a man retires does he get the interest or take the whole amount to which he is entitled?

Hon. Mr. SCOTT—He draws all that he is entitled to.

The clause was adopted.

On the title of the bill.

Hon. Mr. DRUMMOND—I need scarcely say that the bill, as remodelled, is entirely free from objection.

Hon. Sir MACKENZIE BOWELL—I should like to call attention to the title of this bill. It does not abolish the Superannuation Act, so far as it affects those who are now in the service. Might I suggest to the hon. gentleman to make it read an Act to limit the operation of the Civil Service Superannuation Act? It is true it abolishes the operation of the Act so far as future appointments are concerned, but it does not abolish or repeal the Act now upon the statute-book.

Hon. Mr. MILLS—It is a bill to provide for the abolition of Civil Service Superannuation, and it does provide for that. All these persons will disappear under the operation of this bill. The old law will apply as long as they live, but the time will come when they will cease to exist and there will be no further perpetuation of the system.

Hon. Sir MACKENZIE BOWELL—I hope the hon. gentleman will live until it ceases to exist.

Hon. Mr. MILLS—I thank the hon. gentleman for his good wishes, I hope to remain where I am that long.

Hon. Sir MACKENZIE BOWELL—Oh, no, not there.

Hon. Mr. POWER—This is really a bill to provide for the abolition of Civil Service Superannuation. I move that the title be amended by striking out the word "the" before "civil" and the word "Act" after "Superannuation." It will then read: "An Act to provide for the abolition of Civil Service Superannuation."

Hon. Mr. MILLS—I could suggest a somewhat different title from that which my hon. friend has suggested, if it were necessary, but the enacting part of the bill will not be affected by the title, and it is hardly worth while to send this bill back to the House of Commons for the sake of correcting what we think is an obscurity in the title.

Hon. Sir MACKENZIE BOWELL—You provide for the abolition of the Act, yet you provide in clause 1, that it shall apply to those who are now in the civil service.

Hon. Mr. MILLS—My hon. friend will see that it is really not for the abolition of the Civil Service Superannuation Act. Abolition is not the proper word to use. If it was intended to repeal the Act, "repeal" is the word that would be used. But this is to provide for a limitation of the Act and it limits the duration and the application of Civil Service Superannuation.

Hon. Sir MACKENZIE BOWELL—The amendment would not jeopardize the bill; it is well to use the word "limitation."

Hon. Mr. MILLS—It is hardly necessary

Hon. Mr. CASGRAIN, from the committee, reported the bill without amendment.

The bill was then read the third time and passed,

ST. JOHN BRIDGE & RAILWAY EXTENSION COMPANY'S BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (157) "An Act respecting the repayment of moneys advanced to the St. John Bridge and Railway Extension Company." He said: It is practically an extension of the loan the government made to the company. It was advanced for a period of fifteen years, which is now expiring, and this bill is to continue the loan for a period of fifteen years longer, the government having the privilege of taking over the bridge under certain conditions.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. MACDONALD (B.C.)—The government do not collect their interest do they?

Hon. Mr. MILLS—Yes, it is a good investment.

On clause 4.

Hon. Mr. LOUGHEED—Has the government at present power to take over the bridge?

Hon. Mr. SCOTT—Yes, the bill is word for word the same as the old arrangement.

Hon. Mr. LOUGHEED—Are the government contemplating taking over the bridge?

Hon. Mr. SCOTT—No.

Hon. Mr. MILLS—The government is merely protecting its own interest in the Intercolonial Railway.

Hon. Mr. CLEMOW—Do I understand that the government are obliged to pay for the cost of that bridge, adding ten per cent?

Hon. Mr. SCOTT—If the government take it over they are obliged to pay the cost of the bridge and ten per cent additional.

Hon. Mr. CLEMOW—How long has that bridge been in existence?

Hon. Mr. SCOTT—Fifteen years.

Hon. Mr. CLEMOW—Bridge building was more expensive then than it is now, and that would be an excessive price to pay for the work.

Hon. Mr. SCOTT—We do not intend to take it over.

Hon. Mr. MILLS—The Canadian Pacific Railway Company are interested in this bridge as well as the government, and they might wish to buy it and might be willing to give more than that for it. The bill ties the company up to sell the bridge to the government.

Hon. Mr. CLEMOW—Do you think that the Canadian Pacific Railway Company would pay, as a commercial transaction, the cost of a bridge built fifteen years ago, with ten per cent added, when we all know that such work cost a great deal more then than it costs now? I do not believe that any commercial concern in the country would do it.

Hon. Mr. MILLS—Let me say to my hon. friend that the dividends from the management of the bridge may be considerable.

Hon. Mr. CLEMOW—Then keep the bridge as it is. But if the government exercise their privilege and take it over, they should bear in mind that they could build that bridge for twenty-five per cent less now than it cost fifteen years ago. The government take the power to do it.

Hon. Mr. MILLS—We have always had that power.

Hon. Mr. CLEMOW—At the ten per cent advance.

Hon. Mr. MILLS—Yes.

Hon. Mr. DRUMMOND—It might be a very comfortable investment for the shareholders of the company, in which case it would be only fair, in taking it over compulsorily, that some compensation should be given to them.

Hon. Mr. POWER—As a matter of fact, the business of the bridge has been larger than was expected, and at present the work is a paying property. I regret that the Secretary of State rather scouts the idea of the government taking it over. I think the day is not far distant when it will be good policy on the part of the government to take it over and operate it as part of the Intercolonial Railway. Every car going from the upper provinces or elsewhere to St. John crosses this bridge going to the point of shipment to Europe, and each car has to pay, as I understand, a fee of five dollars. It would be a very important thing for the government to get rid of that altogether in the interests of the Intercolonial Railway.

Hon. Mr. DEVER—Does the hon. gentleman mean to say that the Intercolonial Railway has to cross that bridge? It does not go that way at all.

Hon. Mr. POWER—There are steamers which sail from St. John which receive a subsidy and, as I understand, these steamers sail from the west side of the harbour, and in order to get there it is necessary to cross the bridge.

Hon. Mr. DEVER—But the Intercolonial Railway does not cross there?

Hon. Mr. POWER—The Intercolonial Railway cars do go over the bridge carrying freight for the steamers to Europe, and every car which goes to Carleton has to pay a fee for crossing this bridge.

Hon. Mr. DEVER—The Intercolonial Railway might carry goods to St. John, but not over this bridge. The cars would go over the bridge by the Canadian Pacific Railway or the western extension, as we call it; but I cannot conceive why the Intercolonial Railway should control this bridge except in the interest of the people of Halifax. The people of Halifax are anxious that the gov-

ernment should take over this bridge in order that Halifax might get the advantage of it. St. John went to an expense of eight hundred thousand dollars the last few years for the purpose of having a winter port there, and we do not think it would be right on the part of the government to make a free bridge of this by any means.

The clause was adopted.

Hon. Mr. BERNIER, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

DOMINION ATLANTIC RAILWAY COMPANY'S BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (162) "An Act to confirm a certain award in favour of the Dominion Atlantic Railway Company,"

The motion was agreed to, and the bill was read the second time.

The House resolved itself into Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. MILLS—I stated, when this bill was read the first time what the object of it was. The Dominion Atlantic Railway Company was exempted from certain customs duties upon their imports for their road. It was found that this gave rise to a great deal of inconvenience, and it is proposed that these rights and privileges should terminate —that the company should hereafter pay for anything imported for the use of the railway, the ordinary customs charges. The matter was referred to the judge of the Court of Exchequer and he estimated the value of these franchises to the company at something over one thousand dollars, and this bill is for the purpose of carrying out that decision or award, to enable the government to pay the amount and to collect from this company the same charges that are imposed on other parties importing like articles.

Hon. Mr. KING, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

CUSTOMS AND FISHERIES PROTECTION BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (153) "An Act further to protect the Customs and Fisheries." He said: It has been found that very considerable smuggling has been going on in the lower St. Lawrence at the French islands, St. Pierre and Miquelon. Some swift boats are engaged in the smuggling and they have eluded our cruisers. The object of the bill is to authorize the officers having charge of the Canadian cruisers, when they see vessels that they suspect of having smuggled goods on board, to hail them and if they do not come to, our officers can discharge a blank shot, and if that does not have the effect they can fire upon them. The other clauses of the bill are simply providing for the penalties for refusing to come to, amounting first to the seizure of the smuggled goods and on the refusal to acquiesce to seize the vessel.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

On the second clause.

Hon. Mr. DRUMMOND—That is a very dangerous clause.

Hon. Mr. SCOTT—It has been found necessary in several countries.

Hon. Mr. DRUMMOND—I have no sympathy for the smugglers; but seeing that the gulf is navigated by many vessels who have no business to know our laws, you might find yourselves in a very peculiar position if you fired into and sunk a valuable yacht.

Hon. Mr. SCOTT—When the blank shot is fired across her bow, she generally comes to.

Hon. Mr. DRUMMOND—I would strike out that line about firing into the vessel itself.

Hon. Mr. SCOTT—The bill is of no use if you have not the power to inflict injury.

Hon. Sir MACKENZIE BOWELL—There is no doubt this is a declaration of war

on the part of the customs official, or police magistrate, or any one sailing with the vessel, and while I would go a long way to place power in the hands of customs officials in order to protect the revenue, still I must confess I am very much of the opinion of the hon. gentleman who has just spoken, that it is an exceedingly dangerous power to place in the hands of those who ordinarily command these vessels. I would like to ask the hon. gentleman if the power granted in this clause is given in the marine service? In firing into a vessel you may kill half a dozen people, and of course this is for the very purpose of exempting the captain of the vessel, or the police magistrate, or whoever may give the command, from being indicted and punished for committing, what, under other circumstances, would be considered either manslaughter or murder—murder under the circumstances. It is not my intention to oppose the passage of the bill, but I call the attention of the hon. gentleman to this fact, that serious complications may arise with foreign nations if the provisions of this law be carried out, and death result from attempts to catch a smuggler. Yet I admit that where they have swifter vessels than the Canadian cruisers or those engaged in the protective service, they can run away. Smuggling in the St. Lawrence is beyond all conception, and will continue just as long as there is a profit to be made out of it, and that is one reason why I thought the government made a mistake in increasing the duties upon spirits. I am speaking now exclusively from a revenue standpoint, and alluding to the incentive which is given to parties in foreign countries to smuggle those articles into the country, while they can make one hundred dollars out of a barrel of whisky, as they can if they get it into the country by smuggling, the inducement is so great that people will engage in the business, who would not under other circumstances, as they can afford to lose two or three cargoes if they can succeed in getting one in. However, the government take the responsibility of having this extraordinary power. I warn the government as to what may possibly result, particularly if you have indiscreet commanders on board the vessels.

Hon. Mr. SCOTT—I entirely agree with a good deal that has fallen from my hon. friend. The explanation is that the smugglers are pretty well known to those who are after them. It is only a certain set of men who are engaged in this business, and they are known, and their vessels are known. I should not apprehend that there would be any great danger of an independent vessel, not engaged in the trade, being fired upon.

Hon. Sir MACKENZIE BOWELL—You suspect a vessel and fire a shot as a signal to heave to. It does not say it shall be fired across the bow, and if she does not stop, you fire into the vessel itself.

Hon. Mr. MILLS—If this clause is adopted it will exempt the parties who obey it from responsibility as long as they are in Canadian waters. As to our powers to legislate beyond the marine league from our own shore, that is a very different question. Under the provisions of the British North America Act, which gives us power to provide for our defences by land and our naval defences, it would seem to indicate that there was an intention to form the laws of Canada so as to have force beyond the marine league; otherwise it would be difficult to see how you could commission a captain and send him from here to Hudson Bay, where a portion of his journey will be upon the high seas, if, the moment he passed the legal boundry of the country, he was under the imperial law, and not under the law of Canada upon that subject; but where our laws relating to civil matters and matters of police could have a like effect given to them, a marine league from our shore, I think would be very doubtful. Take, for instance, the question of copyright: it has been held that our law has no operating force beyond our own immediate borders, and the same with regard to other provisions. This bill, if it becomes law, of course will operate within our own territories; whether wise or unwise, it will be law. But beyond the marine league it might be that it would be no protection to a party who would undertake to act under it.

Hon Mr. DRUMMOND—Might I ask if the government is informed as to the powers given by England and other nations, to the revenue cutters, for example, especially engaged in such service as this? Does the hon. gentleman happen to know whether they have this power of firing into a vessel?

Hon. Mr. MILLS—I think so.

Hon. Mr. SCOTT—It would be useless without it.

Hon. Mr. DRUMMOND—It is a dangerous power and might lead to a great deal of trouble. If I were Minister of Marine—which fortunately I am not—I would require my coileague, the Minister of Justice, to furnish a deputy instructed in the law, and not only capable of navigation, but capable of interpreting the laws of our country, for each cruiser that goes out.

Hon. Sir MACKENZIE BOWELL—With reference to the seizure of vessels that are engaged in illegal fishing, you cannot follow them with our revenue cutters beyond the three-mile limit.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Here is the danger in the Act. The captain would have to decide, before he fired into the ship, that it was within the three-mile limit; because, if he fired a shot outside of the three-mile limit, he would be amenable to the laws of the country into whose vessel he fired.

Hon. Mr. MILLS—Under the United States Act, which is of the same character, and other Acts in connection with the revenue laws in both countries, it was a long time the custom to claim the right of searching vessels, to see if they were not contemplating a violation of the revenue laws of the country, at a very considerable distance from the shore, ten marine leagues I think. But the English law officers, and the English courts have, of recent years, held that that is not law, that a government cannot legislate so as to affect the rights of others beyond the marine league. In a case not so many years ago, where a vessel which belonged to a Sardinian was seized beyond the marine league, the government of Sardinia applied to an eminent English publicist to know whether that seizure was legal or not, and his answer was that it was not legal, but that, as a matter of comity, it was the practice of different states who had mutual interests in the enforcement of their revenue laws, not to come to the assistance of their own subjects who were undertaking to violate the customs laws of other countries, and, therefore, he recommended to Sir Travers Twist that the government of Sardinia should take no action in the matter. But the principle is well settled.

Hon. Sir MACKENZIE BOWELL—My experience has been, in dealing with the wrecking laws, that the captain and his officers, or men, or vessels engaged in smuggling or violating the coasting or customs laws, will swear to anything. I have had scores of cases brought to my notice by the Secretary of State at Washington, where affidavits of almost every one on board, were made which would lead to the impression that the Canadians had violated every principle of the law, and persecuted them even to the extent of loss of life, and when an investigation had taken place there was not one word of truth in their statements. If you fire on smugglers, I venture the statement that you will find every one on board making affidavit that the shot was fired and the injury sustained beyond the three-mile limit, and hence the danger that presents itself to the minds of those who have had experience with that class of people, in dealing with subjects somewhat cognate to this.

The clause was adopted.

On clause 4.

Hon. Sir MACKENZIE BOWELL—I take it, by the last words of this clause you are reaffirming the principle of the moiety system, that is, distributing certain portions of the penalties for the infringement of custom laws to the persons engaged in the seizure.

Hon. Mr. SCOTT—I suppose so—governed by the customs law.

Hon. Sir MACKENZIE BOWELL—I point this out, not for the purpose of objecting to this clause, because I took about two hours once to defend the principle in the Commons, but to point out another advance and improvement in the hon. gentlemen opposite. They condemned it.

Hon. Mr. SCOTT—I do not remember it.

Hon. Sir MACKENZIE BOWELL—I am not attributing the opposition to my hon. friend himself, because I am not sure, but I am very much surprised if he did not, because he had very seldom a good word for the late government; if he thought there was an opportunity of striking them, he never hesitated to do it, was one of the great

complaints of the hon. gentleman's party when in opposition, that this system led to incroachments on peoples rights, and that it was done for the sake of making money, and should be abolished. They are now reaffirming it in this bill, so that officers who do shoot will get a part of the penalty and fine.

Hon. Mr. FORGET, from the committee, reported the bill without amendment.

The bill was then read a third time and passed, under a suspension of the rules.

CUSTOMS ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. SCOTT moved the second reading of Bill (152) "An Act to amend The Customs Act." He said: This bill is to define more clearly the regulations and terms upon which goods can be warehoused as ships stores. Goods not warehoused may be taken by a vessel that is going to a foreign country, and she is allowed to take a sufficient quantity that she may require in her voyage. The law, I think, already exists on the statute-book and this is for the purpose of making it clear. Another clause in the bill is for the purpose of fixing the standard for tea. It appears that there is a good deal of inferior tea being brought into Canada. In other countries they have regulations requiring it to be inspected before it is sold in the country, and we propose to adopt similar regulations here. Subsection (*r*) provides for the transportation of goods in bond. It applies to a case which recently occurred, and which my hon. friend opposite is no doubt aware of, where goods were shipped from Canada, taken through the United States to Alaska or to the Yukon country. It provides that regulations may be made under which goods may be transported to a foreign country.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is mistaken in the purport of this bill. The object of it is not to make more clear the clause which is upon the statute-book, but to extend the privileges which have been granted to fishing vessels in the past. It goes a good deal beyond that. Under the law as it stands upon the statute-book, fishing vessels going a certain number of leagues from the shore can take on board, out of bond, without paying duty, certain goods for consumption upon the vessel while they are so employed. This gives the right, which has by courtesy been allowed in the past to sea-going vessels, to take from bond goods that may be required for consumption during the time of the voyage, without payment of duty, and also provides—of course that is the same provision as the old law—that if they are re-landed they shall be forfeited, but they can be re-landed, provided they are put in bond upon the re-landing of the goods. The section with reference to tea is a good provision. The paragraph under the letter "R" I presume is to meet reciprocally the Act which has lately been passed by congress granting certain bonding privileges on goods passing through the United States territory and entering the Yukon district.

Hon. Mr. SCOTT—Yes.

Hon. Sir MACKENZIE BOWELL—If my recollection serves me right, that law provides for a reciprocal arrangement for the carrying on of this trade, and necessitates the passage of an Act in accordance with the provisions of the Act of the United States. That is the reason I presume for this.

Hon. Mr. SCOTT—I have the original clause, 105.

Hon. Sir MACKENZIE BOWELL—But that is the interpretation I put upon it. Is it correct or not?

Hon. Mr. SCOTT—Yes, I think the hon. gentleman's interpretation of it is correct.

The bill was read the second time and referred to a Committee of the Whole.

Hon. Mr. SNOWBALL, from the committee, reported the bill without amendment.

The bill was read the third time and passed, under a suspension of the rules.

At Six o'Clock the Senate adjourned.

SECOND SITTING.

The Speaker took the Chair at Eight o'Clock.

Routine proceedings.

NORTH-WEST IRRIGATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (146) "An Act to amend and consoli-

date the North-west Irrigation Act of 1894 and 1895." He said : In making the amendments to this Act it was thought better to consolidate the Acts which had been passed, and to make the changes which the experience of the officers in charge of the North-west Irrigation prompted. The law originally was taken from the United States and adapted to Canada, and in the few years it has been in operation it has been found that changes were necessary. None of them are at all important. They are of such a character, however, as will be best explained when we go into committee. I will then point out any clauses that are new and any verbal changes that have been made in the clauses.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into Committee of the Whole on the bill.

(In the Committee.)

On clause 10.

Hon. Mr. SCOTT—The section in the Act reads :

> When any person abandons or ceases to use the waters acquired by him for the purposes, &c., his right to use them shall cease.

The provisions of section 10 in the old bill are contained in clause 33 of this bill. The only change in that clause is that the chief engineer is the officer now who is authorized to issue the licenses and the chief engineer is substituted for the agent in the old Act.

Hon. Mr. LOUGHEED—There is a change which I should like my hon. friend to consent to in clause 10, and it is that this provision for the payment of the fee of five dollars be stricken out. The government is undoubtedly very anxious to introduce irrigation into the North-west Territories. This is largely confined to settlers who can ill afford to pay a fee of five dollars. There is no necessity whatever that a fee of five dollars should be paid by the settler, because he goes into the departmental office and intimates to the public officer in charge of that office that he desires to enter upon a scheme of irrigation. You might as well say that any person, desirous of improving his land should, upon intimating to the government that desire, pay a fee of five dollars. Why should the government exact this fee ? There is no expense incident to that information being conveyed to the officer in charge. There is no particular right conceded to him. Then why, in addition to the other exacting charges which I shall hereafter point out, should this charge be placed upon him ? In fact, it is an embargo, it seems to me, at the very threshold of the industry.

Hon. Mr. SCOTT—I have never heard that there was any objection to the fee. It applies not only to the individual farmer, but to companies.

Hon. Mr. LOUGHEED—Why should you exact it from the company ?

Hon. Mr. SCOTT—It applies to companies who propose to use irrigation for profit to themselves.

Hon. Mr. MACDONALD (B.C.)—Is there a fee charged under the old Act ?

Hon. Mr. SCOTT—Oh, yes ; there is no change at all.

Hon. Mr. LOUGHEED—I had a conversation with the member for Alberta, Mr. Oliver, upon this subject, and he feels very strongly in regard to it. He has had many opportunities of coming in contact with those who contemplate entering upon this particular industry, and he says there is a very strong feeling throughout the whole district that fees of this character should not be exacted from the settler. Officials are appointed by the government for the purpose of performing certain duties. Why then should this office be made an office practically of taxation upon the settlers because they desire to enter upon a most salutory industry and improve their property and the property of the country to the extent contemplated by the Act ?

Hon. Mr. SCOTT—The hon. gentleman will see that the machinery ought to be self-sustaining, and the fee of five dollars is no more than would pay the salaries of the officers who are charged with the administration of this law, and it is only reasonable and proper that the expense should be paid by the parties who avail themselves of the privileges they can obtain under this bill, because they use water that, as mere riparian proprietors, they would not be entitled to. They are getting a substantial advantage.

No doubt they ought to be encouraged and every facility given to them, but at the same time I think the law in its administration should not be a tax upon the community outside, that it should pay actual disbursements, and the five dollars would not do more than that.

Hon. Mr. LOUGHEED—Your other officers in charge of lands practically perform this duty. It only relates to the application. If you were granting some particular right, the same as you grant to a settler when he makes application for a homestead, or a miner when he makes an application for a license to take up mining land, I could very well understand it; but you are not conceding to the individual, or corporation, any right which is to-day, of any value to the country; in fact, there should be every encouragement extended to the settler that he might be induced to enter upon irrigation.

Hon. Mr. POWER—Make it two dollars.

Hon. Mr. LOUGHEED—I shall be very glad to have it reduced, but five dollars is considered large to the people out there. The only district in which irrigation is carried on is the district represented by the member for Alberta, and he took particular care to address to the Minister of the Interior a very long letter, and this was one of the subjects dealt with, but by some means or other the Minister of the Interior did not receive it; and he came specially to me and urged this objection for the purpose of adapting the bill to the needs of that particular district and making it acceptable to the people. I move that the following words in the third line be struck out "and upon payment of a fee of five dollars."

Hon. Mr. SCOTT—It ought not to be a tax on the general community certainly; but make it three dollars and let it go.

Hon. Mr. LOUGHEED—All right.

The clause was amended and adopted.

On clause 11.

Hon. Mr. POWER—Referring to subsection (*c*), I suppose this is the old law, but still I think it is rather objectionable. This paragraph says "a general plan in duplicate, on tracing linen, drawn to a scale of not less than one inch to a line." To prepare a plan of that kind will require the services of a civil engineer, or at least of a Dominion land surveyor, and in the case of a farmer in the North-west, who is anxious to introduce irrigation on his farm, it means that he shall be put to the expense of employing an engineer, or a land surveyor, to draw this plan. It seems to me that as long as the plan is good enough to show what the applicant requires, that is all he should be asked for. My own feeling is that we should strike out the words after duplicate "on tracing linen drawn to a scale of not less than one inch to the mile."

Hon. Mr. SCOTT—This is a much more simple method than has been heretofore in vogue under the law as it stood.

Hon. Mr. LOUGHEED—I am thankful to my hon. friend from Halifax for making the suggestion, but when we reach clause 17 I am going to propose that discretion should be vested in the Minister of the Interior to dispense with those particular requirements in the case of small irrigation plans, so that the difficulty may be overcome in that way.

Hon. Mr. SCOTT—If hon. gentlemen will look at the section of the existing law they will see what a wonderful improvement this is. The details are very much fuller in the law than under this bill.

Hon. Mr. LOUGHEED—They would come under the general language of subsection (*c*).

Hon. Mr. O'DONOHOE—It seems to me that the clause is much better as it is, because the plan referred to here is the general plan of the district to be drained. You must have a proper tracing for that. It is not a plan to be provided by the person whose land is to be irrigated. The plan referred to here is the plan of the district to be drained, showing the source of the intake—that means from the beginning to the end of the district to be drained. For that you must have a general plan, made by a properly qualified surveyor. If it required each farmer to make a plan for himself it would be objectionable, but the plan referred to here is the plan that the engineer makes and has before him to regulate the whole district to be affected.

Hon. Mr. LOUGHEED—My hon. friend is mistaken. Every applicant for license must provide such a plan.

Hon. Mr. O'DONOHOE—A general plan in duplicate showing the source of supply, the position of the point of intake, the location of the main canals or ditches—it describes everything in the way of the waters, including the tract of land to be irrigated and the names of the owners whose lands are to be crossed by the ditch. That means the whole plan of the district, and has no reference to the individual or his parcel in any way.

Hon. Mr. LOUGHEED—I do not seriously object to that, because there are undertakings which will require all these elaborate plans to be provided, so that the government may be seized of the character of the undertaking in view; but what I do say is this, that it would be unreasonable, where a small farmer wished to spend a moderate amount of money for the irrigation of a quarter section of land, to have to go to all that expense. That difficulty will be obviated by leaving it to the discretion of the Minister of the Interior to dispense with all those details in such cases.

The clause was adopted.

On clause 16.

Hon. Mr. LOUGHEED—I would ask my hon. friend to add these words "and he shall fix the maximum rates charged by the licensee." That is to say, when an applicant makes application for water wherein the underlying purpose is to sell the water, that the public shall have some knowledge as to what they may be expected to pay by way of water rates for water to be sold by the applicant.

Hon. Mr. SCOTT—That is fixed, is it not?

Hon. Mr. LOUGHEED—No it is not.

Hon. Mr. SCOTT—I think it is later on.

Hon. Mr. LOUGHEED—The minister can fix the rate when the works are constructed, but the difficulty lies here: notice is given that a corporation applies for water rights, that is to say they are going to appropriate a certain amount of public domain for the purpose of supplying water to consumers. Now, in anticipation of those rates being reasonable the public, so to speak, assent to the application that is being made, and refrain from giving it any opposition. But after the works are constructed and the public are practically in the hands of the company, so far as water in that particular district is concerned, that company will make an application to the government to fix the rates. It will be seen that the public will have no notice of whether they are going to have reasonable or unreasonable rates; consequently the public should be apprised of what rates they are expected to pay. It should rest in the hands of the Minister of the Interior, and he should fix a reasonable high rate, but the public should be apprised of the maximum rate, so that the company could not impose on the public by charging rates beyond that limit. I therefore move that you add to subsection two the words "he shall fix the maximum rates to be charged to the licensee."

Hon. Mr. SCOTT—But the hon. gentleman will see that in all projects of that kind it is impossible to fix the rates. The rates must depend on the cost, and no company would undertake to construct the works unless the rate was fixed sufficiently high to give a reasonable return on the possible cost of the works, and then it may be a rate far in excess of the rate that would be fixed if the minister were to fix it after the works were completed and there was some definite knowledge as to the cost of the work. It does not seem a sound or reasonable proposition at all.

Hon. Mr. LOUGHEED—In sections 10 and 12 you have provided for the most elaborate details being prepared as to the cost of the enterprise.

Hon. Mr. SCOTT—As to the preparation of the work.

Hon. Mr. LOUGHEED—In fact, before granting a license to the applicant the government satisfies itself of the financial stability of those parties of the amount of money to be expended, and all the details with the greatest particularity. Consequently, after the company have completed their work, they cannot reasonably say they have made additional expenditure beyond what was contemplated, because there is a complete statement as to what they intend

to expend. Hon. gentlemen know that the tendency in all these undertakings is, if possible, to exaggerate, after the completion of the work, the cost of the enterprise by the flotation of bonds and stocks and so on, and to compel the consumer to pay an extraordinary charge for the purpose of satisfying a fictitious indebtedness which is very often attached to undertakings of that kind. Let the company appear before the Minister of the Interior. No injustice can be done to the company if the matter is left entirely with the minister. Under the Railway Act the government fix the maximum rates.

Hon. Mr. SCOTT—Not in advance of the work.

Hon. Mr. LOUGHEED—There is no branch of a public undertaking where the government do not fix rates, and there is no reason why it cannot be done.

Hon. Mr. SCOTT—Not in advance of the work. The two officers who had charge of this matter are both recognized as being clever, conscientious men. Pierce is recognized as a high authority on irrigation, and so is Dennis. This bill has been submitted to them, and the matter has been carefully gone over by the officials who have had charge of it, and they are certainly in the best position to know what is right and proper. I do not think the tolls could be fixed in advance of the work.

Hon. Mr. LOUGHEED—If the hon. gentleman is going to take the position that those officials are seized with knowledge of so perfect a character as to this particular branch of legislation, we might as well delegate to them the power to pass legislation without reference to the House.

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. LOUGHEED—These two officials appear to be so competent in the matter of drafting legislation that it is presumption on the part of any one in this House to suggest improvements. That is the position taken by my hon. friend. Those of us who have come in contact with this particular phase of expenditure, particularly in matters of this kind, consider that it is desirable that a maximum rate should be established. Let the minister fix as large a rate as he may choose, so long as the public will have some knowledge as to the outside rate with which they will be chargeable for a supply of water; because after the public assenting to this corporation becoming possessed of important water rights, a practically prohibitory rate may be charged to the people, as it is very often done, entirely against what they contemplated. I think the public should have some knowledge as to the maximum rate chargeable against them for the consumption of water.

Hon. Mr. POWER—I am disposed to agree with the hon. gentleman from Calgary, but I think the amendment should be made in the first subsection of the clause instead of the second. The first subsection reads:

> Public notice of the filling of the memorial and plans shall forthwith be given by the applicant in some newspaper published in the neighbourhood, to be named by the commissioner, not less than once a week for a period of thirty days, within which time all protests against granting the rights applied for shall be forwarded to the minister, and such notice shall contain a statement of the nature of the rights applied and the general character and location of the proposed works.

It seems to me that a very essential portion of the notice should be something to indicate to the party who may be expected to make a protest what the rates are which are to be charged. A certain work is indicated by the advertisement: it is a work which seems desirable: the people in the neighbourhood think it desirable, and as nothing is said about the rates they do not make any protest. If the rates were mentioned and were unreasonable, these people would make a protest. It seems to me there is a good deal to be said in favour of the view of the hon. gentleman from Calgary.

Hon. Mr. MILLS—The whole difficulty will arise for the reason that no one can tell exactly what the cost will be to the government of furnishing the supply.

Hon. Mr. POWER—The government does not furnish the supply.

Hon. Mr. LOUGHEED—Under 11 and 12 you provide for that.

Hon. Mr. MILLS—And then in one case it may cost very much more than another, and if the rate is fixed beyond that which the parties can afford to pay, of course no work can be undertaken. The government cannot afford, nor can any company under-

take to manage a work that would entail a serious loss.

Hon. Mr. LOUGHEED—My hon. friend will see that you ask the applicant to fix a rate, but you in no way bind him to that rate. Under section 11 you ask him to make a specific statement as to the project he is going to carry out, and as to the financial position of the individual, the value of such land in its present state, including improvements, and the rate, if any, to be charged for the waters to be sold. That appears in the *Gazette*. But after the works are erected, then there is nothing to bind the applicant or the individual carrying out the project to these rates which he has fixed, and which he, in fact, by his representation to the public induced the public to practically waive any opposition to when he applied. Surely if you ask him to fix a rate in the first instance you must pass some legislation by which he should be bound by that rate so that he cannot deceive the public by representing a very low rate, and after the completion of the enterprise asking a high rate. I fall in with the suggestion of the hon. gentleman from Halifax that it would be better to follow subsection 1 instead of subsection 2.

Hon. Mr. SCOTT—I could not accept the amendment, because I really cannot see how it can be argued that you can fix a toll without knowing what the cost is. The cost may be double what is first estimated, and you do not know what the consumers are going to pay. There may be ten consumers or twenty consumers. You are fixing an arbitrary figure without knowing what the cost will be. Has the hon. gentleman heard that there has been any objection to the law?

Hon. Mr. LOUGHEED—I could refer to hundreds and thousands of acres in that district that are lying idle to-day, and the ditch which runs past them is practically crumbling to pieces because the proprietors of the ditch insist upon exacting a certain charge and the owners of the land will not pay it. Then you give to these companies the right to use the public waters in that district, and they sell bonds and stock and raise money and carry out the project. Then the obstinacy which often characterizes corporations comes into play, and the people will not pay the rates.

Hon. Mr. SCOTT—The man loses nothing. The riparian proprietor has a right to use the water for all domestic purposes.

Hon. Mr. LOUGHEED—He cannot tap the ditch. He cannot take a bucket of water out of it.

Hon. Mr. SCOTT—He has all the rights of the riparian proprietor.

Hon. Mr. LOUGHEED—No. Almost the very first section of the Act entirely changes the common law right of riparian owners, and vests the whole right in the Crown, and makes those waters subject to this Act.

Hon. Mr. SCOTT—Will the hon. gentleman maintain that the riparian rights are taken away?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SCOTT—I read over the Act and I can tell the hon. gentleman it is not so.

Hon. Mr. LOUGHEED—Clause 4 reads:

> The property in and the right to the use of all the water at any time in any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water shall, for the purposes of this Act, be deemed to be vested in the Crown, unless and until, and except only so far as some right therein, or to the use thereof, inconsistent with the right of the Crown, and which is not a public right or a right common to the public, is established; and, save in the exercise of any legal right existing at the time of such diversion or use, no person shall divert or use any water from any river, stream, watercourse, lake, creek, ravine, cañon, lagoon, swamp, marsh or other body of water, otherwise than under the provisions of this Act.

I say that entirely destroys the common right of riparian owners.

Hon. Mr. SCOTT—It is preserved in the Act. We will come to it.

Hon. Mr. LOUGHEED—Look at section 4. The bill would be futile if the Crown did not reserve those.

Hon. Mr. SCOTT—The Crown had the right.

Hon. Mr. LOUGHEED—The Crown had not the right before the Act.

Hon. Mr. SCOTT—Clause 9 says:

> No application for any purpose shall be granted where the proposed use of the water would deprive

any person owning lands adjoining the river, stream lake or other source of supply of whatever water he requires for domestic purposes.

Hon. Mr. LOUGHEED—If you look at the Act, domestic purposes mean simply for the purposes of consumption, not for irrigation purposes.

Hon. Mr. SCOTT—No; certainly not for irrigation.

Hon. Mr. LOUGHEED—The right of an owner joining a stream was to use that stream for irrigation purposes before the passage of this Act?

Hon. Mr. SCOTT—He has all the rights of a riparian proprietor. A riparian proprietor has not the right to divert a stream. No riparian proprietor could cut a ditch from any body of water and carry it to his farm.

Hon. Mr. LOUGHEED—That is an extraordinary doctrine. He has the right to take all the water he requires, so long as he does not interfere with the owners above or below.

Hon. Mr. SCOTT—It is peculiar that that objection was not raised before.

Hon. Mr. LOUGHEED—You will leave this legislation in the hands of parties who will simply make it tyrannical and oppressive, so far as the settlers are concerned; and if my hon. friend doubts me in that regard, he can appeal to the hon. member for Alberta, who is one of his own political supporters, and he will emphasize in very strong language the statement I have made. And I say further, that on no subject before has there been more dissatisfaction expressed by the people affected by this legislation.

Hon. Mr. SCOTT—I presume that individuals, or ordinary farmers, cannot go into irrigation. It must be undertaken by capital. Capital usually finds its way into companies, and public companies will not undertake work of that kind unless they are going to make money out of it. It is either worth while to have the country irrigated, or it is not.

Hon. Mr. LOUGHEED—If my hon. friend knew the facts which invest the conditions in that country, he would not make the statement he has done. It is the small owner of land that is carrying out irrigation in that district. There is to-day no irrigation company in full operation, or I might say in operation at all, but hundreds of ditches have been carried out by individual farmers, and a very large section of the country in southern Alberta has been irrigated, not by corporations but by individual settlers, and if my hon. friend will do us the honour to visit that section of the country he will be really surprised at the amount of individual enterprise which has been carried out in this direction by the small settler, and not at all by the corporations.

Hon. Mr. SCOTT—In the few months I was Minister of the Interior Department, it was brought under my notice that the number of companies there who had invested money in works had lost heavily by it.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SCOTT—I was not aware that any money had been made out of it.

Hon. Mr. LOUGHEED—By mismanagement.

Hon. Mr. MACDONALD (B.C.)—Would the Secretary of State look at section six of the Act with regard to riparian rights? People who have had this right for years have it taken away from them under this Act. They must acquire new rights according to this bill.

Hon. Mr. LOUGHEED—I move that the following words be added to the end of the first paragraph of clause 15 after the word "works," "and the maximum water rates to be charged by licensee."

Hon. Mr. SCOTT—I maintain that that would be absolutely impracticable, to ask the Minister of the Interior to fix a rate before he knows what the cost of the work is to be. He may fix the rate after he knows what the cost of the work is to be.

Hon. Mr. LOUGHEED—If the Minister of the Interior says that it cannot be carried out, then on the third reading I will withdraw it.

The first paragraph of clause 15 was adopted as amended.

Hon. Mr. DRUMMOND—Might I ask the minister if, in clause 9, the reservation to the owners of lands of the water includes water for stock?

Hon. Mr. SCOTT—The riparian owner has all the rights he ever possessed.

Hon. Mr. DRUMMOND—But if the water is all diverted, he has the right not to be deprived of what is necessary for domestic purposes. Does that include water for stock and other farming purposes?

Hon. Mr. SCOTT—Oh, yes.

Hon. Mr. POWER—If the hon. gentleman will look at clause 8 he will see that it covers water for the purpose of stock.

The clause was adopted.

On clause 17.

Hon. Mr. LOUGHEED—I would ask the minister to insert after "domestic" the words "or irrigation." It will dispense with these costly plans. You can readily understand that where the owner of a quarter section of land desires to irrigate his property, it would not be reasonable to put him to the expense of all the plans referred to in clause 11. It really would cost him more than his place would be worth, and consequently I propose that it should be left entirely to the discretion of the Minister of the Interior to say whether, in cases of that kind, such plans would be required.

Hon. Mr. POWER—The hon. gentleman will see, no matter how expensive the works may be and whether conducted by a company or an individual, that they would be for irrigation purposes. I think that is too sweeping altogether.

Hon. Mr. LOUGHEED—I do not dispense with the whole of section 11, but of subsection (*c*). Even in a case of that kind, the applicant would be required to give very elaborate information. Subsection (*e*) practically contemplates the preparation of plans for a large company.

The amendment was agreed to, and the clause as amended was adopted.

On subsection 2 of clause 21.

Hon. Mr. POWER—The expense of expropriating lands under the Railway Act is cumberous and ought not to apply to cases of this kind.

Hon. Mr. SCOTT—That is the easiest expropriation you can make. You cannot take lands from people except through the courts.

The clause was adopted.

On clauses 31 and 32.

Hon. Mr. LOUGHEED—I am satisfied the word "wilfully" has been omitted from these clauses.

Hon. Mr. SCOTT—There is no change in the law. Have your heard of any difficulties arising under the present law? The act must be done wilfully under the law as it stands.

Hon. Mr. LOUGHEED—You have omitted the word "wilfully." It certainly could not be an offence unless the act was done wilfully. A man may, in the most innocent manner possible, take water from a stream.

Hon. Mr. SCOTT—The law has stood that way for four years. If there is no cause for complaint under the law, why change it? The measure was well considered four years ago, when the law was framed, and since then it has been found to work satisfactorily.

Hon. Mr. LOUGHEED—This law has not worked satisfactorily. The very fact of coming to parliament to consolidate the Acts and improve them shows that the legislation has not worked satisfactorily. If one innocently should take water from a stream in that great northern country surely he should not be liable to pains and penalties. It would be utterly impossible for the user of water to gauge the quantity of water he is using accurately, and clause 32 makes it an offence even if he innocently takes a larger quantity of water than he is entitled to under his license.

Hon. Mr. SCOTT—That amendment would make it absolutely useless. You never could punish anybody for such an offence.

Hon. Mr. LOUGHEED—Why do you insert the word "wilfully" in clause 29.

Hon. Mr. SCOTT—Because it is a different offence altogether.

Hon. Mr. LOUGHEED—It is a more serious offence and more evident.

Hon. Mr. SCOTT—You could not enforce the conviction with such an amendment as the hon. gentleman proposes.

Hon. Mr. LOUGHEED—If a man takes more than a certain number of cubic feet of water from a stream, and does so innocently, why render him liable to a penalty?

The amendment was agreed to, and clauses 31 and 32 as amended were adopted.

Hon. Mr. VIDAL, from the committee, reported the bill with certain amendments.

Hon. Mr. SCOTT—I move that the amendments be taken into consideration tomorrow. There is one amendment to which I strongly object, and I should like to see the Minister of the Interior before I consent to it.

The motion was agreed to.

JUDGES OF PROVINCIAL COURTS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (150) "An Act further to amend the Act respecting the Judges of Provincial Courts." He said: I wish to consult the wishes of the House with regard to this bill, as to whether I shall proceed with it this evening or take up some other bill. I will state in general terms what the provisions of the bill are. In the first place, we have provided for one judge that, by the local law of Quebec, has been added to the Superior Court. We provide for the appointment of an additional judge to the Court of Appeal, called for by the local legislature of the province of Ontario. We have provided for an increase in the salaries of the junior judges of the different provinces. I have little doubt that the original intention was to place the junior judges, in respect to salaries, upon exactly the same footing as the senior judges of the county courts are placed. The Act as it has been construed —and which construction I do not find fault with—limited the salary of the junior judges to the sum of $2,000 a year. The junior judges have no incidental increase to their salary by reason of additional duties they have to perform. The senior judge is, for the most part, the judge of the Surrogate Court, and he receives as a Surrogate Court judge a salary ranging all the way from zero up to $1,000; so that the senior judge receives a very considerable salary, in most cases beyond that which is fixed as his salary as a county court judge. What we have done in this bill is to provide that, at the end of three years, the junior judge shall receive $2,400 instead of $2,000, exactly the same sum that is paid to the senior judge. We have also made some provision for meeting the larger expenses that the district judges in the province of Ontario are compelled to bear. They have long distances to travel, and they have often to go by canoe from one point to another, holding court within their jurisdiction. They incur a good deal of personal peril and are subjected to large expense and not a little inconvenience. After discussing this subject with those judges, we propose to fix their travelling expenses, under existing circumstances, at $500 instead of $200, the ordinary sum allowed county judges. This was thought to be an unreasonable sum, and certainly, considering the expenses to which they are put, and the hardships to which they are subjected, is not a more generous compensation than $200 for the ordinary county judge. Then there is the case of the county judge in the city of Halifax, whose salary I think heretofore has been $2,400. His salary is fixed at $3,000, the same as the county judge in the city of St. John, and the same is true also of the county judge in the city of Charlottetown. Those two county judges have a larger amount of judicial work to perform than any other judges, whether county or superior court judges, in their respective provinces. My hon. friend beside me (Mr. Miller) says that that change should have been made long ago. That is my opinion. I gave the matter some attention, and I thought it my duty, whether I succeeded or failed, at all events to show my wish to give these men a fair compensation for the services which they were performing. I admit that, so far as the Ontario court of appeal is concerned, the salaries are inadequate. Formerly the judges in the court of appeal were at liberty to go on circuit the same as the judges in the high court. Of recent years they have not done so, and consequently they have not received those additional allowances which have been paid to the judges of the high court. Their salaries, since the change in practice in this regard, have been, I suppose, about $1,000 a year less than before. One of our difficulties at the present time is

to induce men of high standing at the bar, or men who are already on the bench, to accept appointments to the court of appeal. In many instances we have not been successful in that regard. But I thought from all I could learn, from my discussion with representatives in parliament, that it would be a dangerous experiment to undertake to make additions to the salaries of the High Court judges or the Court of Appeal judges at the present time. I did not wish to overload the bill by undertaking to make it ideally perfect in this regard, or to adopt a course which might lead to its defeat. So far I have stated all the changes that point to any increase, and those my hon. friend will see are not very great. The judges of the high courts in all the provinces have been undisturbed. They stand where they stood before. The only further change that has been proposed is with respect to the retirement of judges. A question is raised in this bill which has often been the subject of controversy, and that is whether there ought to be an age limit for the retirement of men from the bench whose physical infirmities may disqualify them from properly discharging the duties which, under the law, devolve upon them. Various periods of life have been suggested as the proper age for the retirement from the bench of gentlemen who have been engaged in the discharge of judicial duties. Under this bill we have undertaken to fix an age which we thought reasonable on the whole, recognizing under ordinary circumstances the long life of judges. We have named the period on the attainment of the age of seventy-six. In most cases, I think it will be found that a judge who has attained the age of seventy-six years, while his intellect may be clear, considering the hardships which, in the discharge of his duties he is obliged to face, is, in the vast majority of cases, no longer fit to discharge those duties. I am speaking now of the county court judges. Our law proceeds upon the assumption that a time will arrive when the failure of one of the vital energies, or the development of physical infirmities, may disqualify him for the discharge of his duties.

Hon. Mr. PERLEY—Would that be more applicable to a county court judge than to a supreme court judge?

Hon. Mr. ALLAN—Oh, yes.

Hon. Mr. MILLS—We propose by this bill to deal with those with whom the law, as it now stands, empowers us to deal, and we may require further legislation by the Imperial parliament, and correspondence with the Imperial government, before we can undertake to deal with the Superior Court judges upon precisely the same line.

Hon. Sir MACKENZIE BOWELL—Would you give us the reason for that?

Hon. Mr. MILLS—Yes, I will give the reason. We provide, for the retirement of judges upon a two-thirds salary after a service of a certain number of years. We assume that before death, while a man is still long distant, in some cases, on this side of the grave, he will best serve the public interest by accepting the retiring allowance and retiring upon a two-thirds salary. The law contemplates that. But the practice has grown up, especially in those districts where junior judges have been appointed, amongst the senior judges of the county courts, of practically retiring upon a full allowance; that is, they will follow the practice of throwing upon the junior judges nearly all the duties that pertain to their office, and of continuing to hold the office as county judge, receiving the full salary without effectively discharging those duties. That is the present condition of things. There is this question, however, which has presented itself: when you undertake to provide for the retirement of a judge at an advanced period of life, six years after the period alloted to a man of three score and ten, when he is seventy-six years of age, you have fixed a period far on in life, and in the vast majority of cases a period beyond that in which a man retains the full vigour of his faculties necessary for the efficient performance of his work. We had to consider in connection with this matter, if you were to fix an age limit, what that age should be. In the next place, if you fixed an age limit, whether you should permit retirement on the two-thirds allowance which the law provides, and for a condition of things which the law contemplates, because hon. gentlemen will understand, as the law has been interpreted, the members of the bench have themselves, in every instance, undertaken to decide for themselves whether they will or will not retire, and in the public interest, when you are considering the public service, perhaps

in a matter of that sort they are not always the best judges. I say, then, we had first to consider whether that age was a sufficiently advanced period of life to warrant legislation of this sort; in the second place, whether, in retiring men already on the bench and holding their office during good behaviour, we ought to retire them on full salary or at the rate which the present law provides. If we had undertaken to retire them on full salary, we found there would be very great difficulty in inducing the House and the public to accept that charge, and the more so for this reason, that when you propose to fix a period for the retirement of the judge, say at seventy-six years of age, he would continue to draw that full salary long after, (if he lived long enough) he was capable of discharging the duties at all, and so this idea suggested itself, whether you might not retire a judge at full salary till he attained the age of eighty, and then give him the two-thirds allowance from then on to the end of his life; so that the government had under consideration these three propositions. There was no desire to do wrong to anybody. Some gentlemen are paralytic, some have not for a good many years undertaken to discharge any duties outside of their own county town, and it is not a generous or agreeable task to undertake to persuade them, under the provisions of the law, that they are no longer qualified to discharge the duties that attach to their office and that the public interest suffers by their continuing in that position. There are not a great many such, but there are some. Upon considering the cases that have been brought under our attention, for these cases are always being submitted for consideration, if we adopt the period of life mentioned in the bill, there will be no ground to complain. Now I have stated to hon. gentlemen the origin of this particular provision. I apprehend there is no doubt in the public mind, or in the minds of the members of the profession at all, as to the propriety of this provision for the future. I have yet to meet the member of the profession, or indeed the member of either House, who says that the present system of indefinite holding of office, dependent on removal for misbehaviour or removal on the joint address of the two Houses of parliament, is quite satisfactory. In the first place, it is an ungracious thing to take the initiative of undertaking to remove a judge, and especially is it an ungracious thing to undertake to remove an old man because he is worn out and no longer capable of efficiently discharging the duties that this office imposes on him. The law enabling judges to hold office during good behaviour also provides for their removal on the address of the two Houses of parliament. The impression is a very general one that the removal, upon the address of the two Houses of parliament, is necessarily a removal for misbehaviour in office. I do not think that that is the case. There is no limitation of the authority of parliament to remove, nor is there any duty imposed on parliament to assign a cause for the address that the two Houses may present. This subject is very fully considered by Mr. Hearne, in his work on the English government. He says that the removal for misbehaviour is most regularly brought about by a proceeding under a writ of scire facias. It is a judicial proceeding. If the misbehaviour complained of is not connected with his office, if it is misconduct out of office, that misconduct ought to be established and the removal ought to be by scire facias; but when a man is not alive to his own infirmities and is no longer qualified to discharge his duties, the power to remove by the address of the two Houses of parliament is the power to enable parliament to remove a judge who is no longer qualified by the state of his health, mentally and physically, to discharge efficiently the duties that attach to his office. I say this duty is one that parliament is always reluctant to discharge, and the same result, in case of failure of health and capacity to discharge the duties of the office, it seems to me can be more efficiently brought about by the provision of this bill upon his attaining the age of seventy-six years. That is a provision we do not undertake to apply to the judges of the Superior Court. The qualification for their office in this regard is fixed by the British North America Act, and we cannot, by our legislation here, in my opinion, undertake to amend the provision of that Act in this regard; but so far as the county court judges are concerned, it is left wholly either to the local legislature or to this parliament —I am not going into a controversy as to which should determine what are the qualifications for the office. I have stated, in general terms, hon. gentlemen, what are the provisions of this bill, and the reason the government have for introducing this par-

ticular provision in respect to age. I am quite sure that, so far as the profession generally are concerned, and, in my opinion, so far as the public are concerned, they will feel that, while the present provision of the law and the present means of retiring judges for misconduct is left altogether untouched, the proposal to retire a judge when he attains the age of seventy-six will generally meet with approbation.

Hon. Sir MACKENZIE BOWELL—Would the hon. leader of the House inform us whether the constitutional reasons that he advanced for not fixing the age limit to the Superior Court judges apply to the Supreme Court judges? The Supreme Court is a creature of this parliament; the judges are appointed by the governments of the day; does that court, and do its judges, come within the argument advanced by the hon. gentleman as to the constitutional objections to interfering with the Superior Court judges?

Hon. Mr. MILLS—I am not prepared to answer the hon. gentleman's question at the present moment. The law does provide for the establishment of a general Court of Appeal for Canada. It provides that the Superior Court judges shall hold office during good behaviour, which is generally regarded as a provision for life, subject to the restrictions I have named, and my impression is that the intention was to fix the same rule for the Supreme Court that was fixed for the High Court of Justice in the different provinces; but whether that particular section of the British North America Act applies to the Supreme Court or not, I am not prepared to say at the present moment.

Hon. Mr. GOWAN—I regret very much that the only opportunity I have had of perusing this bill and thinking over it has been since I came to this House to-day. It was put into my hands when I came, and with the greater part of it I am entirely satisfied. There is one clause in the bill, however, which I think is seriously objectionable, and I do hope that my hon. friend will be induced to modify it in some way, as it seems to be a gross injustice. I feel that it is a little ungracious, perhaps, to take exception to any portion of this bill, seeing that tardy justice has at length been proposed to be given to the judges, which was not conceded in the past, whether from want of courage on the part of the governments, or from some other cause, I do not know, but I feel very much gratified that the justice, though tardy, has at last been conceded. But the first clause strikes me as being seriously objectionable. I am not equal to entering into a full view of the matter, as I have been for more than a month laid by and am not very strong now, but the point is so clear that it requires but to be stated to commend itself to every hon. gentleman and to every just man. What is proposed to be done by this measure is simply to legislate out of office judges appointed to hold office during good behaviour and during their capacity to perform the work for which they were appointed. Now, I have been told that there are only five gentlemen that would come within the provisions of this bill, and is it not a sorry sight to see the whole power of this government arrayed, and the whole battery of legislation brought to bear against these five individuals, and for what? We do not know. We have no knowledge whatever with regard to the persons on whom this bill will operate. They have not had any opportunity of being heard. They may be able to show at the bar of this House their entire fitness notwithstanding having arrived at the age of seventy-five. Without being heard, without any specific allegation against them, parliament is asked to legislate these men out of office, and I say that skocks my sense of what is just and right. I do not think any man of right feeling, when he considers it, can possibly adopt that view of legislating men out of office without giving them an opportunity of being heard and knowing the specific terms on which they are deprived of their positions. I quite agree with the precedents that have been referred to and quoted from a very learned author by my hon. friend, who is always just in his statements and in putting the statement of his case fairly before parliament. I quite agree with him; but let us look at that case he refers to? No doubt the power of parliament is supreme, and parliament may, whatever cause is thought sufficient, address the Crown, and the Crown may act upon that; but will parliament act in depriving a judge of his office without giving him an opportunity of being heard and without specific charges against him? It outrages the first principles of justice to say that a man should be deprived of his office because

he happened to be seventy-five, without any reason being assigned and without an opportunity of being heard. I would be disposed to agree with my hon. friend that a limit as to age might be expedient. Take the ordinary run of men, and few are as vigorous at the advanced age of seventy-five as they ought to be for a full and effective discharge of the duties of their office, and any judge who has the slightest sense of honour or justice, who holds office after he feels that he is unable to render the full and effective service that is due is—well I will not characterize him—I cannot imagine any honest man continuing in office after he is conscious of his inability not merely to do the main work that falls on him, but all the work that properly falls within the sphere of his duties. It is true we all are slow to perceive when our faculties fail, the best of us, and it may be that conscientious men continue in office after they should leave it, not being conscious that their powers are failing, to the great injury of the service, in some cases, continuing their work and believing they are fully competent to perform that duty. I do not know the men who are above the age of seventy-five on the bench, and I could not, if asked to name them, do so; but such may be the feelings of some of them when perhaps they are really incompetent for the full and effective discharge of their duty. But while I admit that these men should not be continued in office, while I admit that it is wrong to continue them in office, and a wrong to the public and to the suitors of the courts, still there is a legitimate and British way of doing things. Let the matter be inquired into in a proper way and if it is found that any one of them is not fit to discharge his duties properly and effectively, let him be removed. But to ask that the power of this great parliament be invoked to remove these judges is like shooting one of those great guns they are using in the war at Cuba against a mosquito. It seems to me a disgrace and an unworthy thing to attempt to force these men out of office in a way not recognized by law. If there were no provision for getting rid of them, if they were saddled for all time to come upon the community, I could see some reason for this strong measure of legislating them out of office. But such is not the case. There is a provision for inquiry into whether a judge has misbehaved, or whether he is incompetent for his office.

Hon. Mr. FERGUSON—Hear, hear.

Hon. Mr. GOWAN—And that machinery should be set in force, and he should be given an opportunity to be heard. To my mind, it shocks every sense of British fair play and justice to legislate men out of office without giving them an opportunity to be heard. As I have said, that point appeals to me very strongly. There is another aspect, however, in which the matter might be viewed. Every one who has been connected with the administration of the law knows that gentlemen at the bar would be unwilling to accept these judicial offices, because it would be the means of preventing them increasing their fortune, and they would be receiving a salary far below their former earnings. What is the corollary of that? In the first place, it must be admitted it is the plain duty of a government to get the best men possible, irrespective of their personal associations, and on the ground of their ability and their worth, their moral character and legal ability. It is the plain duty of the government to secure the very best men for the office of judge. What are the inducements? A man of ability is offered a salary very far below what he could earn at the bar, but he has a certain dignified life, and he has a certain amount of leisure and, if he likes his profession, he has a very pleasant kind of employment, reading up cases and so on. But there is another inducement. He has a retiring allowance, and that enters into the contract between the government and the judge. He accepts office at a comparatively low salary. He has a certain amount of leisure, and he is secured an annuity when he is no longer fit for work. If he continues in office and behaves himself as he ought to do, he has a certain retiring allowance, that is part of the consideration, which he receives on retiring. The certainty of tenure of office and the retiring allowance are important considerations with the men who accept the offices. And it would be unwise for the government—and I can assure my hon. friend it is the last thing I should think him capable of doing—to lower the class of men from whom judges are to be selected. If there is an element of uncertainty in the tenure of office, it weakens the inducement to accept the office. That is a very important feature in the matter and a feature that should be very closely considered by the government.

I do not like to see legislation of this kind. I do not mean to say that it is a fraud, and I do not mean to say that the Minister of Justice would be a party to it, but it seems to me to open the door to affect a judge in not merely the way proposed, but in many other ways. It is astonishing what roundabout methods politicians will adopt, and how astute they are in carrying out the views of party. If your neighbour's house is on fire, you begin to think some sparks may fall on your own house, and in my opinion the very placing of that clause in the bill, if it unfortunately should be enacted, is a threat and a warning to the judges. What is the position of the judges in Lower Canada? They are judges of the Superior Court, and that designation was given to them when there was a re-casting of the structure of courts in Lower Canada, though they really perform the same duties that in ninety-nine cases out of a hundred, are discharged by the local judges in Ontario. In the province of Quebec they do precisely the same work—and not one-third of it in amount—as the county judges in Ontario do, but they are judges of the Superior Court by virtue of the peculiar formation of their judicial system. But that may be altered at any time, and they may find the whole battery of parliament brought to bear against a few individuals who may be obnoxious. I do not desire to dwell so much upon this. I merely point out that, if you do anything to render unstable the position of the judges, you strike at one of the most important portions of our system. I do not think my hon. friend could point out a parallel instance, certainly not in Great Britain, because there they understand that right must be done whatever the consequences. They are prepared to render justice and do their duty; and I do not know of a single precedent in the United States where any attempt was made to legislate judges out of office without hearing them. I do hope that what I have endeavoured feebly to say will open to the view of members of the House the great and terrible danger. It is a small matter, and may appear very insignificant. Of course the judges have no political power, but an assault upon a few individual judges is an assault upon the whole system. If the government of the country desired to be benevolent they can say: "here, gentlemen, you have really worked hard and we do not want to kick you out of office just yet, but for the rest of your life you can draw the salary without doing the work." If that had been done, I think the government might very well have said, "we leave it this way: the gentlemen will retire and accept the full allowance." It would be a comparatively small matter, and the country would not be ruined by doing it. The government might say to them: "gentlemen, you are seventy-five years of age and you cannot live very much longer; take this gratuity on which to live for the remainder of your days," but they come down and say, "you must go," although a judge might say: "I am just as able as ever I was, and my intellect is just as strong as ever it was, my judgment is better, and I am just as competent for the discharge of that duty and more competent than the day I was appointed, and yet because I am seventy-five you want to kick me out." He would also say: "That is not in the bond. There was no time limit when I was appointed. As long as I was able to do my duty efficiently and behave myself properly, I was to remain in office." I do not care to dwell upon this subject. I have said enough to point out wherein I think a terrible injustice will be done. I speak now because I wish to bring out what I may not, at a later day, be able to do. I have stated what is my very strong feeling. I think it is a measure that violates the principle of justice. It violates the implied promise at the time of the appointment of the judges, by depriving a man of a position without giving him an opportunity to be heard and without any specific charges against him. Is that right? Will this Senate ever assent to that? Apart from that clause it is a valuable bill, and the government are entitled to the highest praise for the care with which they have framed the measure. But when the bill goes to committee, as I have no doubt it will, if no one else will make the motion, I shall move that the provisions apply only to those appointed hereafter, or only come into force in the year 1920. But I do earnestly appeal to my hon. friend, as a matter of justice, to consent to one of these amendments. The amendments I would propose, would be that the bill should apply only to those hereafter appointed, or that they should retire on their full salary. I am, in the main, I think, in accord with my hon.

friend in regard to the age limit. Taking the average duration of mental power in man, it rarely survives beyond seventy-five. But when the limit is fixed, we would know what we are about, and would know what to expect. That question, however, is fairly debateable. I admit frankly, that I am very strongly inclined to agree with the hon. gentleman that the age mentioned in the bill is the proper age for retirement. But it is a question on which men may very properly differ. My strong opinion is that seventy-five or seventy-six should be the age. But it is a different matter for us to legislate a certain number of men out of office without giving them an opportunity to be heard. It is contrary to British principles and manifestly unjust. I feel so strongly on the subject that I could not let the second reading pass without speaking what was in my mind. I think the government are entitled to every credit for drafting the improvements in the measure which is before us.

Hon. Mr. MACDONALD (B.C.)—I desire to ask one or two questions. The hon. Minister of Justice informed the House just now that they had given consideration to the requirements of all the provinces in this bill. Well, there is not a single line with regard to the British Columbia judges' as to whether their salaries or travelling expenses require adjusting. I think the travelling allowances do require adjusting. That is the most expensive province in the whole Dominion to live and travel in. I believe $5 a day is the allowance for expenses. I see that in Quebec and the other parts of the country judges are allowed $6 a day, and I ask whether the hon. Minister of Justice did not consider it necessary to adjust those travelling expenses.

Hon. Mr. MILLS—They are more liberally paid in British Columbia than in any other province in that regard.

Hon. Mr. MACDONALD (B.C.)—In the travelling allowances?

Hon. Mr. MILLS—Oh, yes.

Hon. Mr. MACDONALD (B.C.)—When the House is in committee to-morrow I will ask the hon. minister if he can give me any information about the appointment of a judge to fill the vacancy in British Columbia, and I hope he will tell me that he intends to promote one of the old judges to be chief justice and appoint some young man to the vacancy. That will be simply a matter of justice, and I hope to-morrow that he will be able to give me the answer on that subject.

Hon. Mr. POWER—I was going to suggest that, as it is getting rather late, and as the intention of the House appears to be to give the bill a second reading, that the discussion of this particular question and all other questions as to detail might be taken up in the committee stage.

Hon. Sir MACKENZIE BOWELL—I do not propose to discuss the principle of the bill. I think that was fully done by the hon. gentleman from Barrie (Mr. Gowan), but there are two or three questions which I desire to ask, the answers to which would enable us the better to consider the provisions of the bill when it goes into committee. I do not see any provision in the bill in reference to the county court judges who are now receiving a larger salary than $2,400. Will it affect a county court judge who is now receiving more than $2,400.

Hon. Mr. MILLS—What case is the hon. gentleman referring to.

Hon. Sir MACKENZIE BOWELL—Not to any particular case, but I know there are some county judges who are at present receiving a greater salary than $2,400.

Hon. Mr. MILLS—Where? Toronto?

Hon. Sir MACKENZIE BOWELL—In Ontario, does this bill reduce their salary?

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—Then there is another point, and that is the one to which the hon. gentleman from Barrie drew attention, whether there is not a law on the statute-book which enables the Minister of Justice to appoint a commissioner to inquire into the physical and mental capacity of a county judge.

Hon. Mr. MILLS—Certainly, when a complaint is made.

Hon. Sir MACKENZIE BOWELL—And if that report be unfavourable has the hon. Minister of Justice not the power, upon that report, to remove him?

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—There are other questions in connection with this bill which may, perhaps, be more fully discussed when in committee, but I should like very much if the hon. gentleman would consider the question I asked him in reference to the power which this parliament is now assuming to limit the age of judges, as to whether that does not apply to the Supreme Court as well as to the county courts. I take it for granted that the hon. gentleman's remarks with reference to the Superior Court judges are correct; looking at the power which is vested in the parliament of Canada to establish the Supreme Court and appointment by the administration of the day judges to preside in that court, has not parliament the power to fix the age limit in the same way as it is proposed to fix the age limit of the county judges? It would aid materially in the consideration of this question if he would give us an answer in dealing with this bill in committee.

The motion was agreed to, and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 9th June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

DEATHS ON CROW'S NEST PASS RAILWAY.

MOTION.

The Order of the Day being called:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate, copies of all letters, telegrams and other communications exchanged between the Minister of Justice, or any officer of his department, and any person or persons with respect to the deaths, on the twenty-third of January last, of two workmen named respectively Macdonald and Fraser, who had been employed on the Crow's Nest Pass Railway.

Hon. Mr. POWER said: This motion is simply one to furnish certain information to the House. Hon. gentlemen have probably seen that in the other chamber, there was a good deal of discussion with respect to the deaths of these two workmen, Macdonald and Fraser, on the Crow's Nest Pass Railway, and their deaths were very melancholy. It is desirable that the responsibility for that misfortune should be placed upon the right shoulders, wherever it should lie, and I move this address for the purpose of getting information which the House would require in order to enable us to form a correct judgment on the question of responsibility.

Hon. Mr. MILLS—I ask my hon. friend to let the motion stand till to-morrow.

The motion was allowed to stand.

WEIGHTS AND MEASURES ACT.

THIRD READING.

Hon. Mr. MILLS moved the third reading of Bill (71) "An Act to further amend the Weights and Measures Act," as amended.

Hon. Sir MACKENZIE BOWELL moved in amendment:

That the said bill be not now read a third time, but that it be referred back to a Committee of the Whole House for the purpose of adding the following as subsection 1 of section 6:

1. No weighing machine used for weighing or determining the weights of any of the articles mentioned in section 16, shall be of less certified capacity than sixty pounds avoirdupois.

Hon. Mr. MILLS—I think I called my hon. friend's attention to the fact that this amendment would not accomplish the object he has in view. If my hon. friend's amendment carried in this form, it would be necessary to have as many weighing machines, if the object is for the purpose of testing articles, as there are weights given in section 16, because what would weigh 60 lbs. of barley would be a very much larger measure than one that would weigh 60 lbs. of wheat. If my hon. friend merely wanted to use a larger testing machine than that in use at the present time, he should strike out the words "less capacity than 60 lbs." and make it read "less capacity than a bushel." Then that testing machine which would weigh a bushel of wheat, which would be 60 lbs., would also weigh a bushel of barley which is 48 lbs. and flax seed which is 56 lbs., of a bushel of oats which is 34 lbs. The bulk of a bushel in each case would be exactly the same, but the weight would be altogether different, and then the one testing machine would be

sufficient to test all the various articles enumerated. My hon. friend speaks of 60 lbs. avoirdupois. That would mean a very much larger testing machine for oats than for wheat, if that be his object. I do not know whether I rightly interpret the proposed amendment. I have interpreted it from the discussion which took place and the observations of the hon. gentleman on this subject. As the amendment stands, it would simply mean, as I take it, that no scale or balance should be employed for the purpose of determining the weight of an article that would weigh less than 60 lbs., and that would apply to a counter scale for weighing small articles as well as to others.

Hon. Sir MACKENZIE BOWELL—We could discuss the point in committee. I do not think the hon. gentleman thoroughly comprehends the meaning of the word bushel and 60 pounds. If 60 pounds of wheat occupy a certain space in any measure, and a bushel of wheat weighs 60 pounds, it will require the same space precisely to hold a bushel of oats, although the oats will not weigh 60 pounds; and so with all other grain. If you buy a bushel of wheat you buy 60 pounds; if you buy a bushel of barley you get 48 pounds, but it will take precisely the same space to hold the one as to hold the other. So that if you make a standard measurement you know what you are doing. If you take a quart of barley, you can ascertain what it will weigh, and so with all other grains—oats, barley—whatever is to be measured in that way. I confess, when my attention was first called to this fact, I came precisely to the same conclusion as that arrived at by the Minister of Justice; but when I came to consult with men who have been in the grain business, buying grain for a long time, they simply said to me that a bushel that will hold 60 pounds of wheat will require the same space to hold 48 pounds of barley, and just the same with this.

Hon. Mr. MILLS—But my hon. friend will see there is no particular article specified:

1. No weighing machine used for weighing or determining the weights of any of the articles mentioned in section 16, shall be of less certified capacity than sixty pounds avoirdupois.

Well, you cannot certify the capacity of 60 lbs. avoirdupois unless you certify it to some particular article. You can certify capacity in inches, but you cannot certify capacity in weights in that way, unless it is with reference to some article.

Hon. Sir MACKENZIE BOWELL—We can meet that in committee and say 60 lbs. of wheat.

Hon. Mr. PERLEY—How is a bushel measured, by cubic inches or by lb. avoirdupois?

Hon. Mr. MILLS—I think I mentioned the other day that an imperial bushel is determined with reference to the weight of a quart or pint of pure water. That forms a certain fraction of a bushel. You calculate the number of cubic inches and you divide that into pecks, gallons, quarts and pints. That, of course, is cubical capacity. The bushel of wheat, or other articles, has no reference to the imperial bushel; it is measured under the old Winchester measurement.

Hon. Mr. PERLEY—Would that bushel be 60 lbs. avoirdupois?

Hon. Mr. MILLS—Yes, you can say that 60 pounds is the weight of a bushel, but you cannot say it is the capacity of a bushel, because the capacity consists of a certain number of cubic inches, and if my hon. friend wanted to fix this accurately he would be obliged to ascertain the capacity of a Winchester bushel. Supposing a party were to come with very heavy wheat, it might be 64 pounds to the bushel of capacity How could you test the capacity of your testing machine by the weight of a bushel of that sort? It would be a smaller one than if you were to weigh wheat in it that exactly weighed the 60 pound bushel of capacity. My hon. friend certainly will not succeed in accomplishing his object in the form in which this motion stands.

Hon. Mr. OGILVIE—A bushel as it is used now is not a measure at all. We do not think of it, or speak of it, as a measure. It is the weight that determines it altogether. So that inches, or gallons, or quarts has nothing whatever to do with it. We have had wheat often that would not weigh 50 pounds, we have had it that weighed 67 or 68 pounds, so that a bushel is simply the old name to describe quantities of grain, but the real quantity is determined by

weights that are made law. So that the size of a bushel has nothing whatever to do with it. I have read the amendment. If wheat weighs 60 pounds avoirdupois, it will certainly weigh any weight below that, so I cannot see what the difference is. There is no bushel of wheat beyond 60 pounds.

Hon. Mr. BOULTON—The hon. gentleman loses sight of this fact, that what the farmers want to get is 60 lbs. for their bushel of wheat. This legislation proposes to say that 60 lbs. of wheat shall be measured by this particular measure which really does not give 60 lbs. of wheat.

Hon. Mr. OGILVIE—That is not the intention at all.

Hon. Mr. BOULTON—That is the substance of it. The buyer is not to be the judge of what is 60 lbs. weight, but he has to take this legislation which says that wheat shall be 60 lbs. to the bushel.

Hon. Mr. OGILVIE—There is no wheat or grain measure. All this grain is weighed, so the size of the bushel is simply a name.

Hon. Mr. PERLEY—Here is the point; 60 lbs. is a bushel of wheat, but we want to determine the grade of the wheat. To do that we have to measure it, and we must have a measure. In place of adopting the small measures now in use, my hon. friend proposes to do it all in one measure; by putting it all in at once, instead of in sixteen parts, it will give a more accurate idea of what a bushel would weigh.

Hon. Mr. MILLS—My hon. friend will see you cannot reject the idea of capacity altogether. For instance, if he were buying grain for his mill he would say to the farmer, if your wheat weighs 60 lbs. to the bushel I will give you a certain price. So far as the bushel of wheat is concerned it must weigh 60 lbs. That is not the weight he has in his mind, but the weight by measurement, and he compares the weight of the measured bushel with the wheat that is being offered for sale at 60 lbs. to the bushel, and he may find that the weight of that wheat by the measured bushel is only 58 lbs., and he gives proportionately less for it. Now, the farmer is interested in knowing what his wheat will weigh to the bushel; that is, what relation there is between the measured bushel and the bushel by weight. Does the bushel by weight include more or less than the bushel by capacity? My hon. friend will see that when he proposes an amendment for the purpose of providing a tester to determine what is the value of that wheat, or the quality of that wheat, he must have a bushel in capacity, not a bushel by weight, not less than a bushel but it must be a bushel in capacity.

Hon. Mr. PERLEY—This bushel, the hon. gentleman supposes is only to hold 60 pounds avoirdupois.

Hon. Mr. MILLS—But the size would depend on the quality of wheat you put into it.

Hon. Mr. AIKINS—Hear, hear!

Hon. Mr. PERLEY—No, not upon the quality of the wheat. You do not put wheat into it at all. It is 60 pounds avoirdupois.

Hon. Mr. MILLS—If I rightly understand the object of my hon. friend's amendment, his statement the other day was that the testers in use weighing but one-sixteenth of a pound weighed too small a quantity to establish the actual grade of the wheat. That was his contention.

Hon. Mr. PERLEY—Yes.

Hon. Mr. MILLS—And he proposes, instead of weighing one-sixteenth of a bushel, to have a tester that will hold a bushel. The tester you now have, that is one-sixteenth of a bushel, is a tester of capacity and not of weight, and you determine the value of the wheat by comparing its weight with that capacity, and if the wheat is a good quality it will hold 60 pounds. If the wheat is an inferior quality it will hold less than 60 pounds. If it is of a very high quality it will hold more than 60 pounds. So that you cannot speak of 60 pounds as being the capacity of a tester. You must ascertain the cubic capacity of sixteen times the ordinary tester now in use, and you must make it one that will hold a bushel by capacity.

Hon. Mr. OGILVIE—The usual way is for the farmer who grows the wheat to measure it and satisfy himself. But with the wheat buyers and grain buyers now there is not one bushel in ten thousand bought in any other way than by the wheat

buyer taking a handful of wheat and looking at it and telling you what it is worth. I remember forty years ago, when I was younger, we used to measure the wheat and oats and all that, but nowadays that is rarely ever done. You just simply take up a sample of the wheat and say what it is worth.

Hon. Mr. CLEMOW—I look on this as a kind of inspection. It is true you have a bushel of wheat weighing sixty pounds, but to find out the true value of that wheat it must go through an inspection, the same as a barrel of potash. You open a barrel of potash and take a piece and break it up and then say whether it is first or second, or whatever it may be. The object of the tester is to ascertain the quantity of wheat by inspection. Whether that is a proper course to take or not I do not know. I go through the market where we have no tester; I buy a bushel of oats, and calculate that I have to pay that man so much for his oats. I have no chance of having it inspected. I just buy it as it is. The test is for the purpose of inspecting that grain before it goes to market.

Hon. Mr. AIKINS—The hon. Minister of Justice is quite correct in his criticism. We all know that farmers sell their grain by the bushel, and it is by capacity and they want to know what the value of that capacity is. The bushel may weigh 65, or 60, or only 55 pounds. The buyer may purchase that wheat, but the quotations are all by bushel and not by weight. A bushel of wheat is 60 pounds, barley 48 and oats 34. The law determines what the weight of a bushel is, and what my hon. friend wants to get at is that the weight of a Winchester bushel should be known.

Hon. Sir MACKENZIE BOWELL—Exactly.

Hon. Mr. AIKINS—These testers that we use are very small, and we know that the fractions go against the seller. The farmer loses more or less just in that way. I think the amendment suggested by the hon. Minister of Justice would meet the case, but I am quite sure that as it stands at present it would not.

Hon. Mr. MACDONALD (P.E.I.)—I believe the objection to the bill as it stood at first was the difficulty of determining the weight of grain by taking a sample in a small measure, dividing the bushel into some 16 parts, and taking the one-sixteenth part of a bushel as a sufficient sample to test what the value in weight of a bushel would be. Now, to my mind, the amendment which has been proposed will not carry out the object which the senator has in view. I think something of this nature would meet the case much better than the amendment, if the bill went on to say, "That no measure of capacity used for the purpose of determining by sample the quality of any kind of grain shall be of less capacity than the Winchester bushel measure."

Hon. Sir MACKENZIE BOWELL—I think we ought to go into committee and discuss the bill there, but before we go into committee I want to say a word more. The view of the hon. gentleman from Montreal (Mr. Ogilvie) was correct to a certain extent, though I want to impress this upon the minds of the senators, that this amendment to the law is not for the purpose of selling by the bushel, but for determining the weight, and for that purpose you take a 60 lbs. capacity instead of a sixteenth part of a bushel capacity. That is really the pith of the whole thing. It is not to ascertain whether the farmer selling, loses in the quantity which he sells, but it is to secure to the grower of the grain the full value of the article in proportion to its quality, which is determined by weight per bushel. Now, as I pointed out the other night, you take a bushel of wheat, which weighs 60 lbs. to the bushel; my friend, as a miller, says I want 10,000 bushels of wheat, but when he buys it he expects to get a certain weight per bushel. If you take sixteen different measures of that one bushel of wheat, the test has proved that after you have filled the tester sixteen times there are about $10\frac{1}{4}$ oz. of wheat left which is not weighed, so that the seller loses in the calculation of the quality just in proportion to the loss of weight in the bushel of wheat tested by the grain tester. Then the fractions also are not counted; for instance, if a tester showed a bushel of wheat to weigh $59\frac{1}{4}$ lbs. the seller would lose the benefit of the fraction. According to the present tester, wheat is shown to weigh in the test less than it does in the bushel measure. You pour from a

bushel measure of wheat sixteen times into the grain tester, and you will have some wheat remaining in the bushel measure; and the seller by this test loses the benefit of the weight of that wheat which remains in the bushel measure. It does not amount to much on a single bushel, but if you were selling 10,000 or 100,000 bushels of wheat the reduction in the price, on account of the test not being correct, would make a very material difference in the total price the seller receives. The farmer does not lose in the quantity he sells, but in the price paid per bushel which he receives for his wheat, because the tester shows it to weigh per bushel so much less than it really does weigh. The object of this amendment is to remedy this defect. My hon. friend says it does not. I am assured by those who are in the trade, and those who understand this question, that it will accomplish the object.

Hon. Mr. POWER—I think the House agrees with the hon. gentleman in the object he has in view. The object which he has in view is to prevent a loss of the ten ounces, or whatever quantity of wheat is liable to be lost when it is measured in a tester which holds only a sixteenth of a bushel. I think the whole House agrees with the hon. gentleman as to the desirability of making a change in that respect. But where there is a difference of opinion is as to whether the measure which is to be used is to be a measure of capacity, or whether it is to hold a certain ascertained weight. The hon. gentleman must see that the capacity of a bushel, which ought to be a fixed quantity, will vary according to the character of the wheat. If he ascertains the capacity by weight, if the wheat is of very superior character more than 60 lbs. to the bushel will go into the measure, and if it is of an inferior quality less will go in. The object is to ascertain what price a farmer is entitled to get for his wheat. The farmer gets into the market with wheat, and the purchaser says "if your wheat weighs 60 lbs. to the bushel I will give you so much; if it weighs so much more I will give you so much more." The measure which the hon. gentleman proposes, which contains just 60 lbs., will not test that. It depends on the character of the wheat which has been originally tested, and if you make it a measure of a certain cubic capacity you ascertain the quality of the wheat by determining how many pounds of wheat it takes to fill the measure. I think the amendment proposed by the hon. gentleman from Charlottetown is the one that will meet the wish of the hon. leader of the oppposition.

Hon. Sir MACKENZIE BOWELL—You have now a measure of capacity, one-sixteenth part of what is supposed to be a bushel. If you use wheat, it will hold a greater quantity of wheat than if you put in oats, and yet you use the same machine to test the weight of a bushel in either case.

Hon. Mr. POWER—I am not justifying that.

Hon. Sir MACKENZIE BOWELL—No, but that is the law now. You apply the same principle precisely to a measure that holds 60 lbs. instead of to one that holds a sixteenth part of 60 lbs. That is all.

Hon. Mr. MILLS—You cannot institute a comparison except between two things. You have the weight settling the amount of a bushel. What is desired is to ascertain the quality of what you are weighing. You cannot ascertain that quality except by comparing a bushel by capacity with a bushel by weight. Your weighing machine at the present time is one-sixteenth of a bushel, not by weight, but by capacity, and therefore the proposition of the hon. gentleman from Charlottetown (Mr. Ferguson) is the only way of carrying out the idea which the hon. gentleman has. My hon. friend says, take a measure that will hold just 60 lbs., whether it will hold 60, or 65, or 55 lbs. depends on the quality of what you put into it. You cannot determine its capacity in the way my hon. friend says. Supposing he were to say, "now I will have a tester that will hold just 60 pounds." Whether it holds exactly 60 pounds, or whether it will hold a larger or a smaller quantity, depends on the character of the article you put into it. If I fill a bushel by capacity and empty the contents of that bushel of capacity into a scale to be weighed, I then know the quality of the article, because it ought to have weighed 60 pounds. If it weighs more, I know it is of superior quality; if it ought to weigh 60 pounds and weighs less, I know it is of inferior quality. It is by comparison of the weights and capacity you ascertain the value. The two things you require are the tester and

the weight. I do not think there will be any substantial gain to the farmer by the change, because the buyer will not offer so much for the very high weight, if you determine that quality by a large tester as if you determine it by a small tester. I do not object to the bushel being made the capacity of the machine by which the quality of the article is to be tested.

Hon. Mr. OGILVIE—I think it would be better.

Hon. Mr. MILLS—My hon. friend thinks it would be better. There are a great many engaged in the business who may think it would be worse, but there is no doubt a strong feeling amongst the agricultural population in favour of a larger tester, but the amendment must provide for it, as the hon. gentleman from Charlottetown suggests.

Hon. Mr. PERLEY—This does not affect us in the west, because our wheat always goes 60 pounds to the bushel, but I have been conversing with some members of the House of Commons on this subject. I am a farmer. I come to you to sell you my wheat—this is the argument used to me—they say "if your wheat weighs 60 pounds I will give you 60 cents for it; if it weighs 62 pounds I will give 64 cents; if it weighs 56 pounds I will give you 52 cents a bushel for it. We have to test the quality of the wheat. Here is a tester, one-sixteenth of a bushel, and we lost a little every time it is filled. Consequently we lose every time it is tested. By weighing it at once you save tipping the beam 16 times, which always takes a little off the genuine weight. Therefore, I think the amendment is a very good one, because you can bring the measure down to 60 pounds avoirdupois. Now I come to the market and in place of testing my wheat in 16 parts I test it in one, and it will weigh 56 pounds, while if I took the small test it would only weigh 55 or 54 pounds and I would get so much less for my wheat.

Hon. Mr. FERGUSON—My view is this, that if all the buyers in the country would use the same test there would be really no injury to anybody, because competition would settle the price, and as all the buyers were buying on the same basis, they would give all the market would allow them to give and there would be nothing wrong. A farmer might think that he was wronged, but really he would not be, because competition would bring the price up, but all the buyers do not adopt this test. Many large buyers, I presume, use this mode of testing, while the general buyer use some other method; he fills a bushel and determines what its value is by testing a bushel. The weight of grain is an element in determining its quality. I think, therefore, there is a great deal of force in the argument of the hon. leader of the opposition. His argument, if I understand it, is that no quantity less than a bushel should be tested in order to ascertain its real weight, and, therefore, although perhaps the wording of the amendment might be improved, the hon. leader of the House and my hon. friend, who have been discussing the matter, do not essentially differ; it is only in the way of getting at it, and if the amendment does not altogether cover the ground as well as it might, an amendment might be prepared that would. It is certain that when a smaller capacity than a bushel is used, from the arguments I have heard addressed to the House, the result is that the quality, with the price, taking weight as an element, would be lower than it really should be. Therefore, taking a capacity bushel, and ascertaining its weight, and applying it to the quantity is a fair method. Adopt that and let it be applicable to the whole country and there would not be this misunderstanding, which prevails between buyer and seller.

Hon. Mr. POWER—The further consideration of this matter might be postponed till the next sitting of the House, and perhaps the hon. leader of the opposition and the hon. gentleman from Charlottetown might agree upon an amendment.

Hon. Mr. MILLS—How would it do to say "one Winchester bushel" instead of "60 pounds avoirdupois?"

Hon. Sir MACKENZIE BOWELL—The more we talk about this matter the more it becomes obscured. The only question is as to which is the best way to arrive at the actual *bona fide* weight of grain, whether it shall be by testing the sixteenth part of 60 pounds, or by testing the 60 pounds in one bulk. I ask permission to withdraw my motion, and move that this

debate be adjourned till the next sitting of the House.

The motion was agreed to.

THE PLEBISCITE BILL.

THIRD READING POSTPONED.

Hon Mr. SCOTT moved the third reading of Bill (121) "An Act respecting the Prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors."

Hon. Sir MACKENZIE BOWELL—I ask my hon. friend to let this order stand until the Franchise Bill is disposed of. Perhaps it is not strictly in order to refer to what has taken place in another House, but the passage of this bill in its present shape depends in a great measure—I am speaking of my own view—upon the action which may be taken by the government and this House upon the Franchise Bill, and until that is settled we shall not be in a position to deal intelligently with this measure for the reason that I advanced the other day. The hon. Secretary of State informed the House that if the Franchise Bill did not become law, the plebiscite could not be submitted to the people. I intimated then that if the Franchise Bill for any reason should not become law, then it would be the duty of this House to amend the Plebiscite Bill so as to enable the government to lay the question of prohibition before the people for their approval or disapproval.

Hon. Mr. SCOTT—I did not go quite so far as that. I said if the Franchise Bill were not passed it would scarcely be fair to the temperance vote that it should be taken on the voters' lists of 1894. The statement was also made to the people that this vote should be taken on the Dominion Franchise. We can postpone it till the next sitting of the House.

Hon. Sir MACKENZIE BOWELL—Better postpone it till to-morrow.

Hon. Mr. SCOTT—Well, postpone it till to-morrow.

The Order was postponed.

HARBOUR COMMISSIONERS OF MONTREAL BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (163) "An Act to grant further aid to the Harbour Commissioners of Montreal." He said: This bill is to authorize the Governor in Council to advance and pay to the harbour commissioners of Montreal the sum of $2,000,000 to be expended in improving the harbour of Montreal in addition to the amount that was authorized in the first session of 1896. In 1896 authority was taken from parliament to authorize the Governor in Council to advance the sum of $2,000,000 to the harbour commissioners at the rate of two and a half per cent interest. A part of that money has been expended, but I believe there is still unexpended about three-quarters of a million, or somewhere in the neighbourhood of $800,000. Last year, as hon. gentlemen know, the question of improving the harbour of Montreal by increasing the dock space was very widely discussed in the press, and before the bodies in Montreal that were interested in it, and from time to time the final decision has been postponed in consequence of the inability of the parties to agree on a plan. Several plans were submitted. Plan No. 6 was drawn some years ago and was very much discussed, and finally a modification was, as I understand, settled upon and this bill is the result. I am quite aware that there is a certain section of the shipping interest in the city of Montreal opposed to a policy of expending the proportion named in this bill, $750,000, in docks in the eastern part of the city, the desire being to spend the whole amount where the present docks are, about the centre or the west end of the city. Under the law as it has existed since 1896, and I think in 1894, when the laws relating to the harbour commissioners were consolidated, it was necessary to secure the approval of the Minister of Public Works to the mode of expending money. So that the plans have to be approved by the Minister of Public Works, and the Minister of Public Works, acting on the advice no doubt of the majority of the members of the city, felt that it was in the interest of the city and for their future advantage that at least $750,000 should be expended in the eastern portion of the city, and the remainder in the vicinity of the present docks. The object now in aid being granted in this manner to the commissioners is for the purpose of giving the harbour commissioners the benefit of the lower rate of interest. The interest that was proposed to be taken in 1896 from the

harbour commissioners was three and a half per cent. This bill on the present loan proposes to reduce it to three per cent.

Hon. Mr. MACDONALD (B.C.)—Are there arrears of interest now?

Hon. Mr. SCOTT—I do not think so. I am not aware that there are any. The interest has been paid regularly.

Hon. Mr. OGILVIE—Always.

Hon. Mr. SCOTT—I do not think the harbour commissioners are in arrears for any interest.

Hon. Mr. FORGET—No, never in arrear.

Hon. Mr. OGILVIE—They never were indebted to the government for any favours, either.

Hon. Mr. SCOTT—The advance is to give the harbour commissioners the benefit of the credit of the country. They secure a loan at a lower rate of interest than if they were borrowing money on their own account. The trade of Montreal has always been equal to paying the interest on the loans that have been made from time to time for the construction of those works. The objection, I understand, that is urged by the opponents of this bill to the expenditure of the $750,000 in the eastern part of the city is on the theory that if a dry dock was built, that that should be charged to the national finances, that the trade of the city ought not to be taxed for the $750,000, or whatever portion is necessary for the construction of the dock. The question has been very much debated and discussed, and to the very serious injury of the city, because the improvement ought to have been proceeded with, as I am advised, more than a year ago if the parties could have agreed on the mode of expending the money. It is admitted on all sides that the accommodation of the docks in Montreal must be enlarged in view of the rapidly increasing trade of the city, and it is with a view of assisting the harbour commissioners to carry out what is thought to be the best plan that this bill is now before the House for approval.

Hon. Mr. OGILVIE—I do not think the Secretary of State did it intentionally, but he did not state the matter quite fairly, or it has not been very fairly put to him. I understood him to say that the majority of the harbour commissioners of Montreal wanted this dry dock. It would be necessary, perhaps, to a go a little further back in the history of this harbour commission in order to place the matter in a proper light. Up to the year 1873 a majority of the harbour commission had always been appointed by the different boards of commerce in Montreal, the board of trade, the mayor of the city, the corn exchange, the shipping interests, and so on. But in 1873 or 1874 the government took that majority out of the hands of the harbour commissioners of Montreal, and appointed a majority of the commissioners themselves. I do not say that it was not perfectly right and proper that they should do so, but from that day the government assumed the responsibility of the harbour of Montreal. Up to that time the harbour commissioners used to work for the honour of the position. Now, it is quite true what the hon. Secretary of State says, that it will give the harbour commissioners of Montreal the money required for the improvements at a lower rate having the guarantee of the government, but it will not cost the government one cent, and why the Minister of Public Works—for it is he and he alone who does it—tacks on $750,000 to that to build a dry dock, the merchants and shipping interests in Montreal cannot tell. They cannot understand it. I think I understand it perfectly.

Hon. Mr. MACDONALD (B.C.)—Do they want it?

Hon. Mr. OGILVIE—No, of course not. My hon. friend on my left (Mr. Drummond) if there is a cargo of sugar coming, will not ask whether the ship that is carrying it requires to go to the dry dock or not. It is "how much freight will I have to pay to bring those goods here?" A dry dock is foreign to the trade of Montreal, and that it should be tacked on to the end of this bill I think is the most monstrous thing I ever heard of in legislation. And the proof of it is that I have been flooded with telegrams and letters for the last two or three days, and I think Mr. Drummond can say the same thing, protesting against it. These protests are from the best men in Montreal, men who never think of complaining to the government, men who are of very neutral colour as far as politics are concerned, who have

hardly any politics at all—I have found fault with them for not being on my side of politics. But the dry dock if it is wanted will be built either by private enterprise, or by the government; because if I am not mistaken the government has been good enough to do that nearly everywhere else in the country, and almost everywhere that a dry dock has been built it has been built by them. It is not a dry dock that is wanted; it is harbour accommodation; and for the sake of pleasing certain people that we know of, a few inviduals down in Montreal whom it will suit very well, for they will get good value for their land, and make money out of it, this has been tacked on to the end of this bill, and of course if you do not want the dry dock you cannot get the two million dollars. I can see that this has been kept back for this purpose; I could not believe it possible before but it is true now, and the $750,000 should be expended, and is needed badly in the harbour of Montreal. A dry dock should not have any connection with the harbour, good, bad, or indifferent. The merchants of Montreal want their freight brought there at the lowest possible charges. Even 20 or 25 cents a ton is enough to drive trade away from many of our cities now as we have seen a very little thing change it within a few years, and if we can get our harbour dues lowered that is the way to bring trade to Montreal, and that is the way to bring trade to any city. Get as good a harbour as you can and get that harbour as cheaply as possible for the people who are bringing their freight here in ships. The merchants of Montreal do not want a dry dock, but they do want good harbour accommodation, and it is unfortunate for all parties, and most unfortunate for the government, that they should have been induced, through whatever influence brought to bear on them, to tack that $750,000 to this bill, telling the city of Montreal that they will guarantee them two million dollars, but that they will have to spend $750,000 for a dry dock. Then the hon. Secretary of State says it was to spend it down there instead of spending it in the west end of Montreal. There is no talk about east end or west end, and has not been for some time back, but it was to place that money and build a harbour where it was of most use in Montreal. That is what is wanted. Now, it will astonish a great many people, even in this intelligent House, to know that even yet it costs as much sometimes to bring a ton of freight from Hochelaga to where the warehouses of the merchants are in Montreal as it does to bring it from Liverpool. That looks like an exaggeration but it is not.

Hon. Mr. McMILLAN—What is the cause of that?

Hon. Mr. OGILVIE—I am living in McGill street and I have my warehouses there—I say McGill street as it is well known—and the ships are brought in and unloaded there, and if the goods are landed on the wharfs of Hochelaga I have to pay for carting them to McGill street, which costs as much to bring them from Hochelaga as to bring them from Liverpool. It would be a great deal better for the city of Montreal to do without this apparent loan altogether than to saddle themselves with an unnecessary debt of $750,000. That dry dock is said to be unnecessary by the shipping interest and by a large majority of all races and nationalities of the merchants of Montreal, and I may say by almost every right thinking man in Montreal; so, that being the case, it is a pity that this bill has been brought up in this shape.

Hon. Mr. DRUMMOND—I want to make some remarks on this bill in confirmation very much of what has fallen from the hon. member next me (Mr. Ogilvie). There is no doubt whatever that in the past the city of Montreal has obtained no favours whatever from Conservatives or Liberals. It has been taxed for everything it got to the fullest extent, and has paid its interest regularly. In looking into the public accounts, I can find records that all over the Dominion places have obtained, at the public expense, some large expenditure of public money on public works, and yet Montreal has never succeeded in getting anything. Now, this is not a Montreal question pure and simple. The port of Montreal is by nature the port of Ontario and every part of Canada to the west of it, and any burden you put on goods arriving at Montreal by the River St. Lawrence, is a tax on the community to the westward who get these goods. That is capable of demonstration and requires no argument to show it. I am firmly of opinion that eight-tenths of all the produce that arrives in

Montreal inward, and nearly nine-tenths probably of all the produce which goes out of Montreal is the product of Ontario and the western provinces, and there is not a man in any portion of that part of the Dominion who is not interested in the fact that produce can be landed and sent inward or outward from the port of Montreal cheaply or efficiently and without impediment. Now, if you consider that for one moment as a fact, you will see that it is to your interest —I speak to the members of all the Dominion west of Montreal—it is to your interest to see that no unnecessary burdens shall be placed on the harbour of Montreal; in fact it is entitled to equal justice with every part of the Dominion. The hon. Secretary of State a moment ago said the intention of the bill was that this portion of the loan, $750,000, should be expended in a particular part of the harbour and not in another part. He specified exactly that the dry dock was to be built——

Hon. Mr. SCOTT—No, the dry dock was mentioned, but docks and wharfs are also mentioned.

Hon Mr. DRUMMOND—The two million dollars is applicable to docks and wharfs, but the $750,000 which is taken out of the two million is largely concerned, if not exclusively, in the building of the dry dock.

Hon. Mr. SCOTT—I do not know that. The primary object, I understand, is wharfs, etc., for it reads:

> Shall apply the sum of seven hundred and fifty thousand dollars towards the building or the improvement of wharfs, structures and other accommodations, including the building of a dry dock, in that part of the harbour of Montreal below the point known as St. Mary's Current.

Hon. Mr. DRUMMOND—The hon. Secretary of State must have been informed that it was the intention of the harbour commissioners to expend any money that they borrowed under this bill in the western part of the harbour. He has no evidence whatever, not the first iota of evidence to bear him out in that supposition. It is a mere red herring drawn across the trail to endeavour to enlist the sectional feeling in the city of Montreal with regard to these harbour improvements, and I for one deprecate the idea of any racial or sectional feeling being introduced into this business at all. There is no reason whatever why the French who principally reside in the east end, and the English who principally reside at the west end, should not be a unit on this question, because it is not a racial or sectional question at all. I go on a broader principle, that the harbour dues and the cost of importing goods into the city of Montreal should be kept down to the lowest point consistent with the public service. Now, is it a fact that the expenditure under the management of the board of harbour commissioners has been principally in the west end? No, it is not. I am misinformed if the fact is not entirely the other way. The extent of new wharfage built in the last twenty-five years is as follows. The east end of Montreal——

Hon. Mr. DE BOUCHERVILLE—Where does the east end begin?

Hon. Mr. DRUMMOND—The Canadian Pacific Railway station, which a few years ago was the extreme eastern end of the harbour; taking as a central line, the Canadian Pacific Railway elevators at the Dalhousie station, there have been built in the east end of the city 12,800 lineal feet of wharfs, while west of these elevators there have been built, in the same time, 2,870 feet of wharfs, or about four times as much at the east end. The money spent upon them during the last twenty-five years has been $504,000 in the west end, as against $1,100,000 in the east end. I for one do not grudge that. I have no complaint to make of that. If the business of the port requires it, if wharfs are to be built in the harbour, I do not grudge the fact that these wharfs have been built in the east instead of in the west end, but I frown down the attempt to insinuate that the harbour in the west end is being attended to and money spent on it, while it is neglected in the east end. The contrary is largely the case.

Hon. Mr. SCOTT—In the plans that have been discussed in the last two or three years, was it not the enlargement of the docks at the west end?

Hon. Mr. DRUMMOND—The question was discussed and was the subject of much deliberation. I was president of the board of trade at the time—I do not remember the year—and chairman of the committee which, after a due consideration of all the plans, fixed on the plan which is known as number six, and that plan is largely con-

cerned in the enlargement and regeneration of the west end of the harbour. The old wharfs there were found to be totally insufficient, while the wharfs in the east end, which I have mentioned, being new wharfs, were built on an intelligent plan. The old wharfs project at right angles into the current making it difficult to enter and get out. The old wharfs at the west end of the city require to be rebuilt and remodelled. When that is done, there will not be more wharfage accommodation there than there is now, and nothing like the wharfage accommodation there is at the east end. But this question of east and west end is a false way of looking at it, a way which I, for one, have no sympathy with. I repeat what I said a moment ago, if the business requires it, I for one will be delighted to see the works extended to the east end if there is a justification for it. What does this bill profess to do? It professes to give the security of the government to the harbour commissioners of Montreal for the purpose of having the work carried on at a cheaper rate of interest. That costs the government nothing. The last loan which was effected by the government was at something under three per cent, now, they propose to lend this money at three. The proposition on the face of it is a fair one. It costs the government nothing, but when a large portion of this sum is required by the Act to be spent in a manner which is not profitable, the want of which is not felt, which is not asked by the shipping interests or by the merchants, you are putting us in this position: you have the government acting very much like the old money lenders who would professedly give you a loan of money on reasonable terms, but stipulate that you take a large proportion of it in pictures or jewellry for which you have no use. The position of the government is accurately enough given in a couplet in Hudibras. Speaking of a local magnate, it is recorded of him:

> That out of his great bounty,
> He built a bridge at the expense of the county.

Now, if the government came down with a proposition to build a dry dock in Montreal for the general benefit of the Dominion, or the ships trading at the port of Montreal, at their own expense, I for one, should hail it as an act of tardy justice. It has been done elsewhere and will be done elsewhere in the future. Why not at Montreal?

Hon. Mr. O'DONOHOE—The one at Esquimault was built by a contribution by the English government and a proportion by Canada.

Hon. Mr. DRUMMOND—My argument is this: what is a dry dock for? It is for the purpose of repairing a vessel which may be damaged, or want her bottom cleaned, or some other things. It concerns the shipping companies, not the men handling the goods, not the merchants sending oats and wheat and breadstuffs out.

Hon. Mr. DEVER—Does it not make the port of Montreal very popular with the shipping interests to have one?

Hon. Mr. DRUMMOND—That question could be better answered by the owners of shipping than by myself. There is a very important difference, let me assure the hon. gentleman. The very men whose ships are to be benefited by the construction of this dock do not ask for it. Surely they know their business better than you and I do.

Hon. Mr. DEVER—I do not think it.

Hon. Mr. DRUMMOND—I speak as a man handling goods. To make the cost of the construction of this dock an additional charge on Montreal will add to the price of carrying goods by Montreal, and add to the cost of exporting every bushel of grain that goes out of Montreal. I therefore oppose it. Now, the general conception of Montreal and its interest is that the enormous wealth, the enormous incomes, etc., of the city can well stand a little squeezing, and that they are not entitled to the consideration that is given to feebler communities. I should like to deal with that question for a moment. Is it the fact that from its position, from its geographical advantages or what, Montreal has such an advantage that it can afford to bear the pressure of additional taxation which other places are exempt from? I say no, it is not. At this very minute it costs us very nearly as much to import goods direct to Montreal as it does to bring them into Montreal by Atlantic seaports. The fact is that the long course of almost inland navigation from the gulf adds to the marine insurance. The marine insurance to Montreal from Europe is very nearly double what it is to Boston. The rates of freight, in consequence of the bigger business and a systematic business, summer

and winter, is generally a little lower to Boston than Montreal, and a little dearer out of Montreal than from that point, and Montreal, as a matter of fact, cannot stand squeezing in the way it is proposed to do in this bill. Not only so, but if you take points in Ontario and the west, the principle upon which railways appear to go is this: to get the most they can for any trade that is in sight, but to get it. The distances are disregarded; past rates are disregarded. Everything is disregarded except getting the business. We know perfectly well that from New York and from Boston to points in the west the rates of freight are just about equivalent to what they are from Montreal to the west. If you handicap Montreal by expensive works which are not called for by the community, which are not called for by the shipping interest, you will punish yourselves, if you consider you are dealing with Montreal only in this matter. I once more, at the risk of repetition, beg to enlist every man who is doing business or who lives in Ontario or in the North-west, in what I consider to be the duty of the Dominion, which is to make the port of Montreal the cheapest port on this side of the Atlantic. It would pay you to do it, and if you are acting under the delusion that Montreal can very well afford to be squeezed, you are acting under a delusion which some day or other will receive an awakening. I shall oppose this bill to the utmost of my power, and I trust I have said enough to enlist on my side of the question a large proportion of the present House. Once more, let me repeat, any attempt to enlist the east end against the west end is absolute humbug. There is no such question in the present issue at all. I am satisfied that the French who live in the east end are as much interested as I am in seeing that the port of Montreal is kept one of the cheapest ports of the Dominion, and the aspiration should be to free it, sooner or later, from all port charges whatever. Every one knows, I suppose, that the commissioners have carried on their operations up to a recent period by an issue of bonds and debentures which have been a favourite investment. In the new era of things, instead of going to the public for the money, and paying the interest regularly as they have done in the past, I am not sure but that the new business of getting money from the government, when you have appended to it stipulations requiring you to misspend a large proportion of it, will not more or less affect the value of those debentures. In any case I shall oppose any measure whatever which calls upon me to burden the port with more than it ought to bear of fair and reasonable charges.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. SCOTT—If I am properly informed there is, of the money that was agreed to be advanced in 1896, a balance still on hand held by the government of $750,000 or $800,000. That and the $2,000,000 now proposed to be advanced would make $2,750,000. The portion proposed to be spent under this bill in docks, wharfs and other structures at a particular point in the city is $750,000, which would leave a balance of $2,000,000 to be expended unconditionally in such manner as the harbour commissioners thought best. It would leave them $2,000,000, which probably would be a sufficient amount, to re-arrange the docks under the plan that I understand has been approved of, of running them out angularly to the stream rather than at right angles as formerly. If that statement is correct—and I believe it is—the harbour commissioners would not seem to have very much ground of complaint, because they would have the $2,000,000 to expend in any way they thought wise and prudent, and it may be that the docks and the wharfs in the eastern part of the city do require considerable improvement. I cannot say what proportion of the amount was to go into the dry dock; I am not advised on that point. I presume the most important expenditure will be on the improvement of the wharfs.

Hon. Mr. MACDONALD (B.C.)—Have the harbour commissioners applied for money to improve the wharf accommodation?

Hon. Mr. SCOTT—Yes, they have been pressing the government for a long time.

Hon. Mr. DRUMMOND—Did they apply for the reservation in the east end?

Hon. Mr. SCOTT—No, I think not. The hon. gentleman asked me whether they applied for the loan. They have applied

for the loan. The argument was that the amount now at their credit, from $750,000 to $800,000, is not sufficient to complete the works. If they are undertaken they are to be undertaken with a view to completing them on the scale now being decided upon, and although they realize the great importance of improving the docks, they recognize that it was advisable not to commence the improvements until a sufficient amount was in hand to complete the work. They may not be completed this year, or perhaps not next year. At all events, they saw their way to the perfecting of the plan as now agreed upon, which I understand is a modification of plan number six. That is as far as the docks in the upper part of the city are concerned. The amount held by the government at present to their credit, I think is in the neighbourhood of $750,000 or $800,000. With this advance it would leave the harbour commissioners $2,000,000 to expend as they thought wise and prudent. If I am advised properly, a majority of the members representing Montreal and the surrounding district favour the expenditure of a certain amount in the eastern part of the city.

Hon. Mr. OGILVIE—I think the hon. gentleman is mistaken.

Hon. Mr. SCOTT—I may be mistaken.

Hon. Mr. OGILVIE—The majority of the harbour commissioners appointed by the government may have favoured it.

Hon. Mr. SCOTT—I am speaking of the members of the House of Commons. The hon. gentleman is quite correct in what he says, although I am not advised as to the proportion. There are six appointed by the government and five appointed by the board of trade and chambers of commerce and other bodies. The mayor of the city of Montreal, who is also a member of the House of Commons, is ex-officio a member of the board. I do not know whether the members appointed by the board of trade, by the chamber of commerce, and by the shipping interest, and the other bodies that have the nomination, are unanimous in desiring that no portion of this new amount shall be expended in the east. I am not advised as to that. Probably the hon. gentleman from Montreal would know more about it than myself on that point, but the proposal which has been submitted to me is that this is a compromise arrangement, and that it is conceived to be in the best interests of the city. The trade is extending. In all matters of this kind there must be differences of opinion. The trade of those engaged in the large shipping interests of Montreal has been compensated at the upper end of the city, where the best docks have been and where the warehouses are found, and where it is more convenient to the canal, but as the railways are extending east of the city, in the exporting of cattle and grain, I presume the eastern end of the city would be a more convenient point of shipping than the central point.

Hon. Mr. MACDONALD (B.C.)—Will the board of works carry on this wharf accommodation?

Hon. Mr. SCOTT—Oh, no. The clause which gives the control, or some degree of control, is this:

1. The corporation shall, out of the advance authorized to be made to them under this Act, apply the sum of seven hundred and fifty thousand dollars towards the building or the improvement of the wharfs, structures and other accommodations, including the building of a dry dock, in that part of the harbour of Montreal below the point known as St. Mary's current.

2. The plans, specifications and estimates for all such works shall be submitted to the Minister of Public Works within two months from the passing of this Act, and shall be subject to his approval; and on such approval being given, the said works shall be commenced forthwith and be carried on concurrently with the works on plan 21*a* mentioned in section 3.

That is a plan agreed upon in the western part of the city. This clause gives the Minister of Public Works a control to see that the money is properly expended in accordance with clause 4 of the bill.

Hon. Mr. CLEMOW—This $750,000 is at the credit of the harbour commissioners?

Hon. Mr. SCOTT—Yes.

Hon. Mr. CLEMOW—At the time the money was granted, the harbour commissioners made their calculation and required this money to carry on certain improvements in the harbour. If this $750,000 was allowed to remain in the same position, then the harbour commissioners only required $1,250,000 to carry on the improvements of the harbour proper in Montreal.

Hon. Mr. DRUMMOND—I do not believe any final estimates were ever made. They were getting money from time to time on account.

Hon. Mr. FORGET—The harbour engineer gave an estimate the other day : to complete 12*a* would cost $1,800,000.

Hon. Mr. CLEMOW—There is no doubt the port of Montreal should be made as great as possible, and the rates as low as possible to carry on an immense trade, because it operates as a very great drawback if the importations and exportations are burdened by any unnecessary expense. And I think it is not only the interest of Montreal, but the interest of Ontario particularly, to keep the expenditure of the commission within the lowest limits for the purpose of carrying on the trade economically. As I understand the matter, it is the intention of the parties that a portion of this money should be used for some other purpose, and that purpose is the building of a dry dock. Is a dry dock actually necessary in connection with the transportation business of that country ?

Hon. Mr. FORGET—Yes, it is.

Hon. Mr. CLEMOW—If any accident happens to vessels coming to the port, and they require a dry dock, the shipping trade should supply it.

Hon. Mr. OGILVIE—There are dry docks at Quebec doing nothing.

Hon. Mr. CLEMOW—My argument is that it is an unnecessary expenditure for the great trade of the western country, and it should not be charged against the forwarding trade of the country. If it is necessary to have that dry dock can you not raise from the shipping interests and parties concerned in that industry a sufficient amount of money to pay for one ? What would be the annual amount of revenue derived from a dock of that kind ? All these matters should be taken into consideration, and if it is found to be an absolute necessity, then I think some scheme should be provided by which the outlay should be met by the revenue derived from this dock, and from other moneys that the shipping interests should pay themselves. I think it should not be added to the general debt of the port of Montreal. As far as the rates are concerned, it may affect Ontario more than Quebec. It is natural, to my mind, to suppose that these parties want all the improvements they can get. They have certainly obtained a large amount of money. It has been well spent and has been a benefit to Ontario as well as to that country. Now they want something in the east.

Hon. Mr. OGILVIE—They have been getting more than the west.

Hon. Mr. CLEMOW—The question is, is the port of Montreal obliged to lay out this amount of money ?

Hon. Mr. BELLEROSE—The port of Montreal must be accessible for the shipping from abroad. At the present moment there are vessels lying there and it is very difficult to get them out of the harbour. Does not that mean that the port of Montreal should be extended to the lower part of the city, to Hochelaga, *i.e.*, below St. Mary's current ? Have not that part of the city as much right to have wharfs and other accommodations constructed there as they have in other parts of the port ?

Hon. Mr. OGILVIE—Nobody is saying anything else.

Hon. Mr. BELLEROSE—Why is there so much trouble about this ? If you go down to St. Mary's current you will see that the wharfs have been begun there. So that there is no use discussing it. I remember some forty years ago the port of Montreal, which was then at the western part of the city, was quite large enough, and wealthy people in Montreal began acquiring all these properties there, and now they propose to keep the port of Montreal there and there only.

Hon. Mr. OGILVIE—No.

Hon. Mr. BELLEROSE—I say yes.

Hon. Mr. OGILVIE—No, it is not so.

Hon. Mr. BELLEROSE—If you go there you will find the whole of the steamships there and often no place to put them conveniently. This is not right, when there is plenty of room in front of the city from the upper part to the lower part to accommodate ten times the number that come now every year. This bill is not merely to provide

for the construction of a dry dock. It is to build wharfs and other accommodations, including a dry dock, if there is any money left for it. The question has been asked whether a dry dock is necessary. I say yes. The greater part of the ships coming into the St. Lawrence comes to Montreal, and of course many of them have to be repaired when they meet with some accidents. At present they have to be sent to Quebec, some 170 or 180 miles away. Do hon. gentlemen know that the upper part of Montreal harbour is rocky, and that if you decide to build the whole port there it means most extensive work, since you have to deepen the rivers to procure 25 or 30 feet of water, while down below you have 30, 40 and 50 feet of water.

Hon. Mr. OGILVIE—Nobody is objecting to the east end getting improvements. What is objected to is that $750,000 is provided in the fourth clause of this bill for the building of a dry dock. It is all very well to put in these other beautiful phrases about wharfs and structures and other accommodations. Why should we put in this $750,000 for the construction of a dry dock? And why should we specify the place that it shall be built? Those of us who understand Montreal know perfectly well, as the hon. member from Kennebec has very truly said, that it is not a question of nationality. It is a question of individuality—the individual influence of a few men who own property in the vicinity and want to get a dry dock built. Taking the bill as it stands, the hon. gentleman from Laval may say that it is for these wharfs; but no one except the hon. gentleman from Kennebec (Mr. Drummond) and myself had one word to say about the wharfs. It is the $750,000 to build a dry dock in a particular place that we have been discussing. Montreal can attend to its own business well enough to know how to manage this affair.

Hon. Mr. BELLEROSE—I believe it was quite natural to put these wharfs where they are, when the city was small with a population of 100,000 souls, but now that the city has increased to such an extent, that it contains some 300,000 souls, I should think it is folly to pretend that it is not necessary to continue the construction of wharfs and other accommodation. To this day the most of the money has been expended on the upper part—that part which cannot provide accommodation for the ships coming into Montreal, and the reason was because that part of the port of Montreal was the best part, it was said, of the port, and, consequently, that there the work had to be done. Millions of dollars have been spent there, and money has to be spent there, because that work is begun and must be carried out. That is the way things have been going on, and is it wise on the part of the government to determine that such money shall be expended there and nowhere else. Is not the government quite right in adding to the bill giving this money to the commissioners, providing that a certain part of the money shall be expended at the lower end of the port? I should say they could do no better.

Hon. Mr. OGILVIE—The money has been spent.

Hon. Mr. DRUMMOND—I pointed out in the few remarks I made the facts as to the expenditure, and I showed the House that during the last twenty-five years there have been spent in the east end $1,100,000, and in the west end $504,000.

Hon. Mr. FORGET—What is that for?

Hon. Mr. DRUMMOND—That is for wharfs. For the last twenty-five years they have been taking the Canadian Pacific Railway elevators as the dividing line, to the east of Dalhousie Square there have been 12,180 lineal feet of wharfs built, and to the west end 2,870, and the money has been spent in about the same proportion. In the west end, in round figures, half a million has been spent and in the east end $1,100,000.

Hon. Mr. SCOTT—You include the stone embankments between the docks?

Hon. Mr. DRUMMOND—I believe so. As a matter of fact, that is the cost of the wharfs. I have given you the number of feet of wharfs and the cost of building them. There has been an impression abroad that Montreal harbour has been crowded and that shipping has not been accommodated. That is not true. The fact that any one can see for himself is that a great many wharfs are empty at the present moment.

Hon. Mr. FORGET—It is not a question as to the money being spent in the east or the west.

Hon. Mr. DRUMMOND—But that was the question that was raised by the hon. member who spoke.

Hon. Mr. FORGET—I do not take much stock in that. I think in the city of Montreal everybody is about unanimous to spend the money for wharfs, and new docks, and dry docks also, and to prove it I will read a petition which was sent up here from Montreal in 1894. It is as follows:

We the undersigned, representing the various steamship lines and the shipping interests generally at the port of Montreal, beg to represent to Your Excellency in Council:

The disadvantage of not having and the absolute necessity of the speedy construction of dry docks is borne upon us more and more each season of navigation. As each season brings its crop of disasters, it shows the greatest disadvantage we labour under in not having up to date dry docks to accommodate ocean steamers of the present date and those of much greater length and tonnage which may be naturally looked forward to. An important port of the size of Montreal without a dry dock for ocean vessels is a strange anomaly.

We know of no port with the annual tonnage of the port of Montreal that has no dry dock to accommodate large vessels, which here seem to be entirely ignored.

Then this petition is signed by the following firms:—

Kingman, Brown & Co.
Wm. Johnston & Co. (Ltd)., H. G. Johnston, local director.
Harlan, Ronan & Co.
I. C. Coal Mining Co. (Ltd.), Wm. Nelson, Secy.
Alex. Stoddard & Co.
Henry Dobell & Co.
J. & B. McSea.
Hamburg-American Packet Co., James Thom, Manager.
Standard Marine Insurance Co., of Liverpool, John Popham, Atty. for Canada, President Board Marine Underwriters.
McLean, Kennedy & Co., steamship agents.
Reliance Marine Insurance Co., E. L. Bond, Atty. for Canada.
Transatlantic Marine Insurance Co. (Ltd.), Arch. Nicoll, Agent.
Indemnity Mutual Marine Assurance Co.
The Nannheim Insurance Co.
Fierman's Fund Insurance Co.
James J. Reilly & Sons.
Western Assurance Co.
J. J. H. Routh & Sons.
Commercial Union Assurance Co. (Ltd.), Ewan McGregor, Branch Manager.
The North German Insurance Co., E. L. Bond, Chief Agent.
H. & A. Allan.
H. E. Murray.
David Torrance & Co.
Munderloh & Co.
Union Marine Insurance Co. (Ltd.), of Liverpool.
British and Foreign Marine Insurance Co., Liverpool.
Thames & Mersey Marine Insurance Co. (Ltd).
Boston Marine Assurance Co., of Boston, E. L. Bond, Agent.
North Queensland Insurance Co., of Australia, E. L. Bond, Agent.

Hon. Mr. McMILLAN—Did they ask to have that dock built in a certain part?

Hon. Mr. FORGET—They did not; but my hon. friend from Montreal said that we did not require dry docks, that the merchants did not want them.

Hon. Mr. OGILVIE—They do not want the commissioners to build it.

Hon. Mr. FORGET—Then again in 1897 the matter was up, and the following was submitted:

Wherefore, because the port of Montreal is a natural and most important port of the Dominion, and because all other harbours throughout the country have been made at the cost of the government, your petitioners humbly pray Your Excellency in Council that the Dominion government will undertake and proceed with such work in the central portion of the harbour as will afford increased wharf accommodation, and also construct at some convenient point dry dock facilities.

In February another petition:

That the incoming council be requested to keep in view and urge upon the Dominion government the necessity for dry dock accommodation in the city of Montreal for ocean vessels of the largest class.

Hon. Mr. DRUMMOND—They asked in that petition, do you not see, that the Dominion government, which had been building these docks everywhere else, should do it there. But now the proposal is that the port of Montreal shall do it.

Hon. Mr. FORGET—I want to show that we require a dry dock, and have been asking for one for the last four years.

Hon. Mr. OGILVIE—We all know that, that is nothing new.

Hon. Mr. FORGET—At last the government came to a compromise. The commissioners asked the government to lend them two million dollars at three per cent interest, on condition that seven hundred and fifty thousand dollars should be spent, not for a dry dock only, but for high level wharfs so as to build elevators to receive grain from the Canadian Pacific Railway and Grand Trunk Railway. I have a better opinion of the harbour of Montreal than my two hon. friends, because I believe that with more accommodation and that money spent on the harbour, the trade of the harbour will increase enough to more than pay three per cent on the seven hundred and fifty thousand

dollars. Those gentlemen are making their calculations as if the trade of the harbour of Montreal would not increase at all, and they would be obliged to pay that increased rate on the business as it stands to-day. I claim with these improvements that the harbour of Montreal and the revenue from it will more than pay the interest on that seven hundred and fifty thousand dollars. The government is really building the dock or the increased wharfage—indirectly if you like, but building it. They say "You build it." Supposing we could not meet our engagements what will the government do? Do you not believe that the government would come and help us and take the harbour under their own charge? In fact, for the last ten years, if I am not mistaken, everything has shown us that the government have felt morally bound to take care of the harbour of Montreal if we could not do it. I shall certainly support the measure, and I think it is only fair that the measure should be carried as it is.

Hon. Mr. OGILVIE—I thought I explained clearly enough to the hon. member before that this is not a question of harbour improvement at all. There is no fault found with the harbour commissioners. The portion of the bill that is objected to is clause 4, because they consider it an outrage to tack that clause on to the end for a dry dock, and the men whose names you read to us from that document are the very men who to-day are against this bill. I told you some time ago that up to 1873 the harbour commissioners certainly had control of the harbour and the expenditure of the harbour, and it was a credit to every one, and they did their business thoroughly and well; and in 1873 or 1874 the government took the control out of the hands of the harbour commissioners by appointing a majority of the harbour commissioners themselves. But, as I said to the hon. Secretary of State a moment ago, the representatives of Montreal on that commission, except the mayor, are against this dry dock.

Hon. Mr. FORGET—I beg your pardon.

Hon. Mr. OGILVIE—I beg your pardon, every one of them except the mayor, and we know why he is not.

Hon. Mr. FORGET—There is nobody against the dry dock in Montreal. All are unanimous in their desire to have a dry dock on condition that the government build it themselves, but now, my hon. friend says, you are going to build that dry dock in the east end——

Hon. Mr. OGILVIE—I did not say that.

Hon. Mr. FORGET—The hon. gentleman said they were going to spend $750,000 in the east end, where he knew some gentlemen had property.

Hon. Mr. OGILVIE—They designate the point where it shall be built; they do not leave it to the harbour commissioners.

Hon. Mr. FORGET—When these gentlemen wanted the dry dock some years ago, they wanted to have it built in the west end near the canal, and in fact they began to do it there at that time. The intention was to build a dry dock in the west end when these gentlemen were asking for it. Now that they see it is going to be built in the east end, they have changed their opinion and they think it is going to benefit the mayor of Montreal. But I am told the mayor of Montreal has not got one foot of property there, but it may make some of his property valuable just near the place. They are not going to spend seven hundred and fifty thousand dollars for a dry dock; they are not going to spend any money before they have plans and know what it is going to cost; and if they are not able to build piers and docks and dry docks with that money, they are not going to do it. That is the way I understand it. The government has the control of that yet. They must furnish plans of it within two months and if there is not enough money for it, I understand the dock will not be built.

Hon. Mr. DRUMMOND—The hon. gentleman is entirely wrong in saying that the people are opposing this bill because they want the dry dock in the west end instead of the east end. I disclaim that entirely. If a dry dock is to be built let it be built by the government and let them build it where they like. I deprecated the introduction of sectional feeling in this matter altogether and I deprecate it still. The very persons who signed that petition did it under the idea that the government, which was building dry docks everywhere else, should build this; and every one of them—I have the signatures of men whose names the hon.

gentleman has read out—calling on me to oppose to the last what they are pleased to call this iniquitous measure.

Hon. Mr. FORGET—Because the government are not building the dock with their own money and that is the only reason they have given.

Hon. Mr. DRUMMOND—How is that to be avoided? The bill calls upon us to pay a certain amount of interest on the expenditure.

Hon. Mr. FORGET—But surely you will get a larger trade and more revenue. No man would improve his business if he did not expect to have a return from it.

On the 4th clause.

Hon. Mr. DRUMMOND—I move that this clause be struck out.

Hon. Mr. FORGET—I would ask the hon. leader of the House if this House has a right to amend this bill, being a money bill? I understand that if it is amended it throws it out.

Hon. Mr. SCOTT—This bill is a compromise bill, and I have no doubt it will not be accepted unless that clause is adopted. That is essential, whether the point of order is raised or not.

Hon. Mr. PERLEY—It would be a very good thing to have this bill stand over in order that hon. gentlemen may agree. There is a great deal of diversity of opinion as to the expenditure of this sum. There should be a union of the people who are interested in the expenditure of it.

Hon. Mr. SCOTT—The whole discussion has been going on for the last two years.

Hon. Mr. FORGET—Since 1891.

Hon. Mr. SCOTT—Since this government came in certainly. It has been carried on for several years. In the last two years the trade of Montreal has been pressing on the government to make an advance on such terms as would enable them to pay the interest in order that these contemplated improvements should be made. They were absolutely necessary, and large delegations have been coming up from Montreal making various proposals. This was a proposal that was accepted, and it was agreed to advance the money to the city of Montreal on their credit, giving them the benefit of three per cent interest. Before, they had been paying three per cent and on some old bonds five per cent. Now, that is a very considerable advantage to the city of Montreal. This bill is a compromise and has been agreed to by the parties interested. The effect of throwing out this bill would be to leave this controversy open and place the trade of Montreal at a very serious disadvantage.

Hon. Mr. MILLS—As I understand the position, the people of Montreal themselves prefer a dry dock, if a dry dock is to be built, at the eastern end of the city. The water is deeper there and the facilities are greater for the construction of a dry dock and at less expense at that point than it would be at the west end.

Hon. Mr. OGILVIE—There is no question about that at all. That has never been a question.

Hon. Mr. MILLS—So there is no dispute with regard to that matter. Then with regard to the distribution of the money. I suppose that the harbour commissioners of the city of Montreal would take special care that the money would be expended with the greatest possible advantage—that they would derive as much advantage as possible from the expenditure of a definite amount of money that is appropriated for this purpose. I understand at the present time in the city of Montreal there is no adequate accommodation—that you must furnish further dock accommodation before you can erect the necessary warehouses and elevators in order to accommodate the trade of that city. If Montreal is to secure, as we all desire that it shall secure, a very large proportion—the whole would be better—of the trade of Canada, it is necessary that its harbour accommodation should be very much more extensive than it is at the present time, and that greater facilities should be furnished for the loading and unloading of grain than now exist. So far as I understand the question, the harbour commissioners of Montreal and those interested in the city who are not adequately provided for at the present time, are desirous of securing this trade, to carry by way of the St. Lawrence as much of the trade of Canada as possible, and in order that it may do more than it is doing at the present time,

greater facilities must exist than are now provided in the city of Montreal. Among the other things required, not wholly for the direct purpose of trade, but nevertheless that are matters of important consideration, as incidents of that trade, is the erection of a dry dock where ships that may be injured or that require repair may be repaired without having to be sent away to the city of Quebec. My hon. friend will see by a close examination of this bill that it is not provided that a sum of seven hundred and fifty thousand dollars shall be spent upon a dry dock at Montreal. There may be a very much smaller sum. It may be less than half that sum.

Hon. Mr. OGILVIE—But likely to be larger.

Hon. Mr. MILLS—It cannot be. It says they may apply the sum of seven hundred and fifty thousand dollars towards the building or the improvement of wharfs, structures and other accommodation, including the building of a dry dock, in that part of the harbour of Montreal below the point known as St. Mary's current. Now, that may not include very much of the expenditure upon the dry dock at all. It may be that it will be found best, in the commercial interest of the city, that the larger portion of this sum definitely mentioned should be applied to the improvement of wharfs and other accommodations. That being so, my hon. friend will see that there is considerable more latitude allowed than has been stated in the discussion. There is no attempt to supercede the judgment, in this regard, of the harbour commissioners altogether, and that being so it does seem to me, looking at the divided opinions that exist in the city, and the necessities of commerce, and the interests of the whole west in Montreal securing this trade for the St. Lawrence, that this measure should become law. It does seem to me that if amendments are proposed, that will have the effect of defeating the measure—for, as I understand the situation, that would be the effect of the amendment of my hon. friend if it were carried—we are bound to consider what would be the position of Montreal and what would be the position of the carrying trade of this country if the harbour improvements of Montreal were left in the condition in which they are at the present time. I understand that some large shipping companies that now have their headquarters at Montreal are indifferent to those improvements. The harbour accommodation that now exists is adequate for their purposes, and they are not at all sure that it would be in their interests that this further accommodation should be had, and that ships of other lines should be brought to the city which might divide the trade amongst them. The view they take is a rather narrow view, and they have not really the faith in the growth of trade that it seems to me the surrounding circumstances warrant. If you furnish to the city of Montreal the harbour improvements that are required, and if Montreal furnishes to the public grain elevators and other public works that are necessary to carry on this trade, there can be no doubt whatever, that an enormous addition will be made to the trade of the city of Montreal, and that the question of the precise point at which the money may be spent is one altogether subordinate to the general advantage that will be derived from this loan and from the use that will be made of it.

Hon. Mr. DRUMMOND—The following letter has been sent to Mr. Allan, as harbour commissioner:

MONTREAL, June 1, 1898.

ANDREW ALLAN, Esq.,
Harbour Commissioner, Montreal.

DEAR SIR,—We the undersigned, members of the shipping interest, hereby enter our protest against the proposals for harbour extensions laid before the harbour board by Mr. Préfontaine and call upon you as their representative on the commission to oppose the same by every means in your power.

We are of opinion that the Plan No. 12a, if built at the expense of the harbour, will afford additional berth room for shipping and revenue from dues to an extent altogether inadequate to meet the cost for interest and maintenance, and will thus become a burden on the trade of the port rather than a benefit.

We also demand as a common right, due to Montreal, that the graving dock proposed by the government be built and managed as other graving docks are built throughout the Dominion, and that no portion of harbour moneys be used for this purpose.

And we further declare our preference for the discontinuance of all extensive harbour enlargements by the commissioners, otherwise than on the former undertaking, that the works are to be constructed at the public cost with the view of hereafter opening the harbour to the commerce of the Dominion free of all tolls and charges whatsoever.

We are,
Your obedient servants,

Signed by Henry Dobell & Co., H. & A. Allan, Hamburg-American Packet Co., James Thom, manager, Robert Reford & Co., (Limited), David Torrance & Co., Elder, Dempster & Co., Beaver Line

Company, D. W. Campbell, manager, Carbray, Routh & Co., J. G. Brock & Co., Wm. Johnston & Co., (Limited), Dominion Coal Company (Limited), Kingman & Co., agents, McLea, Kennedy & Co.

It is absolutely beyond all question that the harbour of Montreal is insufficient at the present moment. It is in bad shape, in this respect, that the wharfs are inadequate—they are too low. But there never has been any talk of a block until the present year, until the newspapers spread the idea that there was a blockade. There was no block. I am informed that not more than thirty-five per cent of the wharfs in the east end of the city were occupied all last year. If that be so there is no immediate hurry. There is a strong opinion among the largest shipowners in the port, that this bill, until the plans are matured and there is time to consider it, had better lie over for another year. I will read you one or two communications with reference to that. First says one important shipping interest:

All reference to a graving dock should be eliminated. All reference to a particular plan should be eliminated, and the harbour board given a free hand. Failing these amendments, the shipping interests would prefer the bill being put forward to next session for mature consideration.

One thing will strike you and it is this, that the plans of the proposed dock are not even prepared. They are to be prepared and submitted within two months from the passing of this bill. Why cannot those plans be prepared——

Hon. Mr. SCOTT—You are referring to plans, specifications and estimates, but I understand that the general design has been agreed upon and settled. That is my information.

Hon. Mr. DRUMMOND—They have been kept secret then. We do not know it in Montreal.

Hon. Mr. SCOTT—If my hon. friend will just read clause 3.

The sums of money advanced to the corporation under this Act shall, subject to the provisions of the next following section, be applied by the corporation towards the completion, construction, extension, or improvement of wharfs, structures and other accommodations in the harbour of Montreal, in such manner as the corporation have, by a plan of the said harbour works known as plan 12a, signed by the harbour commissioners and their engineer, and approved of by the Minister of Public Works, determined upon and defined, subject, however, to such modifications thereof as the said harbour commissioners, with the consent and approval of the Minister of Public Works, may make,—such works to be commenced forthwith and prosecuted continuously until completion.

Hon. Mr. DRUMMOND—That refers only to the wharfs. If you look at clause 4 subsection 2 it says the plans and estimates shall be submitted within two months from the passing of this act:

2. The plans, specifications and estimates for all such works, shall be submitted to the Minister of Public Works within two months from the passing of this act, and shall be subject to his approval; and on such approval being given, the said works shall be commenced forthwith and be carried on concurrently with the works on plan 12a mentioned in section 3.

Even at the risk of putting the bill over for another year I insist on my amendment.

Hon. Mr. OGILVIE—In seconding that amendment I should like to say a word. The hon. Minister of Justice, whom I am always delighted to hear, spoke of our necessary improvements, but I think I know something about the moving of grain and elevators. I believe I was instrumental in bringing the plans to Montreal for building the first floating elevator ever built in the country, and I have followed it up pretty closely ever since to see what it was doing. If the money was to be spent in wharfs I would have nothing to say against it at all, although these very wharfs that some hon. members wanted and seem to get so very wild about were not urgently needed. I pass down two or three times every month, sometimes four or five times, by those wharfs in the lower end of the town, and I venture to say that last year not one-tenth of all those expensive wharfs that were built in the lower end of the town were occupied one-fourth of the year, and there was nothing there but a few wood barges.

Hon. Mr. MACDONALD (B.C.)—Is the current too strong at that point?

Hon. Mr. FORGET—Yes.

Hon. Mr. OGILVIE—But the objection the shipping interests take is to the building of a dry dock. It would be better for the harbour commissioners to do without the loan altogether than to be saddled with $750,000 to construct something which they should not be obliged to build at all. Then the hon. Secretary of State and the hon. leader of the House spoke about the harbour commissioners agreeing to such and such a thing. We who live in Montreal know well enough that for the last three years plan after plan has been prepared and agreed to by the harbour commissioners,

and agreed to by the engineers, but it was not agreed to by the Minister of Public Works, and until the Minister of Public Works gets it to suit him he would not agree to it all. I think the proposition made last year would be a great deal better. If the Minister of Public Works knows more about our needs in the harbour of Montreal than our commissioners do, then he is the proper man to go to work and build these improvements himself. But, if there is any use having a harbour commission at all, the commissioners should be allowed to do it. We know there was complaint after complaint and no attention paid to them. In seconding the motion I do not feel the least hesitation in saying that I know we will have the good wishes of and will be working for the best interests of the largest class of the mercantile community in Montreal, the shipping interests, and all these other interests, if we can put this bill off for another year, rather than have that monstrous clause enacted.

Hon. Mr. FERGUSON—Whether we live in the east or in the west, as Canadians we must feel a deep interest in the port of Montreal. It is our great commercial emporium for Canada, and must necessarily continue to be such, and our desire should be that the port of Montreal should, in every respect, be at least as good as any port on the American continent. I understand that up to the present time all the improvements that have been made at that port have been made at the expense of the citizens of Montreal. They have borrowed money, on which they have been paying interest, and this loan which they are authorized to make is one on which they are to pay interest at three per cent.

Hon. Mr. BOULTON—The grain shipped from the west has to pay the interest.

Hon. Mr. FORGET—Not at all. The railways are on the wharfs. It does not cost a cent more.

Hon. Mr. FERGUSON—I understand the port of Montreal has paid its own way. I am not aware whether the loans were from the government or not, but it has paid interest on its loans, and it is proposing to do the same with the money now being borrowed under this bill, and I do think, under these circumstances that the disposition of that money should be left with the harbour commissioners of the port of Montreal, and that this House should not dictate where that money is to be spent, or how it is to be appropriated.

Hon. Mr. SCOTT—The majority of the harbour commissioners favour this bill.

Hon. Mr. OGILVIE—Those appointed by the government.

Hon. Mr. SCOTT—And the majority must govern in this matter.

Hon. Mr. FERGUSON—I thought the majority of them favoured another disposition of the money. I understand a portion of these commissioners are appointed by the government, and I suppose the government exercises a certain influence in the disposition of the money, if the harbour commissioners are the nominees of the government.

Hon. Mr. SCOTT—And the mayor of Montreal.

Hon. Mr. FERGUSON—Yes. It certainly will not be denied that the majority of the harbour commissioners chosen by the city of Montreal itself, by the board of trade and the chamber of commerce, those who are representative of the city of Montreal, are opposed to the proposed disposition of the money.

Hon. Mr. OGILVIE—That will not be denied.

Hon. Mr. FORGET—The chambre de commerce is in favour of it. Its representative voted for it, and he is not appointed by the government.

Hon. Mr. FERGUSON—I think that I understand the position, and I am right in saying that a majority of the harbour commissioners chosen by the city of Montreal from the board of trade or chamber or commerce favour a different disposition of this money to that which it is proposed to make under the terms of this bill. If that is so, in voting this money, which the city of Montreal had to pay the interest upon, we should follow the views of the representatives of the city of Montreal and not interfere in the disposition of the money. While I say that, I hear my friends here say that it will be the duty of the government to deal with

Montreal as it has dealt with other cities and build a dry dock, which it is admitted should be in the east end, as having the deepest water. I think there is no difference of opinion on that. I think there would not be found in this House or the parliament of Canada any such sectional feeling as would oppose a grant of that kind to Montreal, as we have already built a dry dock in Kingston and Halifax. Considering the great importance of the city of Montreal to Canada as a whole, there would be a disposition to undertake that work when the people of the city of Montreal themselves agreed upon its construction and asked for it as a work of great public importance. However that may be, I must say, from what I have heard, that I shall vote with my hon. friend from Kennebec (Mr. Drummond) in the motion that he has made, that this clause should be struck out of the bill, because I think it should be left to the disposition of the majority of the harbour commissioners elected by the citizens of Montreal.

Hon. Mr. FORGET—My hon. friend spoke of the majority of the board as appointed by the government. The majority was not appointed by the government. Two of those commissioners, Mr. Lemay and Mr. Bickerdike—Mr. Bickerdike especially—have been strongly against it and doing all they can to oppose it, and they are two nominees of the government. The remarks of the hon. gentleman from Alma (Mr. Ogilvie) would lead the House to believe that it was carried by a majority of the government appointees.

Hon. Mr. OGILVIE—I did not say that.

Hon. Mr. BOULTON—It seems to me that this amendment, if it is carried, is outside of the power of this House. This is a government bill, and if we vote for the amendment we vote to throw the bill out altogether.

Hon. Mr. DRUMMOND—I wish to correct any misunderstanding which may exist. It is not a question of east end *versus* west end. If this graving dock is to be built—and perhaps sooner or later in the history of the port it may be built—I am perfectly willing that it should go to the east end, and I see good reasons why it should go to the east end instead of the west end. That is not the question. Here is a proposal involving a considerable expenditure, as to the advisability of which the citizens of Montreal, whom this bill professes to oblige, are very much divided in opinion, to say the least of it, and I do not think it would be the duty of parliament, or of the government, to force on a community a bill which professes to be a favour and an obligation against the will of the recipients. I think it is the duty of the government to lend this money at the low rate of interest, seeing that they lose nothing. That is a favour so far as it extends. The harbour commissioners get the credit of the government. But if it is mixed up, and a condition imposed that we are to expend a portion of it in the construction of a dock, which we have a divided opinion about, which we doubt the benefit of under the present circumstances, which we think unnecessary, I say the men who are to be benefited by the graving dock, if any, to wit, the owners of vessels trading to Montreal, should be the best judges of that, and they say they would prefer that the bill lie over for another year, instead of being passed in its present form.

Hon. Mr. POWER—For a little while I thought it was going to be a rather hard thing to vote against the amendment of the hon. gentleman from Kennebec; but when I find that his views do not represent the views of a majority of the harbour commissioners, I have no difficulty in voting against it. We vote the money and they dispose of it as they think proper.

Hon. Mr. OWENS—It is a matter of regret that the discussion of this question should convey to this House the impression that the city of Montreal, or the shipping interest, are opposed to a dry dock. That is not the case. It is greatly to be desired that there should be a dry dock at the city of Montreal; in fact it was only to-day that a representative of one of the shipping firms, in speaking of the subject, said if any accident happened in the river coming up, as it frequently happens, they are obliged to return to Quebec, and there is no shipowner who wishes to take a vessel to Quebec a second time. There is no opposition, and it is a monopoly, and the charges are so excessive that shipowners do not wish to take their vessels to Quebec to place them in dry dock. For that reason, it is very important

that there should be a dry dock in Montreal, and I also wish to say that the impression that has been conveyed that the position of this dry dock as recommended has not been received with favour is not correct. The east end of Montreal is no doubt the proper place for this dry dock. There is one question I think we should all agree with, that the dry dock in Montreal should be built by the government, as the dry docks in other sections of the country have been built.

Hon. Mr. MILLS—They have not been so built.

Hon. Mr. SCOTT—Neither at Halifax nor at Esquimalt.

Hon. Mr. OWENS—Well, the dry docks throughout the country generally, have been built by the government, and that is the only question that can be raised against it, but if the effect of this amendment, if carried, is to throw this bill over for another year, opposed as I might be to place any additional charge upon the harbour of Montreal, I should prefer to vote against the amendment rather than have the bill thrown over for another year. The city of Montreal has suffered enough in the past, and I do think it is most important, in the interest of the harbour and in the interest of the country generally, that this work should be proceeded with.

The amendment was lost, and the clause was adopted.

Hon. Mr. DEVER, from the committee, reported the bill without amendment.

The bill was read the third time and passed under the suspension of the rule.

BILLS INTRODUCED.

Bill (160) "An Act respecting the North-western, Northern and North-eastern boundaries of Quebec."—(Hon. Mr. Mills.)

Bill (166) "An Act to further amend the Fisheries Act."—(Hon. Mr. Scott.)

Bill (99) "An Act to incorporate the Lake Champlain and St. Lawrence Ship Canal Company."—(Hon. Mr. Clemow.)

NORTHERN COMMERCIAL TELEGRAPH COMPANY'S BILL.

FIRST AND SECOND READINGS.

Bill (139) "An Act to incorporate the Northern Commercial Telegraph Company, Limited."—(Hon. Mr. Macdonald, B.C.)

The Senate adjourned.

SECOND SITTING.

The SPEAKER took the Chair at eight o'clock

Routine proceedings.

DAWSON CITY ELECTRIC COMPANY'S BILL.

THIRD READING.

Hon. Mr. CLEMOW moved the third reading of Bill (123) "An Act to incorporate the Dawson City Electric Company, Limited."

Hon. Mr. POWER moved in amendment:

That the bill be not now read a third time, but that it be amended by striking out the words "or any other motive" in the 8th section of the bill, at line 8 of the third page.

He said: This bill is entitled "An Act to incorporate the Dawson City Electric Company, Limited," and in clause 7 the company are given very extensive powers to do all manner of things, some of which are not connected with electricity at all. For instance, in paragraph "*e*" they are empowered to—

Carry on the business of carriers, and all other business incident thereto or connected therewith.

And under paragraph "*i*" they are given power to:

Acquire shares in the capital stock, debentures and securities of other companies possessing powers similar to those of the company, as the consideration for goods, wares or merchandise sold to such other companies in the ordinary course of business.

In fact, this bill is what is very often denominated an omnibus bill. The committee, to whom this bill was referred, decided that the company should have these omnibus powers, and I do not propose to quarrel now with the decision of the committee, but it will be remembered by hon. gentlemen that several bills—a bill introduced by the hon. gentleman from Calgary

amongst others—were held over in the other House because they contained powers which authorized the parties incorporated to build railways in the Yukon country. This session no company has been chartered with power to build a railway in the Yukon country. One English company was incorporated last year which is building a railway from the coast to the Yukon, and one United States company was incorporated last year which selected a route which is impracticable, so at this time there is but one English company chartered to build a railway to the Yukon country. The United States company selected the Taku Inlet as the terminus, and they are doing nothing.

Hon. Mr. MACDONALD (B. C.)—They are surveying there now.

Hon. Mr. POWER—This charter coming up to us at the close of the session was supposed to be a charter simply for an electric company, but in clause 8 it says they are authorized "to lay out, construct and operate single or double lines of electric railway or tramway, or both, and such lines may be worked by electric or any other motive power." Steam is another motive power, and the consequence is that these words which I propose to strike out allow this company to do what no other company has been allowed to do this year. The territory which is set out for this company in the beginning of clause 7 runs to the international boundary, and under this clause, unless it is amended the company could run a steam railway to the boundary and then connect with a railway in Alaska. In order that the action of parliament should be consistent, these words should be sticken out. That will leave the company all the manifold powers which they take under clause 7 and will leave them power to build and operate lines of railway to be operated by electricity, but will not allow them to construct a railway to be operated by steam.

Hon. Mr. MACDONALD (B.C.)—I cannot see what difference it can make whether they have steam or electricity. The other bills hung up in the lower House were lines running to the coast, but this does not.

Hon. Mr. SCOTT—This applies to a road within a radius of fifty miles from Dawson City, clause 8 provides that:

> The company may, in Dawson City and elsewhere in the Yukon district within a radius of fifty miles from Dawson City, and also to form and along the Bonanza, Eldorado and Klondike Rivers, lay out, construct, and operate single or double lines of electric railway, or tramway, or both, and such lines may be worked by electric or any other motive power; or the company may aid in or subscribe towards the construction of any electric railways, or any tramways, constructed by any other company within the district and radius, or along the routes, above described.

It is in the interest of that country that we should favour every possible line of railway in the interior. Whatever argument there may be against lines connecting with the coast, it cannot apply to this. If there were no falls or rapids by which they could obtain the electric power, they would be precluded from building the railway all together if they were not allowed to use steam.

The amendment was declared lost on a division.

Hon. Mr. CLEMOW moved the third reading of the bill.

Hon. Mr. POWER—I do not rise to oppose the third reading of the bill, but I wish to remark that if one has an objectionable measure, a judicious thing is to hold it back to the end of the session, and then you can get all the rules over-ridden and you will find the Senators prepared to pass almost any sort of measure just on the ground that they have not time to consider it.

Hon. Mr. CLEMOW—This bill was before the other House several weeks, and it was no fault of its promoters that it did not come before us sooner.

The motion was agreed to and the bill was read the third time and passed.

THIRD READING.

Bill (118) "An Act to incorporate the Dawson City Electric Lighting and Tramway Company, Limited."—(Hon. Mr. Clemow.)

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

THIRD READING.

The Order of the Day being called:

Third reading Bill (71) "An Act to amend the Weights and Measures Act" as amended.

Hon. Sir MACKENZIE BOWELL—After considering the suggestion made by the hon. Minister of Justice, I think it will

answer the purpose, and in all probability make the clause much clearer, and I am prepared to accept it. With that understanding I presume we could go back into committee and add the subsection as amended by the suggestion of the hon. gentleman and then pass the bill.

The house resolved itself into Committee of the Whole on the bill.

Hon. Sir MACKENZIE BOWELL—I move that the following clause be added as subsection 1 of clause 6 :

No weighing machine used for weighing or determining the weights of any of the articles mentioned in section 16 shall be of less certified capacity than one Winchester bushel.

The amendment was adopted.

Hon. Mr. SNOWBALL, from the committee, reported the bill with the amendment, which was concurred in.

The bill was then read the third time and passed.

THE SENATE DEBATES.

MOTION.

Hon. Mr. BELLEROSE moved that the report of the Standing Committee on Debates and Reporting be adopted. He said : The first paragraphs of the report are those which appear every year. The first paragraph is to confirm the appointment of Mr. Smith as press reporter of the sittings, and the second paragraph is as to the translation of the debates into French. The third paragraph is about the delay in the publication of the debates. The reasons given by the Bureau were that there was too much work on hand, but if proper machinery was provided them, the publication of the reports might be done a good deal more quickly and with more economy.

Hon. Mr. POWER—I wish to make one or two observations on the last paragraph of the report. I have no doubt that if further machinery were procured, the printing might be done a little more expeditiously than it is, but it will be noticed that it is only to the Senate reporting that this remark applies ; and why should that be? Our neighbours and friends in the other House get their *Hansard* the day after the debates take place. We get ours about a week afterwards. I think, considering that the minister who is supposed to have charge of the Printing Bureau is a member of this House, that that is a very unsatisfactory condition of things and one which we should not accept ; and unless the minister undertakes next session to have things better done, we had better move a vote of want of confidence in that particular minister. I think it is most unsatisfactory that when the Secretary of State is in this House we cannot get our report for six days after they get the *Hansard* in the House of Commons. They might put one machine to work for the Senate and take one off the House of Commons if the work has to be done by machinery.

Hon. Mr. CLEMOW—There is no doubt this work has not been done very satisfactorily, and the debates are perfectly useless as they are issued now. If the publication cannot be done more expeditiously, we had better dispense with the reporting of the debates, and save that much expense. If there is not sufficient machinery, let them get it. Men are always telling me that they cannot get work at the Bureau. It shows, at any rate, that we have not the same amount of influence that the Commons have. But if this new machinery is required, let them get it.

Hon. Mr. MILLS—The suggestion made by my hon. friend behind me is a perfectly good one if acted upon, and that is that the best printing machines should be employed in printing the debates of the Senate. The House of Commons will then take care of itself, and as it controls the money, if it chooses to go on with the hand machine then that will be its business. But if the best machinery is employed in printing the debates of the Senate, then the duty of reform will devolve upon the House of Commons.

Hon. Mr. PERLEY—I understand that the *Hansard* reports that comes to the House of Commons the next day after the speeches are delivered are the unrevised ones, and I find very few of the speeches recorded there are such as any member of the Senate would care to have recorded in our reports. The revised reports of the House of Commons are published some days later. In our case, the proofs come to us and we have an opportunity to revise them, and these are sent back to the printer and

the report is then issued revised. If we did not revise our speeches before publication, we would have them issued just as quickly as the House of Commons their unrevised reports; but if the members wish to revise their speeches, then it will take a much longer time.

Hon. Mr. DEVER—It is very easy to find fault, but when you come to take into account that our speeches have to be reported and extended, sent to the Bureau and put in type and proof read before they are submitted to us for revision and correction, and that the corrections must then be made at the Bureau before the reports can be issued, we have no great reason to complain. We are perhaps a little too anxious. It is true it might be possible to have our speeches the day after they are delivered, but they certainly cannot be issued so rapidly as hon. gentlemen think they could. I have watched the proceedings pretty carefully and I find that there is a great deal of work, and the senators are not always prompt in correcting and returning the proofs of their speeches, and the reporters and those who transmit them to the Printing Bureau must necessarily lose time in consequence of the fact that some times the senators themselves take the full twenty-four hours that they are allowed to make their corrections, and until the corrections are made and all the proofs are returned to the Bureau, the printers are not justified in issuing the reports of the speeches.

Hon. Mr. SCOTT—The hon. gentleman who has just spoken has given the explanation. Evidence was given before the committee, and it was found that the fault lay entirely with the members holding back the proofs of their speeches before correcting and returning them, and that is really the cause. If it were not for that, the reports would come out just as rapidly to this House as the House of Commons.

Hon. Sir MACKENZIE BOWELL—No, there is another point I think that might be added to what has been already said, that is the inferiority of the work that is put upon the Senate reports as compared with that done for the House of Commons. The explanation of that is, that the type used for our debates is old half worn out type set by hand, while the House of Commons reports are set up by a type machine, and consequently is renewed every time that it is set, while in the other case they use old half worn out type, set by hand in the old style. Consequently the work never can be kept looking as clean, and it is not as good work. I am not complaining particularly of the Secretary of State. I should not be prepared to support the motion for want of confidence in the Secretary of State upon that ground. From some little knowledge I have of the work, I can easily understand why it is delayed. There is no reason in the world, if the Bureau is supplied with proper machinery to do the work promptly, there should be any delay, and I am satisfied that a large saving in the expense of conducting the establishment could be made and the work present a much better appearance, and be handed to us earlier.

Hon. Mr. FERGUSON—The reason given by the hon. Secretary of State as one of the causes for delay in the printing of the reports of the debates of this House, namely, that hon. gentlemen keep back their proofs after revising them. I have no doubt that that is the cause of delay. The remedy would be that the printing should not be held back, and that after a reasonable time, a very few hours, for hon. gentlemen to make revision and corrections, the galleys should go back to the Bureau without revision. I do not see any reason whatever why the reports of this House, matter of useful information for members themselves, and matter of information for the press, should be held back because a member occasionally is careless or is absent from Ottawa and neglects to correct the proofs of his speech.

Hon. Mr. POWER—An order of that kind was passed some two or three years ago. The rule is that after a lapse of twenty-four hours after the delivery of the proofs the printers are to proceed with the printing.

Hon. Mr. BELLEROSE—That should be done as far as possible, but some times it is almost impossible to comply with that rule. I must say it would be rather difficult to have the reports published here so satisfactorily as in the Commons, because we have long recesses and some times for three or four days in the week we have very short sessions, and they cannot keep a staff at the Bureau

waiting for work which does not come some times for weeks. So that we cannot expect to have our reports issued as promptly as those of the House of Commons on account of that irregularity. But if there was better machinery in the Bureau, we would not have to wait a week.

The motion was agreed to.

NORTH-WEST IRRIGATION ACT AMENDMENT BILL.

THIRD READING.

The Order of the Day having been called:

Consideration of the amendments made in Committee of the Whole House to Bill 146 "An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895."

Hon. Mr. SCOTT—This bill was held over for the purpose of ascertaining the views of the Minister of the Interior on the propriety of accepting the amendments that were made to the bill when the House was in committee. There was a change in clause 10, in the fee. That is unimportant and I shall be glad to accept that and move the concurrence of the House on the substitution of "three" for "five." I am advised, however, that under the bill there will be no single farmers attempting to carry out any irrigation. It will only be done by a company or a party with large capital. The Minister of the Interior informs me of that.

Hon. Mr. LOUGHEED—If the Minister of the Interior states that, he is unacquainted with the facts. I state that as a member of this House, and I state further, that the only irrigation which is now being carried on in southern Alberta is irrigation by the individual farmers in that district.

Hon. Mr. SCOTT—Did not some people attempt to irrigate up there and fail?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. SCOTT—Two or three companies commenced work and lost their money.

Hon. Mr. LOUGHEED—The largest company I know of is the one promoted by Mr. Pierce, the officer of the Dominion government supervising irrigation, and that company has not met with much success, owing largely in my judgment to settlers considering it too costly to use the water in the experimental stages of irrigation.

Hon. Mr. SCOTT—We will come to that later on. I move concurrence in the first amendment.

The motion was agreed to.

Hon. Mr. SCOTT—The amendment to clause 15 is the one which I thought would make the Act unworkable The hon. member from Calgary proposed to add to the 15th clause:

And the maximum water to be charged by the licensee.

The effect of that amendment is that before any license could be taken out at all the water rates must be fixed. I considered at the time that that would be absolutely impracticable, because you could not tell within fifty per cent of what the cost of the works would be. I know very well in estimating work mistakes of that kind will occur. Assuming a work is to cost one hundred thousand dollars, it might cost one hundred and fifty thousand or even one hundred and seventy-five thousand dollars. It is only after the money has been expended and the cost of the work ascertained that you can fix a fair water rate on the capital invested. I must therefore ask the House not to concur in that amendment. It would be better to drop the bill altogether than to accept that. The hon. Minister of the Interior says it would be unworkable.

Hon. Mr. LOUGHEED—Then why do you require the applicant to state the rates in section 12 to be charged for water? If the applicant is compelled to state the rates which he is to impose upon customers, how do you reconcile that with the statement now made, that it is impossible for the minister to decide what should be a reasonable rate? I refer to clause 11, and I ask my hon. friend to reconcile the statement he now makes, that it is impossible for the minister to determine what the charges are, with this provision in the bill, section 11, line 46, reads as follows:

The applicant shall state the probable number of consumers and the rate, if any, to be charged for water sold.

If the Minister of the Interior states that he at that stage cannot determine what rate should be charged, so far as fixing the maximum rate is concerned, then it is absolutely ridiculous to ask the applicant to fix a rate. When he gives notice to the public that he

is asking for a certain right to be given to him, the rate which he himself fixes should be the maximum rate chargeable to consumers; because if in that notice he gives it to be understood that upon his representation to consumers that no more than a certain rate is to be fixed, and that in consideration of that fact the public and the consumers offer no opposition or express satisfaction at the rate, then, after this rate is stated, the applicant should not be able to double that rate and extract from the consumer a hundred per cent more. If that were permitted, a great injustice would be done to the consumer. If the licensee fixes that rate, I ask that he be bound by it.

Hon. Mr. SCOTT—What is stated in the memorial is a general estimate which the party cannot be bound by possibly until the expenditure is absolutely known. It is simply a general foreshadowing of the amount of country to be irrigated and the size of the pipes, the number of consumers and the rates charged, and so on. But it is only in a general way.

Hon. Mr. POWER—As I understand the amendment of the hon. gentleman from Calgary, it does not bind the party to charge just the amount he mentions. It is a maximum rate, and if the minister can require the applicant to give the rate that he proposes to charge for water in his memorial. I do not see why the applicant cannot give it in the public notice as well as in the memorial.

Hon. Mr. SCOTT—Because it cannot be fixed.

Hon. Mr. LOUGHEED—But you have asked the applicant to fix it.

Hon. Mr. POWER—And the amendment of the hon. gentleman from Calgary requires this to be done by the applicant. You simply ask the applicant to do for the people in the neighbourhood who may be interested what section 11 requires him to do for the minister.

Hon. Mr. SCOTT—He gives the minister a general idea of the whole thing.

Hon. Mr. LOUGHEED—All I ask is that the minister should accept the statement of the applicant and fix that as the rate.

Hon. Mr. POWER—The amendment provides that the applicant shall state the maximum rate to be charged by the licensee. That is one of the things included in the notice given by the applicant. It is not the minister who does that; it is simply the applicant acting here as the bill requires him to act under clause 11.

Hon. Mr. LOUGHEED—I simply ask that the bill be amended so that the rate be fixed in the notice.

Hon. Mr. SCOTT—If the applicant makes a public announcement in a paper, he is bound by it, and he is not bound by the other, which is only an estimate of the probable result. He cannot define it.

Hon. Mr. LOUGHEED—He has already defined it.

Hon. Mr. SCOTT—Oh, no. That is simply as to the section of the country and the number of consumers and the volume of water.

Hon. Mr. LOUGHEED—And the rate to be charged.

Hon. Mr. SCOTT—It will be absolutely useless if it is passed with that amendment in it.

Hon. Mr. LOUGHEED—I think it will work out successfully. Having had a good deal of experience since the initiation of irrigation legislation in that country, I can speak with a good deal of confidence.

Hon. Mr. FERGUSON—I can see no reason whatever why the applicant should not be bound by the declaration set forth in the memorial. He is seeking for a license, and in order to obtain it he is required to make some statement, and one of these statements is the rate that he is to charge.

Hon. Mr. SCOTT—Before the company know what they are going to expend.

Hon. Mr. FERGUSON—They ought to know.

Hon. Mr. SCOTT—How can you tell?

Hon. Mr. FERGUSON—The law insists that they shall know. They are required to set forth a number of particulars, and one is the rate to be charged for water. I think they ought to be bound by it.

Hon. Mr. SCOTT—I move that the amendment added in committee be struck

out. The bill will be dropped if that amendment is allowed to be made. This bill is simply the present law codified. We are making no change. I am quite willing to accept any amendment in reason, and I was quite prepared to accept other amendments, and I understood the hon. gentleman to say if that amendment did not meet with the concurrence of the department he would drop it.

Hon. Mr. LOUGHEED—I then asked that the minister fix the maximum charge, and I said that the rate fixed by the applicant himself should appear in the notice.

Hon. Mr. SCOTT—It would not be possible for any sane business man to estimate a rate which would form anything like a fair basis for a dividend. You could not tell within twenty-five or thirty per cent the cost of the work.

Hon. Mr. LOUGHEED—I am quite satisfied that thirty per cent more than the rate should be fixed as a maximum charge.

Hon. Mr. SCOTT—Then do you not see that if a maximum charge is fixed, it will be adhered to? If the company are allowed to charge a rate that may possibly yield ten, twelve or fifteen per cent, they will adhere to it certainly. It is not in the interest of the consumer that the clause should be there. The minister will know the cost of the work, and know what would be a fair dividend on that after the charges of management.

Hon. Mr. LOUGHEED—As I said before, it was only after being strongly urged by the member for Alberta, who is a warm supporter of the government and knows the requirements of that part of the country, that I made the suggestion, and I fully concur in the expression of his views with regard to it.

Hon. Mr. SCOTT—I move that the words which have been added to clause fifteen be not concurred in.

The Senate divided on the motion which was rejected by the following vote :—

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Aikins,	McLaren,
Allan,	Merner,
Baker,	Miller,
Bernier,	Montplaisir,
Boucherville, de (C.M.G.)	O'Brien,
Bowell (Sir Mackenzie),	Ogilvie,
Clemow,	Owens,
Dickey,	Perley,
Drummond,	Power,
Ferguson,	Price.
Forget,	Vidal,
Lougheed,	Villeneuve.—25.
Macdonald (Victoria),	

Hon. Mr. LOUGHEED moved that the amendment be now concurred in.

The motion was agreed to.

Hon. Mr. SCOTT—The bill will probably be withdrawn, but I shall go on and take the sense of the House on the other amendments made in committee. My present opinion is that the bill will not be proceeded with.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman announce the fact that the bill will be withdrawn? I understood him to say so, and notwithstanding that fact he is going on with the bill.

Hon. Mr. SCOTT—No, I say it may be withdrawn. Before the third reading of the bill I shall be able to announce what the minister will do. I was advised by the department that that was so serious and important a change in the bill that it could not be worked.

Hon. Mr. LOUGHEED—My hon. friend entirely exaggerates the effect of it.

Hon. Mr. SCOTT—I state what those who are acquainted with the subject say. Mr. Pierce has the credit of being one of the best irrigation engineers on the continent.

Hon. Mr. LOUGHEED—Mr. Pierce and also Mr. Dennis are surveyors. The exception which I have always taken to the administration of this Act has been this, that the government has not appointed an irrigation engineer—a man who has practical experience in the carrying out of such undertakings. Instead of doing that, the whole work connected with this irrigation in the North-west has been handed over to surveyors who have had no experience in irrigation.

Hon. Mr. SCOTT—Had not Dennis and Pierce been in charge of this work long before the change of government? The present government made no change.

Hon. Mr. LOUGHEED—Under the late government the same thing prevailed.

Hon. Sir MACKENZIE BOWELL—This question has been decided, and we cannot go back to discuss it further.

Hon. Mr. SCOTT—The next change is in section 17; the words "or irrigation" are added. I move concurrence in that amendment.

The motion was agreed to.

Hon. Mr. SCOTT—In clause 18 an amendment was made which is as follows: "that on page 6, line 47, after the word 'Act' insert the following as subsection 6: 'provided that where under section 17 the minister waives the necessity for plans this section shall not apply.'" I move that that amendment be concurred in.

The motion was agreed to.

Hon. Mr. SCOTT—The hon. member from Calgary, in clause 31, wished to have the word "wilfully" inserted in line 13, page ten, after the word "who." The hon. senator thought that that was too strong, and unless parties committed the offence wilfully that it would not be fair to hold them guilty of an offence. So far as individuals are concerned I am prepared to accept that amendment, and therefore I move that the House concur in the amendment.

The motion was agreed to.

Hon. Mr. SCOTT—Then in section 32, the hon. senator from Calgary, wished to have the word "wilfully" on page 10, line 27, inserted after the word "license." There it had reference to the licensee, and the same argument would not apply. The licensee cannot be considered a very innocent person, because his temptation would always be to divert more water than he is entitled to, and I think the word "wilfully" ought not to be introduced here, because he would not divert the water without knowing that he was doing wrong; and therefore I move that the amendment to clause 32 be not concurred in by the House.

Hon. Mr. LOUGHEED—The licensee might possibly take a greater quantity of water than is permitted by his license and have no knowledge that he is exceeding it. However, I do not press the amendment.

The motion was agreed to.

Hon. Mr. SCOTT—There was a verbal change in line 3 of section 33, and I do not think it is necessary to make a motion to adopt it. I will not move the third reading.

Hon. Mr. POWER—With all respect to the Secretary of State, I do not think the course which he proposes is the proper parliamentary course. We make certain amendments to the bill, and in the ordinary course it goes down to the House of Commons; and there it is a question whether they will accept our amendments or not. I think the holding of the bill until it is ascertained what the House of Commons is likely to do with it is rather irregular, just as irregular as the action taken by the leader of the opposition with regard to the Plebiscite Bill. I think in both cases the action is irregular.

Hon. Mr. SCOTT—I am not prepared to proceed with the bill. If there is a change made in the bill to destroy it, I do not know that I am prepared to proceed with the bill.

Hon. Mr. LOUGHEED—I must take exception to the threatening way in which my hon. friend refers to the passing of this bill. If the officials of the department referred to by my hon. friend last night are to prepare legislation and pass upon legislation, and are to take the position that no amendment should be made by this House or the House of Commons, and that their view is the only one that can be expressed upon it, the sooner we abdicate our functions to these gentlemen the better. I fully accord to those officials credit for the interest they have taken in irrigation. But I hope it may not be thought egotistical on my part to say that I have some knowledge of this subject; I might say I was among the first in the district to take up and urge the passage of legislation with regard to irrigation; and when I say I have some knowledge on this subject, my hon. friend brings forth the statement that these two gentlemen have very carefully prepared the bill, and there must be positively no departure from it.

Hon. Mr. SCOTT—No, not positively.

Hon. Mr. LOUGHEED—When he considers the amendments suggested, and which were carefully gone into by Mr. Oliver and myself, I think he must acknowledge that those amendments contribute very considerably to the improvement of the bill, and I am satisfied they will be so accepted by the public in that district. I further assure my hon. friend that the amendment which meets with his disapprobation is the most important improvement to the bill, and it will be received by the people in Alberta with the greatest approval.

Hon. Mr. SCOTT—My hon. friend will know that he made eight different changes. I accepted six and there were only two that I was able to concur in.

Hon. Mr. LOUGHEED—But the amendment with regard to rates is really the most important.

Hon. Mr. MILLS—There is one important thing which should not be lost sight of. The provisions of this bill are purely administrative. The work of administration has been considered by the Department of the Interior to which the duty is assigned. They come down with a measure which they believe will carry out the object that the department has in view. My hon. friend opposite proposed certain amendments to that scheme of administrative work proposed by the department. The head of the department is consulted with regard to this work, not a question of public policy, not a question of ordinary legislation, but a question purely administrative, and my hon. friend suggests certain changes. The head of the department says that these changes will make the measure unworkable, that the department will be unable to carry out the object it has in view if a change is made. But my hon. friend, upon whom the responsibility does not devolve, insists upon this change in an administrative bill simply to facilitate the work of the department. He insists upon the substitution of his view rather than the view taken by the department, and the majority of the Senate concur with him. My hon. friend says it is a threat for my colleague to say that until he consults the minister he will not say whether he will press the third reading. I think that is a perfectly reasonable proposition. It is not any threat to the House, but it is a declaration that the minister adheres to the judgment which he formed, and of which the House was informed before the vote was taken.

Hon. Mr. LOUGHEED—The clause of the bill to which I moved the amendment is not of an administrative character at all. Will my hon. friend say that there is no distinction between an administrative provision and a provision by which a corporation may bleed the public to any extent they may choose in a matter of imposing rates? Does my hon. friend say that that is administrative? I say it is one of the very essentials of the bill. It is a matter of a most vital character and I ask my hon. friend, as one possessing a judicial mind, as Minister of Justice, when an application is made to the department and the applicant states the rate he is to charge consumers, is it an unreasonable thing that that rate should be put in the notice which goes to the public? When that person asks for a public right and for a concession of a very valuable character, is it not a reasonable thing that he should make such an announcement? That is all that is asked.

Hon. Mr. POWER—I do not undertake to quarrel with the doctrine laid down by the hon. Minister of Justice, or to question its correctness, but I wish to state that the doctrine which he lays down is not one on which we have acted in this House. I remember, myself, that when I was a member of the opposition I continually moved amendments to bills which were just as much administrative in their character as the bill now before us. I can remember a good many years ago that a bill with respect to Dominion lands was before the House, and that I moved a dozen or more amendments to it, some of which were accepted by the House: and there is a good deal to be said in favour of the view that if we are not to deal with money bills, and if we are not to deal with bills that refer to administration, why then we had better close this House up and let the other House and the ministers conduct the business.

Hon. Mr. SCOTT—The bill stands for the present; I will give notice if I wish to put it on the paper again.

Hon. Mr. POWER—I think if the bill is withdrawn like that it is not very likely to go through this session.

Hon. Mr. SCOTT—It is for me to say.

Hon. Mr. LOUGHEED—Then I move the third reading of the bill.

Hon. Mr. SCOTT—You cannot take a government bill out of our hands.

Hon. Mr. LOUGHEED—Then I withdraw the motion, but I hope my hon. friend will think better of it.

JUDGES OF PROVINCIAL COURTS ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (150) "An Act further to amend the Act respecting the judges of provincial courts."

(In the Committee.)

Hon. Mr. MACDONALD (B.C.)—Last night I gave a verbal notice that I would ask the hon. leader of the House, as to the judges in British Columbia, whether the vacancy would be filled up soon, or to let me have an intimation of what was intended to be done.

Hon. Mr. MILLS—I do not think that question comes up on this bill.

Hon. Mr. MACDONALD (B.C.)—But it is germane to the subject dealt with.

Hon. Mr. MILLS moved the adoption of the first clause.

Hon. Mr. GOWAN—I regret that I feel it incumbent upon me to move an amendment to a bill that, with the exception of one point, I heartily approve of; but I feel it to be a public duty, and I would therefore not do right if I failed to move a motion which I think will commend itself to the majority of this House. It is in the second and third subsections of the first clause. I do touch the first portion of the first section of the bill.

Hon. Mr. MILLS—But we have not come to that yet. We are only at the first paragraph.

Hon. Sir MACKENZIE BOWELL—I would point out that the second subsection applies to judges now holding office, and I ask the Minister of Justice how he interprets this language "provided no person shall hold or retain office after he has completed the 75th year of his age," if it is not intended to apply to those who now hold the office. In that case the second paragraph would be requisite. If it is intended to apply only to those who are to be appointed hereafter, then this second subsection could be struck out as unnecessary. That is the point I want to ask.

Hon. Mr. MILLS—The hon. gentleman asks whether that first proviso applies to those who at present hold office. As it stands it is applicable to everybody. The second clause makes that point more clear. If you wish to confine it to future appointments, it would be necessary to add some further words in substitution of clauses 2 and 3 so that if my hon. friend were simply striking out section 3 and adding nothing else, it would be extremely doubtful whether it would change the character of the measure.

Hon. Sir MACKENZIE BOWELL—That is precisely as I understand it. I have no doubt my hon. friend will see that point at once. If the second clause is struck out which makes special reference to those now holding office as judges, would it not retire every judge who has attained to the age of seventy-five? I would ask the hon. gentleman from Barrie to look at the proviso in the second clause.

Hon. Mr. GOWAN—As I understand it, the first portion of the first clause of the bill makes provision for a time limit, when a judge shall be compelled to retire. It is perfect in itself so far as it goes, but the subsections make it retroactive and general. I propose to correct it in this way: to eliminate clauses two and three and substitute these words, "the subsections so substituted shall apply to judges who may hereafter be appointed." I do not object to the principle of fixing the age, but I entirely object to legislating a man out of office. I do not propose to repeat what I have already said. My objections are simply these: I think it would be a plain violation of the guarantee given to the officers on their appointment by the commission under the great seal of the Dominion. It would be, as respects the men to be affected by it, a most unjust act. It would be depriving them of office without giving them an opportunity of being heard, without any charge against them, and I contend that is abso-

lutely unjust and contrary to the principle of British law and British practice. Even in the case of prisoners, all exceptions are made in their favour and they are presumed to be innocent before they are pronounced guilty. Now this legislates judges out of office without a charge against them and without hearing, and I say that that would be a plain violation of right; therefore, I beg to move to leave out the second and third subsections and substitute these words:

The subsections so substituted shall apply only to judges to be hereafter appointed.

I feel very strongly on the point, and I have done what I consider my duty in submitting the amendment to the House.

Hon. Sir MACKENZIE BOWELL—The objection I have to this clause is, in the first place, the county court judges are appointed precisely on the same terms, and under the same conditions, as the Supreme Court judges. They hold their parchment in which it is declared that they shall hold office during good behaviour. I can see no reason why a county court judge should be dealt with differently than a Superior Court judge, only for the reason, which has been assigned, that the Confederation Act places it beyond the power of the government to deal with the Superior Court judges. The county court judges are appointed under a statute passed by this parliament, and so are the judges of the Supreme Court, and the question I asked the Minister of Justice the other day, when this subject was under discussion, was, whether the Supreme Court judges did not stand in the same relation to the executive of the day as the county court judges. The hon. gentleman at that time was not prepared to give me an answer; neither do I know that he is now, but the question suggested itself to me, as a layman, was not the Supreme Court a creation of the parliament of Canada under the Confederation Act, stands in precisely the same position to the executive as do the county court judges. The other day my hon. friend, when discussing the Franchise Bill, stated that the county court judges, as soon as they are appointed, become provincial officers. Well, they are appointed by the Dominion government under authority of an Act of parliament. They are subject to dismissal, under certain circumstances, by that power and not by the local government, although a statute was pointed out to me yesterday which was passed by John Sanfield Macdonald when in power in Ontario, and I presume at that time he must have held the same view of their constitutional rights as the Minister of Justice has taken. That law provided for the dismissal by the executive of the province of Ontario, for cause, whenever they thought proper to remove them. That has never been acted upon, so far as my recollection serves me. Then, during the administration of Sir John Thompson, a case occurred in which a county court judge, afflicted with softening of the brain, became unfit for the duties of his office. The difficulty presented itself then as to how a vacancy was to be created, and in order to do that, a bill was introduced and passed by parliament, giving power to appoint a commissioner, one of the judges of the Superior Court, to make an examination and report. The late Judge Paterson was appointed to make the investigation to which I have referred, as to the physical and mental capacity of the judge—I dare say my hon. friend will remember who it was, an old and intimate friend of my own—and he was found to be incapable. Action was to be taken to enable the government to superannuate him. There was no power to retire him under the Superannuation Act. A special Act was passed for that purpose, but the poor judge relieved the government of any trouble in the meantime, for during the investigation he died. What I want to impress on the Senate is this: there is a provision upon the statute-book to reach the cases which, it has been intimated, exist at the present time in the county court, to remove and superannuate a judge who is not capable of performing his duty. The only answer made to that is, that it is an extremely delicate thing to take action against any man who has been overtaken with infirmity, whether mental or physical; but I do not see why, under such circumstances, the government should hesitate a moment, in the interest of the country and the courts, and litigants, to issue a commission at once—it would be no reflection on the government—instead of taking the extreme step of removing every judge by special Act, who has been appointed for life, during good behaviour, simply in order to get rid of four or five who, they say, are unable to fulfil their duty? I should like to ask the Minister of Justice

whether the position of a Superior Court judge is not of infinately more importance to litigants than a county court judge? I know there is not the same amount of travelling to be done, but the questions with which a county court judge has to deal, are not of that importance which a Superior Court judge has to deal with and decide. If that be the case, then this bill should apply to all judges, and not to a certain class of judges. Like my hon. friend who moved the amendment, I am oppossed in toto to the principle. It may do for future appointments, but it should not apply to men who are as capable, physically and mentally, to perform their duty to-day as they ever were. A gentleman, my senior, waited on me to-day, who is just as vigorous and active as I am, if not more so. Perhaps, on account of my age, I may be considered incapable to fill the position I do, but I have vanity enough to consider that I can perform all the duties pertaining to my position in life, and so can that man. Another gentleman was here from New Brunswick to-day. He has passed the proposed age limit, but he is vigorous, physically, mentally, and in possession of all his faculties. As long as the mental and physical capacity are retained, age is not a bar to administering justice. Long experience on the bench, places a man in a much better position to give judgment and to deal with intricate and important questions than a younger man who has not had the experience. If age debars a county court judge from sitting on the bench, why should it not also apply to judges of the Superior Court? Take the late Chief Justice Haggerty as an illustration. Until he retired a few years ago, nobody could say that he was mentally or physically unfit for the position he held. Not long ago a Toronto judge was promoted from being a puisne judge to be chief justice, though he was about eighty years of age. He is alive to-day and capable of discharging his duties. Yet the same men who promoted a man eighty years old, from a lower to a higher position, imposing more responsibility on him and more labour, now come down to parliament and say that a judge who has attained the age of seventy-five years must retire from the bench.

Hon. Mr. MILLS—When he has completed seventy-five years.

Hon. Sir MACKENZIE BOWELL—If a judge accepts a position with that law upon the statute-book, then he knows when he accepts it that he is removed by statute at the end of his seventy-fifth year. In such a case the bargain is a fair one. If he does not like the position with that condition attached, he need not accept it. But the man who has been appointed for life, while capable of doing his work—because I have already pointed out means have been provided for removing an incapable man—he should not be interferred with, and I hope my hon. friend will consent to the amendment which has been proposed; and he can make any provision he likes for those who desire to retire. That an injustice is likely to be done in this respect is evident by the fact that the premier himself, feeling that an injustice was to be done to these judges, made a proposition in the House of Commons, in the interests, I understood him to say, of the judiciary and the bench——

Hon. Mr. POWER—Who made the proposition?

Hon. Sir MACKENZIE BOWELL—The premier.

Hon. Mr. POWER—The present premier?

Hon. Sir MACKENZIE BOWELL—Yes, the present premier. It was only the other day. I have not said yet what the proposition was. As an evidence that the premier himself believed that the passage of this Act would be a hardship upon the gentlemen to whom I have referred, he gave notice of a motion to retire them upon full pay. If that had carried, the objection which I have to this measure and the objection which the hon. senator from Barrie has made, would not exist. If a man is incapable of performing his duties, it would be easy to issue a commission and superannuate him on two-thirds salary; but the proposition of the premier was to give him the full salary during the remainder of his life. I suppose the opposition was too great in the House of Commons, because, for some reason or other, the premier dropped the notice, and we have the bill as it is now before us. These are my views upon this question, and they are formed from a constitutional standpoint. My views as to the tenure upon which all officers of this character

hold their positions, under the British constitution, and under our system of government, are in accord with the views of the hon. gentleman from Barrie, and knowing the kindness of heart of the hon. Minister of Justice, if he is not driven into a position by his colleagues, I am sure he would like to retire them upon full allowance, or allow them to live on in the positions they hold until they become incapable of performing their duties, and when they are incapable, to take advantage of the law as it stands upon the statute-book to-day and put them on the superannuation list.

Hon. Mr. POWER—Before the Minister of Justice closes this debate on the amendment, I should like to say a few words. The hon. gentleman asked why the judges of the Superior Courts were not treated in the same way as county court judges. I think I heard the hon. Minister of Justice inform the hon. gentleman last night that under the British North America Act parliament had not the right to interfere with the tenure of office of the judges of the Superior Court.

Hon. Sir MACKENZIE BOWELL—I said that.

Hon. Mr. POWER—And as to the Supreme Court the hon. Minister of Justice did not express an opinion. Section 99 of the British North America Act says:

> The judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons.

And then section 101 says:

> The parliament of Canada may, notwithstanding anything in this Act, from time to time provide for the constitution, maintenance and organization of the general Court of Appeal for Canada and for the establishment of any additional ports for the better administration of the laws of Canada.

I do not undertake to express any very strong opinion on the matter, but I should suppose that if the judges of the Superior Court shold office during good behaviour, then *a fortiori*, the judges of the highest court, the Supreme Court, would, under this Act, hold office during good behaviour. The proper way, then, in order to put parliament in a position to deal with the judges of the Superior Courts and with the judges of the Supreme Court of Canada, would be an address from both Houses of parliament, asking to have the British North America Act amended in the direction desired. If an address of that kind were to go to England, and it was made to appear that the judges with whom this parliament had power to deal had not been dealt with in the same direction, it would probably render it a little more difficult to secure the necessary legislation in England. I have not, myself, any interest, either personally or otherwise I may say—that is, material interest—in the measure before the House, or in any other measure concerning judges. But I must express my gratification at the fact that the government have introduced this measure. For years the necessity for some measure of this kind has been felt, and the hon. gentleman from Barrie (Mr. Gowan) has practically admitted himself that some measure of the kind was necessary. Now, what sort of measure should it be? The hon. gentleman admitted, and we all know that it is the case, that a man whose faculties begin to fail through old age hardly ever realizes the fact himself. Then the object should be to fix some age at which, at any rate, nineteen people out of twenty cease to be at their best, and I do not think any one complains that the age of seventy-five is too low.

Hon. Mr. BOULTON—Some times it happens at the age of 50.

Hon. Mr. POWER—Some times it does. But take the average well preserved man, such as a county court judge generally is, and at 75 he is not, as a rule, up to his work. His work is not merely intellectual, but physical as well. He has to travel, and sit in court, and at least 19 men out of 20 are not up to their work at 75 years of age. It seems to me that the course proposed by this bill is the least objectionable possible way of dealing with the matter. The government have nothing to do with the removal of the judge. They cannot offer him any inducement to retire, and they cannot offer him any inducement to remain. It is the *annus domini* that gets him off the bench. There is nothing to affect in the slightest degree the judge's independence. I think the hon. gentleman from Barrie, in the course of his speech, if I may be excused for referring to a speech of yesterday, said that this measure opened the door to affect the independence of the judges. The hon. gentleman did not indicate how it could. The government cannot add a month to the

judge's age or take it off, and when the year comes round he goes off. It is very well known that when the late Sir John Thompson was Minister of Justice he proposed to introduce a measure for the purpose of retiring certain judges from the bench. I do not mean to say that his measure was pointed at any particular judges, but he did propose to introduce a measure for the purpose of getting off the bench judges who had outlived their usefulness.

Hon. Sir MACKENZIE BOWELL—He did introduce a measure and passed it, and that is the one that gives the power to the administration of the day to remove a judge who is no longer capable.

Hon. Mr. MILLS—That law is older than confederation.

Hon. Mr. POWER—I remember there was a good deal of discussion amongst the lawyers in the two Houses at the time, and the age which Sir John Thompson proposed to fix in his measure was seventy. He proposed to take power to the government to retire any judge of seventy years whom they chose, and to retire him on full pay.

Hon. Sir MACKENZIE BOWELL—I do not think he made any such proposition. The question was discussed over and over again, but no decision of that kind was arrived at.

Hon. Mr. POWER—That is the decision the members of the profession were given to understand was in contemplation. In the first place, there are a great many more men who are mentally and physically vigorous at seventy than there are at seventy-five. It would have meant the removal of a very large number of judges from the bench : that is, if the government removed every judge who had attained the age of seventy. And then, again, that measure would have given the government an undue influence over the bench, because the government would be in a position to go to a judge who had attained the age of seventy and offer him his full salary as a retiring allowance. This measure does not give the government any influence whatever over the judges. It brings about the desired result, that gentlemen who have ceased to be at their best shall cease to be judges, without any interference on the part of the government. The hon. gentleman wanted to know why the government could not now take the steps that are authorized. As the Minister of Justice said, it is a very delicate and awkward thing, and hon. gentlemen will see that a commission has to be appointed, and that is a very roundabout and unsatisfactory way of getting at the facts.

Hon. Mr. GOWAN—It is the legal way.

Hon. Mr. POWER—It is the legal way, and this bill proposes to make a very much shorter way legal.

Hon. Mr. GOWAN—Cutting off the heads of the judges.

Hon. Mr. POWER—When a judge gets to be 75 years of age, he cannot complain that he has been prematurely cut off. That just reminds me, after all, that there is a divinity that hedges a king, or there used to be, and it seems to me that the divinity of a king is nothing compared with the divinity which hedges a judge. Take people in the civil service, any man in the civil service, no matter how high up he may be or how able he may be, may be retired at any time after sixty years of age on what ever allowance the statute entitles him to.

Hon. Sir MACKENZIE BOWELL—Not quite so young as that.

Hon. Mr. POWER—I think it is sixty.

Hon. Sir MACKENZIE BOWELL—I thought it was sixty-five.

Hon. Mr. POWER—And in England the age is about the same ; and military men, no matter how eminent or able, are liable to be retired at a comparatively early age. I do not see any reason, because a man happens to be a judge and happens to take to law instead of the civil service or the army, why it should be an outrage to retire him at 75 ; and the plea made by the learned judge on behalf of his colleagues, not on behalf of himself in any way, that it is a breach of faith would apply to the statutes which have been made shortening, the terms of the military officers of England.

Hon. Mr. BOULTON—The military officers in England at the age of 45 receive a very handsome pension for life.

Hon. Mr. POWER—The judge gets two-thirds of his salary, which is a handsome pension. The judge holds office according to the law of the time being. The amend-

ment proposed by the hon. gentleman from Barrie simply means that this enactment would be of no value whatever, because if the law is to apply only to the judges who are to be appointed hereafter, it will probably not come into operation in any case for the next 20 years, and there would be no object in dealing with the matter at all. The section of the Act reads :

> Every judge of a county court in any of the provinces of Canada shall, subject to the provisions of this Act, hold office during good behaviour, and his residence in the county or counties in which the court is established.

Parliament did not give up the right to amend that section if it saw fit. The second subsection says :

> A judge of a county court may be removed from office by the Governor in Council for misbehaviour or incapacity or inability to perform his duties properly on account of old age, ill health or any other cause.

The question is whether it is to be presumed that the average judge is not quite up to his work at seventy-five. It is not unreasonable to presume that, and it is a good deal better that the law should so presume than that the government of the day, whoever may happen to be in the administration, should be obliged to issue a commission which may appear, perhaps to be dictated by party feeling, or some other motive. It is a great deal better that the law should fix the matter itself. One of the things which struck me some time ago was this : we get the impression that the judges in England are, as a rule, older than the judges in this country, but I find that that is not the case at all, that it was looked upon as a marvellous thing that Lord Esher should have been allowed to remain on the bench until he was over 80 years of age. We have several judges in this country who are over 80 years of age. The popular feeling was very strong on the subject of Lord Esher's remaining on the bench. He was an exceptionally able judge, and he did retire some year or two ago. That is the difficulty, hon. gentlemen. The present method of issuing a commission is an unpleasant and objectionable one, and it involves expense and puts the commissioner in an awkward position as well as the government and the judge, and I think that to retire a man at the age of 75 with two-thirds of his usual salary is not an unreasonable thing. By the time a gentleman has attained the age of 75 his family is pretty well grown up, and his own tastes are generally quiet and moderate, and a two-thirds salary enables him to get along very comfortably.

Hon. Mr. BOULTON—Were those the terms upon which he accepted office.

Hon. Mr. MILLS—He has not accepted office on any terms. There is no contract.

Hon. Mr. POWER—He simply took office under the law, whatever the law might be. If the law increases his salary he takes the increase. He does not say, "When I was appointed my salary was to be only so much and you are giving me more." If this thing works one way it should work the other. I think we should consider the public interest. The public interest is that the gentlemen who sit on the bench should be in a position to give the country their best work, and have their intellects at their best ; and it is a notorious fact that the man on the bench himself is the last who realizes that his intellect is not at its best. I can recall only one case in my own experience where the judge did have the wisdom and self-denial to retire, and that was the case of the Equity Judge in Halifax, Judge John W. Ritchie who retired when he found that his health was failing, although he was still a very good judge and a good deal better than the average run of judges. Still, when he found that he was not giving the country his intellect at its best, he retired. He stands almost alone, in my experience at any rate, in that respect. So that it just means this, if there is not some method of inducing a gentleman to retire from the bench when he has become too old to remain there, he will not retire, and although under the law steps may be taken to remove him, still those steps are so disagreeable that practically they are not adopted, and I think in the public interest this measure ought to become law, and the amendment proposed by the hon. gentleman should not be adopted.

Hon. Mr. GOWAN—My hon. friend from Halifax has entirely misconceived my view with regard to this bill. I do not object, I never did object, to the age limit, but I do object and I will object to legislating men out of office. It may be unpleasant, as my hon. friend says ; it may be attended with trouble, although recent experience would show that there is not any great want of

pleasure in removing men from office. It may be expensive to do so, but it is the law of the land, and the law shall be complied with, and men that are incapable of holding office ought to be removed from it. I quite agree in that; and I have no objection to fixing a time limit, and down to the twelfth line of the first section I have no objection. I affim the principle that judges hereafter appointed having attained the age of seventy-five shall vacate their office. Had that been the law when the man accepted office, the thing would be entirely just; but here they accepted office upon the guarantee of a patent from the Crown that they should hold office during good behaviour and during ability. Now, that gaurantee is broken if men are removed from office by Act of parliament, without notice, without calling on them to answer, and without assigning any cause. It may be that some, as my hon. friend the leader of the opposition has said, are thoroughly capable. My hon. friend from Halifax has suggested an idea from his reading of the British North America Act, and I think it is almost conclusive against the enactment proposed to remove these men from office. The judges of the county court held office under two distinct commissions. They have a commission at the time of their appointment to hold office during good behaviour. In 1882, under a statute that was passed, they were appointed local judges of the high court, and they are judges of the high court at the present time, and it may be a somewhat serious question if the contention is right in regard to the ordinary judges of the Superior Courts, whether the judges that were appointed under the commission in 1882 do not come within the same. I know what their commissions contain: they are appointed to hold office during good behaviour, and that commission which every county judge holds was issued in 1882. I do not object, as I said before, to the time limit, but I object most decidedly to oust men from office without giving them an opportunity to be heard and without reasons being assigned. It is an unfortunate thing that government and public officials have occasion to do unpleasant things. Judges every day of their lives have to do that which wounds their feelings; but it is their duty and they have to administer the law. I do not see why a government should be in a different position from a judge. There is a law and the government of the country can bring it into play, to enable judges unfit to continue their duties to be removed from office instead of cutting their heads off in this summary way.

Hon. Mr. BOULTON—Do I understand the hon. gentleman to say that if they were allowed to retire on their full pay he would be willing to agree to the bill with that provision?

Hon. Mr. GOWAN—Certainly; I think it would be an exceedingly graceful thing if the government had offered to do that, and I do not know that I should then have said a word.

Hon. Mr. MILLS—I may say, in reply to the observations made by my hon. friend behind me (Mr. Gowan), that I do not think this clause is open to the objection which he and other hon. gentlemen have pressed. In the first place, it has been decided over and over again that there is no contract between the Crown or the executive government of the country and the officers who are serving it in any capacity, and so there is no contract between the government and the judges that they shall continue in office so that parliament would be debarred from legislation, if it may seem proper, in the matter. If parliament chooses to legislate, then parliament may do so. Let me take a case by way of illustration: formerly there were three high courts in the province of Ontario —the Queen's Bench, the Court of Common Pleas and the Court of Chancery. A measure was introduced consolidating these courts and making one High Court of Justice, and making what was before three distinct courts three divisions of this one court, called the Chancery division, the Queen's Bench division and the Common Pleas division. Now when that law was carried, Mr. Cameron, Chief Justice, I think, at the time, of the Common Pleas, declined to act, holding that the effect of that law was to legislate all the judges out of office who had previously held office in any one of these three courts, and while many of his colleagues did not concur with him in that view, nevertheless the government at the time, of which I think my hon. friend opposite was a member, thought it safe to adopt the course of issuing new commissions to all those judges that had before been judges of

these three distinct courts to make them judges of this new court. No one for a moment supposed, assuming Judge Cameron's view to be correct, that if the government had done so, and it had been in the interest of the public that those courts should be abolished, that any one of those judges had a claim of any sort upon the Crown that would prevent the legislature pursuing that course if it believed it to be in the public interest. Supposing at any moment of time it is found that the legal business of the country assumed such a form that the whole system of judicial administration is cumbrous and costly and unsuited to the altered circumstances, and you propose to reform the courts and you establish new judicial organizations, and the effect of your establishment would be such that one-half the number of judges would be quite adequate to discharge the judicial duties of the country, does any one suppose that the government would be morally any more than legally bound to continue all those persons in office because they held judical offices during good behaviour? I do not think so. It may be the duty of the government, they may be under moral obligations to make some provision for those whom they would retire; it would be no doubt the duty of the government to take the best men who had before been on the bench to discharge the duties of judges under the new state of things; but I cannot subscribe to the doctrine that the present condition of things is one that must necessarily continue; and that if it is found that a system is not of advantage and that the administration of the law under it is not wholly satsfactory, you are bound to continue it, because the judges whom you have appointed hold office under the commissions in effect during good behaviour. You have not recognized that rule with regard to any other class of officials. You are entitled to retire the ordinary civil servants at the age of sixty, that is sixteen years less than I have fixed for the age of the judges by this bill. You retire from the army, under imperial statute, men who at the time they enlisted were entitled to continue in the service for a much longer period of time, and no British officer is supposed to set up the contention "when I entered the army persons were entitled to hold the office or rank I now hold until a more advanced age." The question of efficiency is the paramount question. The right of the individual is subordinate to the interest of the public, although the individual man may have claims on the government to generous consideration. I am not disputing that. Nearly everyone who has spoken to-night has spoken of the age of 75. Under this bill it is a completion of the 75th year, so that it is only when a man reaches his 76th birthday that he goes out under the provisions of this bill. My hon. friend from Halifax spoke of one of my predecessors fixing the age limit at 70 years; that is six years shorter, and, further than that, that the parties might be continued in office after that period if the government thought proper; that is that there was a power proposed to be taken to retire parties from office. Now the objection to that proposal would be that the judge would stand in the same position as those who hold office during pleasure. He would be dependent on the Crown from the time he arrived at the age at which he could be retired. I think that would have been very objectionable. I thought it was very objectionable when I discussed this subject with certain parties, and I felt that the government, in fixing an age limit, ought to fix an absolute period; that there ought to be no opportunity of any arrangement between the judge and the government that he should be continued for a longer period of time. It does seem to me—although I am happy to say that many judges have lived to a longer period—that 76 years is a ripe old age, and the man who discharges his duties as a judge from the time of his appointment till he arrives at the 76th year of his age has done important service to the state if he has discharged his duty well.

Hon. Mr. ALLAN—He ought to have a full pension to retire.

Hon. Mr. MILLS—My hon. friend says he ought to have a full pension to retire. I am not expressing any opinion different from that which he has expressed in the matter, but I am a member of a House where that question as to the retiring allowance is not to be settled.

Hon. Sir MACKENZIE BOWELL—We can only talk about it.

Hon. Mr. MILLS—Yes we can only talk about it—and I am not expressing any dis-

sent from the opinion which my hon. friend from York has expressed. It is said here that the law provides a system by which the judges who are unfit for service can be retired. I say it is not simply a question that it is a disagreeable duty to discharge to inquire into the fitness or unfitness of a judge in order to get rid of him; that is not the only question. If I should invite my hon. friend opposite out here on the hill this evening after sunset and ask him to name the instant of time when day ceased and when night had come, I think he would have found a good deal of difficulty to decide. He can say at eight o'clock "the day is done" and before seven that "the day exists still;" but between those two periods there would be a great difficulty in settling that question, and my hon. friend knows that a judge, from physical infirmities or from a blunting—I will not say a decay—of his intellectual powers may be less fit to discharge his duties than he was at an earlier period, and it may be that it is in the public interest that he should retire; and if you were to appoint a commission to inquire into his fitness, unless it was perfectly clear that he was unfit, the commissioners could not make a report that the judge ought to be retired and that he was unfit for his duties. It seems to me that it is a very much better way to do as we propose by this bill, to say that when a man has completed his 75th year, when he arrived at the border line which separates seventy-five from seventy-six he shall cease to hold the office of county judge. It is true that there are a few men, one here and there, who beyond that period of time might fairly well discharge their duties. But there are a great many men who never reach that age, and there are a great many who are disposed to retire; and so the number of persons who are fit for the discharge of judicial duties who would be disqualified under the provisions of this bill, are very few indeed. I believe the bill on the whole will confer on the public a more substantial service than can be secured by any other method that you can devise. I am of opinion that if we were to fix an earlier period, say at the age of seventy, there would be greater hardships, a greater number of persons who would be put off the bench who would be qualified to continue on. So I felt it my duty to fix this age just as high as it was possible to fix it, with due regard to the public interest. I have nothing further to say in defence of this provision. I would be greatly pleased if those who control the public moneys of this country could have seen their way to allow these men to retire on full pay. This, however, must be borne in mind that many men between seventy-six and eighty under the law, even as it is, will retire the few who reach the line of seventy-six and go on towards eighty will be diminished before the year four score is reached, and it is extremely questionable whether any one ought to remain upon the bench under any circumstances beyond that period of life. I have myself watched gentlemen in court discharging duties who were very aged men and for the first hour or two in the morning their intellects were seemingly as bright as ever, and they discharged their duties fairly well, but before the day was over, long before it was over, they were wearied and worn out and unable to follow closely the arguments addressed to them by counsel; and when you continue that proceeding from day to day, it is perfectly obvious that long before a session is over, if there is much business to perform, the suitors must suffer at the hands of a very old judge, no matter how high his character or how good his intentions. My hon. friend has spoken about the condition of the Superior Court judges of the High Court of Justice; I am expressing no opinion, but I think you may fairly include High Court judges since all judges are appointed by the Dominion—those appointed to the courts of Canada as well as those appointed to the courts of the provinces. But look at a judge of the Superior Court going on circuit. He only holds court at a few large centres of population. He can find comfortable quarters in a well furnished hotel. He is subject to no particular exposure and to no great discomfort. That is not the position of the county judge, who, perhaps, has to go forty or fifty, and I know in some cases one hundred miles, otherwise than by rail, with his horse and carriage, stopping in a little wayside inn with very few of the comforts that he enjoyed at home, driving out in a stormy season. I say he is subject to very much greater hardship than a judge of the superior court, and therefore he requires to possess greater physical vigour than such a judge. In the province of Ontario, if I remember rightly, the county court judges disposed of 60,000 division court suits,

and in the disposition of those 60,000 suits they had a great many miles to travel and were subjected to very great exposure, and when I propose by this bill to fix the age at the completion of the seventy-fifth year and to apply that to those who are already upon the bench, I think I am adopting that course that is best in the public interest. To say that you should confine the limit of age to future appointments would be, in a great measure, to defeat the bill. It would delay the application of a principle the general application of which is necessary in order to re-establish, in some cases, the efficiency of the courts. Whether any further rule will be necessary, such as the grouping of several counties into one district and putting county court judges on circuit, or enlarging their civil jurisdiction in order to the attainment of high efficiency, and to keep the legal knowledge of the judge from rusting by the want of use, are questions for the local government to consider under the constitution of the court. What we have to do is to consider the qualification of the persons whom we are called upon to appoint to these positions, and the conditions necessary for the maintenance of the court efficiency so far as the personality of the judge affects that efficiency. That I am endeavouring to do by this bill, first by putting the judges, so far as the salaries of junior judges are concerned, upon a fairer footing than they stood before, and protecting the public interest by fixing the time limit when a judge shall retire.

Hon. Mr. PERLEY—I am glad to know that, after a long time, this government are coming down to the tender point in their feelings. They are trying to get this parliament to do that which they have been doing the last eighteen or twenty months, only it is with respect to different individuals. They want to establish an Act by which a certain number of gentlemen can be displaced from office, in order to make room for their followers.

Hon. Mr. MILLS—No.

Hon. Mr. PERLEY—The government has, without let or hindrance, kicked out poor men who have been working hard to make a living for their wives and families on salaries of $400 or $500 a year. Their conduct has heen perfectly outrageous and if they had the same courage to turn out men in higher positions they would do it. I say this is a most outrageous arrangement altogether. Since the government have been in power they have turned out poor men, regardless of how they were making a living for themselves and their families—men who had discharged their duties in a competent manner. I suppose the hon. gentleman has a lot of followers for whom he has no positions, and is taking this means to make room for them. With regard to superannuation, the people of this country are not prepared to superannuate judges when they are fit to do their duty. Half of the lawyers of the country are begging and coaxing the government to give them these positions. Why should these judges be superannuated at an age when they are able to do the work? I hold it is wrong, and I am going to vote against it. A lawyer seeks to get a position, and after he has served a while you let him retire on a good superannuation allowance. I say the system is wrong and rotten to the core, particularly when you are willing to displace competent men who can do the work. I have seen men 50 years of age who were not able to discharge the duties of an office. You have the power to appoint a commission and turn these men out. That is rather too fine a thing for the government to do. They simply kick men out. Why did they not kick the judges out? They have the power now to appoint a commission and that is a very proper thing to do. If a man is not fit to fill a position, that is the genteel and delicate way of getting at him. Appoint a commission and inquire into the matter, and if he is not able to discharge the duties of his office, the whole country will uphold you in having him removed, but to undertake to fix an age limit and turn good men out who had received the appointment on the expectation they would hold it as long as they had strength and ability to fill it. I consider that of all the measures brought down this session, this is the one that I could vote against with a clear conscience. At this late hour I do not desire to give all the details of the reasons why I oppose that feature of the bill. I consider it decidedly wrong, and the country will condemn the government for undertaking to pass a bill to turn out good men which they have no right to do.

Hon. Mr. ALLAN—I entirely concur with the principle of the bill in fixing a

time limit during which judges shall hold office. The bill upon the whole is an exceedingly good one, and I should like very much indeed to see it passed. The only difficulty is in respect to the objection raised by the hon. gentleman from Barrie (Mr. Gowan) and it does seem to me a hardship that men who are discharging their duty with ability and advantage to the country, should by an enactment of this kind, be legislated out of office, and obliged to retire, not upon their full pension, but upon the pension prescribed by this Act. I am quite sure it would be very much for the advantage of the country that the time limit should be 75 years of age, because although some men are more active both mentally and bodily at 70 or 75 than others at 60 or 65, yet there can be no question about it, when a man reaches that age —and I may speak from my own experience —although he may enjoy fair vigour of body and mind he is perfectly conscious that he is not able to go through the same amount of work as he could 20 years previously. But the hon. Minister of Justice, as I understood him, said that at present there are likely to be comparatively very few men on the bench who reach this time limit, and there would, therefore, be very few who would be affected injuriously by the enactment of this bill. I venture to make the suggestion to him, if there are so very few of the present incumbents who would be likely to reach this age, is it worth while to pass an enactment of this kind which would be retrospective when, after all, as far as the country is concerned, there would be very little gained by it? Because those affected by it are few, and in that way comparatively very little harm would flow from it, while on the other hand if the 75 year limit is to apply at once, injustice would be done to those who in good faith accepted the commission as one which they could hold as long as they could discharge the duties of their office. I feel very strongly that an enactment of this kind for the future is far preferable to any commission or inquiry into the state of a judge's faculties, either mental or physical. That must always be a very delicate proceeding and one which we should desire to avoid, if possible. Therefore, for that reason, the time limit of seventy-five is far better, but I again venture to suggest whether, in view of there being comparatively few who would reach the age at which by this bill, they would be obliged to leave the bench, would it be worth while to inflict a great hardship upon men who are perfectly able to discharge their duties and compel them, under this legislation, to retire and accept the retiring pension.

Hon. Mr. CLEMOW—I feel very strongly that we should not interfere with vested rights. I contend that these men accepted their positions as judges in the past, although there was no written agreement between them and the government, under an implied understanding that they should continue in office so long as they were capable of performing their duties. If such is the case, it is not fair that they should be displaced by the present bill, especially when we know that they have been underpaid in the past. It has been almost impossible for the county court judges to save anything from the pittance allowed them from time to time during their tenure of office. I am pleased to find that a change has been made in that respect by this bill; but I think, under the circumstances, the government should allow a judge to continue on the bench as long as possible, in order that he may be able to reap some of the advantage in the way of saving something for the future sustenance of his family. As hon. gentlemen all know a county court judge receiving $2,000 a year, having a family and a certain position to maintain, it is utterly impossible for him to save a dollar. I know that there are judges receiving $2,000 a year whose annual expenditure amounts to more than that, and if they had not private means it would be utterly impossible for them to support their families. So that under all the circumstances, they are entitled to every consideration at the hands of the government. As long as a judge performs his duties satifactorily to the country and to the Minister of Justice, I do not think he ought to be deprived of his position; but if there was any cause for his removal I do not care whether it is done by commission or otherwise, I would have no hesitation in telling him "you must retire from that office because you are not fit for it." It is an imperative duty we owe to the country to see that these duties are honestly and properly performed. There should be no sentimental idea to favour this man or that man. Have we heard of any dissatisfaction with the judges of this country? There may be, but I do not know of any and I have never heard of it. I be-

lieve the country will sustain the House in showing every disposition to favour faithful servants of the country in every possible way. If this legislation is good for the county court judges, why is it not good for other judges? There may be some legal difficulty in carrying it out, but the principle should apply all through. I have known something about the judicial affairs of the country for years. I know in this county our county court judges do a great deal. In the past they had to travel over rough roads when we had not a railroad. I have been some thirty hours going from Bytown to Prescott when there were no houses of any kind. We had a great deal of difficulty to contend with. It is much better at the present time, but the cost of living has increased very much of late years. When I first came here I could buy a cord of wood for one dollar, and a pound of butter for six pence. Now that the country has prospered and prices have increased, the country must be willing to pay these men provided they discharge their duties satisfactorily. I have never heard a man raise his voice against paying the public men according to their worth, while they are able to discharge their duty, and when they are not able to do that, I would have no compunction in telling them "you are not able to perform your duties and I must put some one else in your place." I believe this time limit is all right, but it should merely apply to the future appointments. If that is agreed to, there will be no further difficulty. We are all in favour of the remainder of the bill, but we desire to render substantial justice to every party concerned, whether it be the high court judges or county court judges. I believe it is the intention of the House to mete out justice to every man who has been doing service to the country.

Hon. Sir MACKENZIE BOWELL—I wish to point out the fact that if any judge becomes incapacitated before he arrives at the age of seventy-six, and you wish to get rid of him, you must proceed under the statute. I do not see why there should be any delicacy in dealing with a man of seventy-six years of age, as you would be compelled to deal with a man of seventy years of age who was shown to be unfit for the bench; so that the government is only relieving itself of the responsibility of proceeding against a judge who is incapable until he has reached that age.

Hon. Mr. VIDAL—It is well that I, as the seconder of this motion, should express my full concurrence in the views expressed by the hon. gentleman from Barrie. We have heard the remarks of the hon. Minister of Justice and the hon. gentleman from Halifax. The larger proportion of all they addressed to us was upon points upon which no difference of opinion exists in the House. The general feeling is that the intention of the bill is good, and that it is a wise thing that a time limit should be established, but very little has been said to meet what is really the essential point in the amendment of my hon. friend from Barrie, and that is, the dealing with the cases of judges now holding offices, who are fully competent, and are discharging their duties satisfactorily to the public generally—cutting them off from their position and larger salary, and proposing to reduce it, when there is really no necessity for it being done, as far as the public is concerned. I can easily appreciate the desire of the minister to hand over to parliament what might be a disagreeable duty, or a duty which one would rather shrink from, of dealing with these cases. But I fail to see the great difference between the delicacy they feel in appointing a commission in any certain case and, without a commission, cutting off from their positions judges who are well qualified to discharge the duties they are performing. I think, perhaps, of the two, that should cause a greater feeling of delicacy, but they do not seem to have any delicacy in that respect. While I am on my feet, I may remark that my hon. friend the Minister of Justice, for all he is such an efficient scholar, does not correctly state the age limit. Either he or I must be wrong, because I consider when a child is twelve months old he is one year old, and when a man has reached his seventy-fifth birthday he is seventy-five years old, and the hon. Minister of Justice is contending that he must reach his seventy-sixth birthday before he has completed seventy-five years. According to the ordinary acceptance of the term when a man reaches his seventy-fifth birthday he is seventy-five years old. I merely wish to express my cordial concurrence in the views of hon. gentlemen who consider that legislation such as the government propose under this clause of the bill is doing a gross injustice.

Hon. Mr. MILLER—I am quite satisfied that the patience of the committee is pretty well exhausted, and the subject itself is exhausted by the long discussion, but I wish to remark that I regret that the hon. Minister of Justice has not seen his way clear to accept the very reasonable and proper amendment of the hon. gentleman from Barrie. While I agree with what has been said by the hon. minister in reference to the wisdom of fixing a time limit for the occupancy of the bench by the judges, I think that any restriction of that kind should not have a retroactive operation, but that it should only apply to appointments in the future. Now, it cannot be denied that every judge on the bench at the present time accepted his office with the understanding that he was to hold it during good behaviour, and that it was an appointment for life. He had no expectation that the law would step in and limit the period of his tenure, not even the reasonable period mentioned in the bill. He had no reason to anticipate anything of that kind. There are many instances where at the age of 75 men are just as qualified to discharge the duties of a judge as at the age of 50. Within a day or two I myself had the pleasure of coming in contact with a county judge who told me he would come under the operation of this bill, a man whom I took to be 20 years younger than he told me he was. Meeting him in the streets, or in a public building, I should not have thought that he was over 55 or 60 years. He was bright and physically active, and just as competent, I am satisfied, to discharge his duties to-day as he was twenty years ago. It is a great hardship to put a man like that off the bench. I admit with the Minister of Justice that this may be an exceptional case, but a provision to effect the judiciary should not be retroactive; we should only make it applicable to future appointments. It might be different if we had not a law on the statute-book which enables the government to deal with every case where a judge ought to be removed, that comes within their knowledge. They have a complete provision by law to remove a county judge for incapacity, or old age, or any other cause where it would be desirable in the public interest. In reference to the county court judges, they have, I repeat, that power, and, having it, I do not think it is right now to pass a bill which would affect the judges who are at the present time occupying seats upon the bench, who accepted office for life, and to whom the faith of the country is plighted; and I would really look upon it as a breach of contract on the part of the country with the judiciary if this retroactive legislation were put on the statute-book. I do not wish to occupy the time of the House, but I desire to express my views as strongly agreeing with those enunciated here to-night and last night by the hon. member for Barrie, and I am sorry that the hon. Minister of Justice cannot accept the amendment proposed by that hon. member.

Hon. Mr. WOOD—I have listened with very great interest and attention to the debate upon this question, because when I first looked at the bill my impressions were unfavourable—I felt it was a bill I could not support. After listening to the arguments which have been addressed to the House, I feel that if the principle of this bill is admitted, as I believe it is admitted by all the hon. gentlemen who have addressed the House, that it is desirable in any case to fix an age limit, the government should be supported in the provision they have made for fixing an age limit in this bill. The fact was pointed out by one hon. gentleman who addressed the House—I think the hon. member for Halifax and I think the Minister of Justice alluded to it—that if the amendment which has been moved by the hon. member for Barrie is adopted, it really renders this bill inoperative for a long time to come. This amendment applies to all the persons at present occupying positions as judges of the county courts throughout the Dominion, and if this bill only applies to future appointments, it will only apply to those appointed to succeed the present judges, and will only come into operation after those judges reach the age of seventy-five years. That would place the operation of this bill twenty or twenty-five years in the future. A good deal has been said with regard to the provisions which the present law contains as to removing judges when they become incompetent to discharge their duties by reason of old age. Well, if those provisions are adequate, if there is no good reason why the government should not avail themselves of the provisions which the present law contains to remove a judge under these circumstances, there is no reason for fixing an age limit at all. If these means of removing the judges

can be put in operation, and that mode of dealing with this question is satisfactory, there is no necessity for this clause in the bill at all; and I admit that that was the objection which I first had to the bill. I thought that fixing an age limit was an objectionable mode of proceeding, and it would be better to have some other means of accomplishing this end. But if I was right in that, the objection would stand against the first subsection of the bill and not against the second subsection. The other argument that has been used against this bill is that there is an agreement, or contract, between the judges of the courts who have been appointed, and the government of the day, and that a measure like this is a breach of the contract existing between those who occupy these positions at the present time. If I understand this question right, the admission that it is proper to fix an age limit at all implies a further admission that any gentleman occupying a judicial position, who has reached the age of seventy-five years should, if he regarded the public interest rather than his own interest, resign; otherwise I do not see how we are justified in fixing seventy-five years as an age limit when we call upon the judges to resign whether they wish to or not. The very fact of admitting that it is right to fix an age limit in the case of judges at seventy-five years implies the further supposition, that those judges should at that time in the public interest resign. If we admit that, at the age of seventy-five years, taking the judges all round, they should, in the public interest, resign, they would, under the existing legislation, only be entitled to the two-thirds salary superannuation, and this bill, while it gives them no additional amount, places them in no worse condition than if they resigned and received their superannuation. I speak with a little hesitancy as it is a subject I am not much acquainted with, and I have gathered my ideas only as the discussion went on. Taking the view that I have just mentioned, my vote shall be in favour of the bill as it stands.

The amendment was agreed to.

Hon. Mr. MILLS—Clause three now will have to come out. The intention was that the Act should come into operation on the first of October with regard to the retirement of the judges, and it left them all in possession of their holidays, but that is not now required.

The clause was struck out.

On clause 3.

Hon. Mr. POWER—Does this clause increase the number of judges in the province of Quebec?

Hon. Mr. BAKER—The effect of this clause is to provide a salary for one additional judge for the district of St. Francis, and it has the further effect of doing tardy justice to one of the judges of the Superior Court, who was appointed under the former Liberal administration, who was a member of the House of Commons at the time of his appointment, but who ceased instantly on his appointment to be a politician, and has discharged the duties of his judicial office in the most exemplary manner. I refer to the Hon. Mr. Justice Taschereau. He is assigned to the district of Terrebonne, but he resides in Montreal, and under the existing law his salary has been $1,000 less than his colleagues who reside in the city receive. He has been labouring for years under a disadvantage amounting to a positive injustice, and I am sure the members of the profession in the province of Quebec will commend the government in the highest possible manner in doing this tardy justice to Mr. Justice Taschereau. While I am on my feet I may observe that while the government is to be commended in what it has done in submitting this bill to parliament, it might have gone further and readjusted the salaries of the Superior Court judges. That is a question that every government has hesitation in approaching. There is a popular clamour in the country against the salaries of the judges; and there has been a disposition in times past—and I see that the present government is affected by the same disposition—to withhold justice which is due to the judiciary of the country.

The clause was adopted.

On clause 9.

Hon. Mr. BAKER—This refers to the travelling expenses of judges which has been the subject of discussion before, and I am aware, from communications that I have had with the Department of Justice, that there is a determination now on the part of the Minister of Justice to take the matter

in hand and the salutary provision of this section will enable the Department of Justice to see that the law is not infringed on. It is not desirable to discuss in parliament the relations of the judiciary to the department which has control of the payment authorized under the statue, but it is impossible to conceal from ourselves the fact that in times past there has been some little irregularity in connection with it, and I am very proud and happy to know and believe that the Department of Justice is determined now to enforce the provisions of this clause 9, and that if the provisions of this clause are enforced in the future, there will be no complaint on that score. I am very happy to commend the Minister of Justice for the care which has been shown in the preparation of these provisions, and I only hope that they will be vigorously put in operation.

The clause was adopted.

On clause 10.

Hon. Mr. POWER—I just wish to point out in reference to this clause that the words "supreme court" are used. When the Yukon government bill was under consideration these words were changed to "territorial court."

Hon. Mr. MILLS—Yes, we had better change the words to "territorial court."

The clause was amended and adopted.

Hon. Mr. DEVER, from the committee, reported the bill as amended.

Hon. Mr. MACDONALD (P.E.I.)—The latter clause of this bill has been rushed through with such haste that I have not had an opportunity to make one or two remarks that I wished to make on one particular paragraph of the bill relating to Prince Edward Island. I see in that paragraph that there has been a change in the salary of the judges in that province. The salary of the judge of one court has been raised, I think, from $2,400. That may be considered a very material increase, but why that increase should take place for the judge of one particular county, and the salaries of the judges of the other counties should remain the same as before, I cannot understand. I believe there is just as much business required to be done, and as many intricate cases to be tried in the other counties, as there are in the county in which the salary of the judge has been raised.

Hon. Mr. BERNIER, from the committee, reported the bill with an amendment, which was concurred in.

The bill was then read a third time and passed.

SECOND READINGS.

Bill (160) "An Act respecting the North western and Northern and North-eastern boundaries of the province of Quebec."—(Hon. Mr. Mills).

Bill (99) "An Act to incorporate the Lake Champlain and St. Lawrence Ship Canal."—(Hon. Mr. Clemow).

THE FRANCHISE BILL.

RETURNED FROM THE COMMONS.

The following message was received from the House of Commons :—

HOUSE OF COMMONS,
THURSDAY, 9th June, 1898.

Resolved, That a Message be sent to the Senate, to inform their Honours that this House had agreed to the first, third, sixth and twelfth of their amendments to the Bill No. 16, intituled : "An Act to amend the Electoral Franchise Act, and to further amend the Dominion Elections Act ;" and that they have disagreed to the second, fourth, fifth, seventh, eight, ninth, tenth and eleventh of their amendments for the following reasons :—

Because the amendments made by the Honourable the Senate to the bill, excepting from its operation the provinces of Nova Scotia, New Brunswick and Manitoba and providing for a special revision of the voters' lists in those provinces for elections to this House, is inconsistent with and subversive of the general principle of the bill.

That the procedure proposed by the Honourable the Senate for securing the revision of such lists, under the authority of this parliament, is wholly inadequate, and cannot be rendered effective without creating complicated and costly machinery incompatible with the object of the bill.

That the amendments, therefore, in effect provide for the continuation in the provinces named of the present unwieldy and expensive system of creating special voters' lists for Dominion elections.

That the passage of the amendment by the Senate after its rejection by the House of Commons is inconsistent with the undoubted right and privilege of this House to determine the principles of the franchise under which its members are elected, and is the more unwarranted in that the country has emphatically pronounced in favour of the principle of the bill.

Ordered, That the Clerk of the House do carry the said Message to the Senate.

Attest,

JNO. GEO. BOURINOT,
Clerk of the Commons.

Hon. Mr. MILLS moved that the said message be taken into consideration to-morrow.

Hon. Sir MACKENZIE BOWELL—I would suggest that it be taken up at the second session to-morrow, because there are two committees meeting to-morrow, the Drummond County Railway Committee and the Committee on Railways, Telegraphs and Harbours, and our whole time will be occupied to-morrow morning. We will scarcely have time to consider the reasons given by the House of Commons, which I must confess, are somewhat of an extraordinary character, and therefore we ought to have a least an hour to consider them. I take it for granted, from casually hearing them read, that they lay down a very important constitutional doctrine, to which I think this Senate are not prepared to assent. If the doctrine laid down be correct, then, as the organ of the party opposite advocates, the sooner the Senate is abolished the better.

Hon. Mr. MILLS—My hon. friend is discussing the amendments.

Hon. Sir MACKENZIE BOWELL—I am giving a reason why I want a little longer time to consider the reasons given by the House of Commons. If the hon. gentleman had acquiesced at once in the suggestion I made for a little longer time, probably I might have been relieved of the necessity of giving a reason why I made the suggestion. I am not departing from the strict rules of parliamentary procedure, nor am I violating any rule of order in giving a reason for the suggestion which I make, and, therefore, I do not know that I was subject to the indirect chastisement of the hon. minister for having made the remarks I did.

Hon. Mr. MILLS—The hon. gentleman is very much hurt. I hope we will be through with our work to-morrow night. I do not know, but my impression is that there is very little on the paper to-morrow for three o'clock, and surely this bill can go on the list, and if we do not reach it before six o'clock, it will stand for the evening sitting, but if we have very little business beyond the address to their Excellencies, and the few measures that have come down to-day, it will be hardly worth our while to meet at three o'clock to-morrow for an hour's work and then adjourn till eight. I think my hon. friend is pretty familiar with everything that is contained in those objections. The most of them were pretty well thrashed out during the time the bill was before us for discussion, and I have no doubt he will be as well prepared as my hon. friend beside me and myself will be to consider these reasons for dissenting from the amendments proposed in this House, and I think my hon. friend will not object to have this bill on the paper for to-morrow afternoon, and if we do not reach it till the evening, no harm will be done.

Hon. Sir MACKENZIE BOWELL—I have no objection that the hon. gentleman's motion should be on the paper for to-morrow afternoon, with the distinct understanding, if we are not prepared to go on with it, that it will be laid over till the evening session, and I may also inform the hon. gentleman that I do not think the business of the House will be through to-morrow. I have already indicated what course I intend to pursue with reference to the Plebiscite Bill, and I hope to be able to tell him to-morrow what we propose to do. I can assure him that until we have decided upon that question, that the business of this House will not be completed, whether it be Saturday, Monday, Tuesday or Wednesday. I am speaking for myself individually, but if the members of the House agree with me, we intend to place that Plebiscite Bill in such a position, that if the government is determined to resist the amendments which have been made to the Franchise Bill, the Plebiscite Bill should be so amended as to enable the government to submit the prohibition question to the people in any event. The plebiscite, I hold, is not contingent upon the passing of the Franchise Bill, and I am sure my hon. friend—and more particularly the hon. Secretary of State beside him—is extremely anxious, as we all are, that the opinions of the electors of this Dominion shall be ascertained upon a very important question, and it would be a great calamity to have another year's excitement and agitation over a question, which the sooner it is settled the better.

A SATURDAY'S SESSION.

NOTICE OF MOTION.

Hon. Mr. MILLS—I give notice that to-morrow I shall move that when the House

adjourns, it do stand adjourned till Saturday at 11 o'clock.

Hon. Mr. DANDURAND—I should like to ask a question of the Minister of Justice. In view of the prohibition issue being submitted to the people, can the hon. minister tell us if a copy of the very interesting document collected by the prohibition commission appointed by the late government will be distributed to each of the electors before they are called upon to vote on the question? It has cost hundreds of thousands of dollars, and it seems to me we should be well informed on that subject.

Hon. Mr. MILLS—I will say to my hon. friend that, if the life of man were as it were before the flood, we might print a cheap edition of that work and circulate it among the electors; but as it would require more than 12 months to read it, and the life of man is now but three score years and ten, I do not think life is long enough to permit the ordinary elector to master that important document.

Hon. Mr. DANDURAND—I put the question because it seems to me it is a good answer to the contention that we should have the vote taken this year. It seems to me that the gentlemen who have collected all that information at such an immense expense should see at all events, that it reaches the people before they vote on this question.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is quite right. It has already been published, and if he promises to read it before he goes to sleep to-night, I will see that he gets a full copy.

Hon. Mr. DANDURAND—Before I vote?

Hon. Sir MACKENZIE BOWELL—I know how the hon. gentleman will vote. He will vote against it.

Hon. Mr. DANDURAND—I shall support the plebiscite, but I am against prohibition.

The Senate adjourned.

THE SENATE.

Ottawa, Friday, 10th June, 1898.

The SPEAKER took the Chair at Three o'Clock.

Prayers and routine proceedings.

DEATHS OF EMPLOYEES ON CROW'S NEST PASS RAILWAY.

MOTION.

Hon. Mr. POWER moved:

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate, copies of all letters, telegrams and other communications exchanged between the Minister of Justice, or any officer of his department, and any person or persons with respect to the deaths, on the twenty-third of January last, of two workmen named respectively Macdonald and Fraser, who had been employed on the Crow's Nest Pass Railway.

He said: As the hon. members of this House know, there has been a good deal of discussion with respect to the deaths of the two men, Macdonald and Fraser, who are mentioned in this motion, and reflections have been cast on the Minister of Justice and his deputy, and, to be frank about it, this motion is made for the purpose of giving the minister an opportunity of making the explanations which are necessary to show what was actually done in the matter.

Hon. Mr. MILLS—I may say, hon. gentlemen, that I do not think it will be in the public interests to bring down the papers at the present moment. But I will make a general statement with regard to this matter, because it seems to me that there is a good deal of misapprehension abroad, and there has been a good deal said that was not warranted. As far as I know, the first communication we had in reference to the subject was the telegram that came to the department from a Dr. Meade, a coroner who had undertaken to hold an inquest, and who had been enjoined from holding that inquest by parties who were interested, some officials connected with the contract of the Canadian Pacific Railway. I may say that they said Dr. Meade was not a proper party to hold the inquest, that he had been the physician for these two unfortunate men, and that he had also been an applicant to the Canadian Pacific Railway for a position as medical adviser upon the work, and he was offended because his services had not been retained.

That, at all events, was the ground upon which they applied to Judge Rouleau to prevent him from undertaking to hold an inquest. I may say, in the first place, that the coroners are not officers of our department; in fact they are not officers of the government of Canada in that territory, but they are parties who hold their office. They are not necessarily connected with the administration of justice at all, as they are ministerial officers whose duties are inquisitorial, and who may inquire into any matter that may subsequently call for legal investigation,

Hon. Mr. POWER—They are appointed by the local governments.

Hon. Mr. MILLS—Yes, appointed by the local governments; we have no jurisdiction over them; but when we received this statement from Dr. Meade, our instructions to him were that he had better withdraw from the case and let another coroner be appointed in order that the inquiry might proceed. This he declined to do, and there was therefore nothing for it but to permit him to take his own course and be subjected to the delay which the injunction would impose upon him. That injunction was opposed on behalf of Dr. Meade by a partner of the hon. member from Calgary, who I believe is a very competent lawyer, and he perhaps defended Dr. Meade's attempt to hold an inquest with as much success as perhaps any one whose services could have been retained in that section of the country. The judge heard the case but reserved judgment. After some delay we applied to the judge to give judgment in the case but he did not do so. He was at Edmonton at the time, and said he would not deliver judgment till he returned home and when he did deliver judgment—I think the attempt at the inquest was about 8th February—it was about the 15th April. We applied to our local agent in that country with regard to the case, to get such information as he could for us with a view to further action if further action was necessary, and make inquiry as to the obtaining of another coroner against whom no objection could be had. The reply to us by our agent was that the parties had been ill of diphtheria, that it was a highly contagious disease, and that it would be impossible to get any person to exhume the bodies of these two men to hold an inquest upon them, seeing the character of the disease of which they had died, and it would be impossible to get men who would be willing to sit as a jury. I may say, further, that the department in considering the information in their hands, did not see that it was specially important that there should be an inquest, because there was no controversy as to the disease with which these men were afflicted, nor as to the cause of their death. Where they were taken ill upon the road there does not seem to have been any proper hospital accommodation for the employees of the contractors, and in many cases parties who were taken sick were obliged to remain in the same cars at night with those who were in good health; and the party who undertook to remove them seemed to be under the impression that it was desirable to get them away to some point where they could be specially attended to. The instruction given by the physician on the way was that there was to be no removal of parties from the section in which they were taken ill without the consent of the physician. The physician in this instance was not at home, if I remember rightly. He was away. His consent could not at the moment be obtained, and they were carried through the section into a third section before they were taken to the place of their final destination. The season was cold. The appliance for conveying them was not of the best, and how far a disease, that might have been curable if they had been properly housed and properly cared for in the first instance, was made fatal by this conveyance, I cannot at this moment say; however, when we got the report of our agent, he seemed to be of the opinion that they had been very shamefully treated. He did not see that an inquest would be of any special value under the circumstances, or, in fact, that an inquest could be held. But we did suppose that the commissioners that had been appointed to inquire into the grievances of the people in that district would, in all probability, report specially on this case, and that there might be in that report such further information as would enable us to take action against any parties if it was disclosed that those parties were criminally liable.

That commissionner's report came at a considerably later period, later than we anticipated, and at this moment the department has written to the Department of the Interior for a copy of so much of the report as may relate to the illness and death of those

two parties. If that report proves to be a full report when we receive it, such as will warrant us in taking further action, if further action ought to be taken, that action will be taken. If the case is one of which there is not sufficient evidence disclosed by the report of the commissioners to enable us to act, it is the intention of the department at once to appoint a party with authority to make an investigation into the circumstances attending the death of these two men, how they came to be removed, what sort of treatment they were subjected to, who is responsible for their removal, and whether there is any criminal liability attaching to any of the parties connected with the death of these men. I might say that Mr. Oliver called at our department for the purpose of bringing the matter under our attention, and we heard what he had to say, and we also had his concurrence in the course we are taking. We are a long way from the district, and it is sometimes difficult to obtain information. Some complaint has been made because the department did not send a lawyer for the purpose of taking charge of the case before the judge upon the motion for an injunction. I may say this, that we have never deemed it anywhere to be a portion of our duty to watch by persons employed professionally, the proceedings before a coroner's inquest, for in the most majority of cases that is purely a ministerial proceeding, which results in nothing more than establishing a fact of prima facie probability or innocence. The party, if the coroner's jury find against any one connected with the accident or offence of any sort, does not even ministerially terminate the question. The party is taken before a magistrate, and there is a fresh examination, and there is seldom a case in Ontario, where counsel appears either before a coroner or before a magistrate.

Hon. Mr. McMILLAN—Very often, I can tell the Minister of Justice.

Hon. Mr. MILLS—My hon. friend is mistaken.

Hon. Mr. McMILLAN—The county crown attorney makes it a point to be present at every inquest where a party is accused of murder or anything leading up to it, I have been a coroner for 28 years.

Hon. Mr. MILLS—My hon. friend speaks of his experience in his own locality. That is not the general practice, because a coroner's verdict is not one on which any judicial proceedings are based. The ministerial proceedings before a magistrate always intervene between the action of the coroner and the commitment of the party for prosecution.

Hon. Mr. McMILLAN—Perhaps they are there for the fee though.

Hon. Mr. MILLS—My hon. friend speaks about the coroners being there for their fees.

Hon. Mr. McMILLAN—No, I mean the county attorney.

Hon. Mr. MILLS—Well, perhaps so. That may be. The county, in most cases, pays some little attention to proceedings of that sort. Let me read a paragraph from a letter written by Mr. Newcombe to Mr. Oliver :

> I received from Mr. Conybare a telegram which reads as follows :
>
> Meade apparently undisposed to retire, judgment on notice for injunction reserved awaiting judges' decision.
>
> As the application for the injunction seems to have been argued and is now awaiting decision, would it not be better under the circumstances to await the judgment of the court ?

As the application for injunction seems to have been argued and is now waiting for decision, I may say that Dr. Meade had retained the partner of the hon. gentleman from Calgary, and the case was argued by him, and I believe as well argued as it could have been by any party. But I may say that we have no special interest that Dr. Meade should hold the inquest. We thought he should have been a witness in the case, as the party called in to attend these men, and that some other coroner ought to have been asked to hold the inquest. He was unwilling to retire, and we awaited the result of the action.

Hon. Mr. PERLEY—He wanted fees too, I presume.

Hon. Mr. MILLS—That may be. We have had some coroners who claimed to have held inquests in the North-west before our time, who put in their bills and who were paid for holding those inquests, and who, it was found, had never any inquests to hold. They had drawn money under false pretenses, and I think they were tried by our predecessors in office, and one of them is at the

present time serving his term in the penitentiary. I dare say my hon. friend from Wolseley remembers the case. The letter proceeds :—

If Coroner Meade's position is upheld, he would go on and conclude the inquest ; otherwise it would, I presume, be open for another coroner to take up the matter.

And Mr. Oliver, to whom that letter was written, wrote in reply as follows :

Dear Mr. Newcombe,—Your decision to await the decision of the judge is no doubt the best. Kindly let me know as soon as the decision has been rendered.

That was done. He got the information he desired, and he awaited the report of the commission, thinking that that would afford sufficient basis of action. We have applied for that report, and whether it will be of use or not, I cannot say. But if it does not afford sufficient basis for action, it is our purpose to appoint a commissioner to take the evidence and investigate the case, and if there is criminal liability, to institute proceedings. My deputy adopted that course which he thought in the public interest, and after discussion with me, and I see no reason whatever for dissenting from the course which he has taken. It was our interest to see that the lives of men were protected. Of course, parties engaged in a new and wild country in the construction of a railway in the winter season are moving from point to point ; to-day they are one place and in a few days they are off in another place, and it is exceedingly difficult to provide hospital accommodation for them.

Hon. Mr. PERLEY—Hear, hear.

Hon. Mr. MILLS—My hon. friend knows that. And they cannot have all the advantages they would have if they were living in a dense settlement, much less such as could be obtained in the city. But they are entitled, no doubt, at the hands of their employers, to all the protection to life that the circumstances will permit, and if upon inquiry it is found that there has been any criminal neglect, any heartlessness and indifference to life exhibited by any of the parties who employed these men or had supervision over them, proper proceedings will be taken. We have not been indifferent to the condition of these people ; we have not treated human life as a cheap thing. We intend to extend whatever protection the law will give, having a due regard to the circumstances both of the parties who have come to their death and of those who are charged with negligence, and I hope when the matter is finally disposed of it will be found that there is no ground whatever to complain of the department.

Hon. Sir MACKENZIE BOWELL—I am pleased to hear the statement made by the hon. Minister of Justice, in view of what has been said and the many charges which have been made, not only against the officials of the Canadian Pacific Railway—as to which I expressed no opinion—but more particularly against the deputy of his own department, a gentleman for whom I have the very highest regard ; and from my knowledge of him, not only as a lawyer but as a man, I could not conceive it possible that he would be even negligent or remiss in his duty when so important a matter as the lives of his fellow-subjects was brought to his notice. The statement made by the Minister of Justice completely exonerates him from the serious charges which have been made against him. I was not a little surprised, when I remembered reading the statement made by the hon. member from Alberta, upon his own responsibility as a member of the House of Commons, in the House of Commons as to the conduct of Mr. Newcombe, to hear the contents of the letter which was read by the minister to-day, in which he (Mr. Oliver) unreservedly accepts the explanation of the deputy minister as to the course which he had pursued and intended to pursue. Mr. Oliver brought this very serious subject under the notice of the department. In that he did quite right. There may have been—and that will be developed hereafter—a good deal of negligence, and perhaps cruelty. Whether that cruelty and negligence resulted in the death of these unfortunate men will have to be decided after the commission has been issued, and a full and thorough investigation made. That is a subject that I do not desire to discuss, or even to touch upon, now. What I desired to do was to express my own gratification at the statement made by the hon. Minister of Justice in reference to his deputy, and I think when that goes forth to the world they will see that he was not so negligent in his duties as has been laid to his charge ; and that, on the contrary, he did all that he could do under the law, power, and authority which he, as Deputy Minister of

Justice, had in the premises. No one can for a moment conceive that any Minister of Justice or any deputy would be at all lax in his duty when such a serious charge is brought under his notice as that which affects the lives of fellow-subjects. In view of that which has been said, I think the opinions which have been formed by many in the country, after reading the debate in the House of Commons and what has been said in many of the papers, will at least be changed in so far as the accusations which have been made against the Deputy Minister of Justice are concerned.

Hon. Mr. McMILLAN — I am very glad to hear that the department is going to make an investigation of this matter now, but I am very much afraid it is too late. Had the inquest gone on at the time they would at least have ascertained the cause of death. It will be a very difficult matter to bring parties to justice now unless the cause of death is proved, and that could only be established at a coroner's inquest. How are you going to prove what the men died of, whether they died of diphtheria, starvation, cold or anything else, unless you can prove it by the testimony of medical men?

Hon. Mr. BOULTON—They could prove it was caused by neglect.

Hon. Mr. McMILLAN — No, because a man might have been labouring under an ailment which would have proved fatal without the neglect. You have to prove the cause of death before you can bring parties to justice.

Hon. Mr. POWER—Does the hon. gentleman not think that Dr. Meade would have been the proper party.

Hon. Mr. McMILLAN—No, certainly not, he would not incriminate himself. The usual practice in Ontario is, when a coroner holds an inquest, that the doctor in attendance will be present at the inquest, and if the jury require other medical testimony, they have another doctor brought before them, and put his evidence before the court. If that had been done there, and if an inquest had been held—I do not find fault with the government at all—they would at least have proved what these men died of, and without that you cannot, at this late period, bring the parties who may have been responsible to justice. It is too late.

Hon. Mr. PERLEY—It is no doubt a very deplorable thing that human beings should lose their lives through neglect, but it must be remembered that diphtheria is a disease of which every one has a dread. I have known, in the best portion of New Brunswick, where it was difficult to get any one to look after persons suffering from diphtheria. When a man goes to the Crow's Nest Pass he knows he cannot receive the same attention he would get in a settled part of the country. These men were out there a long way from civilization, where there was no hospital. Their fellow labourers were perhaps earning each a dollar a day, and it would be difficult to get them to properly care for these men. I can quite well understand how hard it would be to get proper treatment for men suffering from diphtheria.

Hon. Mr. McMILLAN — Was diphtheria prevalent there?

Hon. Mr. PERLEY—I do not know; I think not.

Hon. Mr. MILLS—Oh, yes, and it is yet.

Hon. Mr. PERLEY—It is a very malignant disease. No doubt these men may have suffered from the want of proper care, but their employers could not get proper care for them. It is evident these men tried to give them proper care because they removed the sufferers to another place, and in the removal it is possible they may have suffered. A great deal of blame has been laid on the Canadian Pacific Railway officials which I think is unfair. Unless they took a hospital car along with them, I do not see how they can give the men much better treatment than they did moving from one place to another.

Hon. Mr. BOULTON—I cannot let this opportunity pass without commenting on the most deplorable case in the history of the country. We have railway contracts all over. In that district there were something like 4,000 men engaged in the construction of a railway. There is no doubt that whoever is responsible for gathering 4,000 men into an isolated region, into districts in which the climatic conditions are most severe, where there are no houses and no settlements within perhaps 100 or 150 miles, as the case may be, in case people lose their way and those things, I say great blame is

attached to those who are responsible for bringing those men together, that they did not provide the most ample accommodation for their safety and comfort in case of sickness. The peculiar desire that apparently arose to transfer the blame to the Department of Justice was not a worthy one. The Department of Justice is removed some 3,000 miles from the scene of the operations. It is not the Department of Justice we have to look to in a case of this kind. It is those who employ the men, take them from their homes and agree to employ them for a certain period. Now, hon. gentlemen, we hear of a great many accidents that are happening upon our railways, and we seldom hear of any inquiry as to the causes or the extent of the accident. A year ago we had an accident occur to a pilgrimage where an enormous loss of life took place. I did not hear any inquiry about that. Last spring an accident occurred in bringing emigrants from Halifax to Montreal. There was one poor woman lost her life, and we did not hear of any inquiry. We see accounts every day nearly of engineers and firemen losing their lives. In other countries such accidents as these are never allowed to go without the strictest inquiries, so that whatever brings about these accidents might be found out, and means of prevention taken. That experience can only be obtained by the exposure of those accidents.

Hon. Mr. McMILLAN—There must be criminal neglect to entitle a coroner to hold an inquest. If a man drops down on the street it is not necessary to hold an inquest.

Hon. Mr. BOULTON—I am not speaking of a man dropping on the street. I am speaking of the responsibility of the managers of railways to see that their contractors or agents make ample arrangements for the decent comfort and protection of their men. When the travelling public are confined to railways they expect that the supervision of the railway companies is of such a character that the very greatest precautions are taken to prevent loss of life and property. I was reading in the Montreal *Gazette* where some girl was driven into committing suicide by the worrying of her mistress. The result of that was, in the case of the mistress, that she got seven years in the penitentiary. That is the way they do things in England. Here we can have accidents happening day after day without inquiry being made. There seems to be no public opinion, or it has not the opportunity to express itself for the protection of lives and property. The railways have virtual control of the telegraph wires and they are able to regulate the information that passes to the public. The fact that this report only comes out on the eve of the closing of parliament is a reflection of the influence of the Canadian Pacific Railway and their contractor. I think the case is a most deplorable one, and I look upon those two men as martyrs to a cause that has yet to be dealt with by the country.

Hon. Mr. POWER—Before asking leave to withdraw the motion, I wish to make some remarks as to something which was said by the hon. gentleman from Alexandria. The hon. gentleman said it was too late now to hold an inquiry because an inquest should have been held at the time of the death. As I understand there is no question as to the disease from which the men died. The question is whether the fatal result of the disease was due to the lack of proper treatment, or rather, perhaps, ill-treatment by the contractors. Dr. Meade, who was enjoined from holding an inquest on the ground that he was the attending physician and should have been a witness instead of being a coroner, will be able to give all the information, and his evidence will be the best evidence in the case, so that there is no fear of a failure of justice over the fact that a coroner's inquest was not held. Now, with the permission of the House I beg leave to withdraw the motion.

The motion was withdrawn.

A MORNING SITTING.

MOTION.

Hon. Mr. MILLS moved that when the Senate adjourns this evening it do stand adjourned until to-morrow at 11 o'clock in the forenoon.

The motion was agreed to.

COMMUNICATION TO THE YUKON DISTRICT.

MOTION.

Hon. Mr. MACDONALD (B.C.) moved the following resolution :—

Resolved,—That it is desirable and necessary that an all-Canadian Railway route from the Pacific coast to the Yukon district should be opened up without

delay, in order to secure to the Dominion as much of the trade of that district as possible—Easy and continuous communication which would give cheap and safe transportation to passengers—food and other necessary supplies—the safe and rapid conveyance of mails and bullion.

That altogether such communication is a necessity, and the opinion is generally held that the Yukon district should supply the means to build its own railway—yet it does not follow that large grants of land are necessary for the accomplishment of that purpose.

That the granting or alienating of large acres of land in that district to individuals or companies would retard progress and development, create a monopoly inimical to the freedom of selecting so necessary to successful prospecting, and the discovery of new and profitable mines by locking up such areas at pleasure.

That any monopoly so given would reduce the revenue producing capacity of the Yukon district—whilst the reservation of its mineral lands for mining purposes only may reasonably be expected to yield increased revenues annually.

That the mineral lands of that district are the cause, and source of all revenues produced, as from its exceptionable properties, and position, commodities are imported yielding customs revenue in addition to the direct revenue from the industry of mining.

That keeping in view the economical administration of that district, compatible with every possible encouragement to miners, and the mining industry, there are good reasons, from present indications, for expecting that the revenues of the Yukon district will be sufficient to defray the cost of establishing communication, and other legitimate charges.

That it is, therefore, desirable that the mineral lands of that district should be reserved for the country, the general public, and for revenue purposes, for on wise and judicious administration depends the progress and prosperity of the district.

That the Yukon revenues for this year up to the 22nd May are $67,908, which, capitalized at 3 per cent represents a capital of $21,900,000.

That the alternative blocks of mineral lands reserved under government regulations in the richest known portions of the Yukon district, places at the disposal of the government valuable property which may readily be converted into money and made available in the prosecution and development of necessary public works in that district.

That with such available resources and with such an annual income, the Yukon district can easily meet the cry—let the Yukon build its own railways.

That four hundred miles of a narrow gauge railway from a deep water harbour on the Pacific coast to Lake Teslin, would cost about $15,000 per mile, or a total of $6,000,000, of which British Columbia is willing to contribute $1,600,000, which would leave $4,400,000 chargeable to the Yukon district, representing an annual charge on its revenues at 3 per cent of $132,000.

That the question of communication with the Yukon district can be easily adjusted on business principles without being a charge on the consolidated revenue, proper, of the Dominion, from the revenues of that district, without weakening or lessening its revenue producing capacity, but on the contrary, with railway communication, stimulating and increasing such capacity.

He said: About two months ago we had a long debate on the question to which my motion refers, and it is not my intention now to make any extended remarks. I placed the resolution on the order paper some days ago, and I just want to explain my reasons for doing so. I know the government still cling to the idea of a land grant to build a railway communicating with the Yukon country, and I want to show the government and the House where I think the majority of the members of this House stand on that question. I have attempted to put in condensed form the opinion of a very large majority of this House on the question of the Yukon lands and the necessity of having communication with that country, and have also endeavoured to show that the revenues derived from the Yukon and the lands reserved by the government of the richest part of the country are quite sufficient for all the legitimate expenses of that country and to provide railway communication. The hon. Minister of Justice on more than one occasion has taunted myself and other members of the opposition in this House with the vote we gave on this question, as though we had been guilty of some very great crime, and that we were very sorry for what we had done. He also accused the House of partisanship at that time, and he has thrown out the challenge and told the House that we did not formulate any alternative scheme. In the first place, I wish to tell the hon. gentleman a secret which I am sure he does not know, that there was no concerted action on the part of the Conservative members of the House with regard to the Yukon bill.

Hon. Sir MACKENZIE BOWELL—Hear, hear!

Hon. Mr. MACDONALD (B.C.)—There never was one caucus held, and half the Conservative members of this House did not know how the other half would vote. I had no idea how my hon. friend on my right would vote. I never asked him and he never asked me, and that is the case with all the Conservative members—each acted on his own judgment, and as a rule the majority of this House gave a correct judgment and party did not enter into this matter at all. The question was dealt with on its merits. I can say for myself, and I think nearly every hon. gentleman who voted against the bill can say, that this was the case; and if to-morrow a vote were to be taken, with the increased information we have on that subject, we would give a similar vote—I myself would give it ten times over, whereas I have

incurred odium from my own province, because they were under a misapprehension that I was unfavourable to opening up communication with that district, which I was not. My opposition was only to the enormous land grant; and that is where I stand to-day. This resolution is not intended to formulate a new or counter scheme, but rather to show the government where the majority of the Senate stand on the question of the mineral lands of the Yukon, as well as the necessity for early railway communication to that district. In both the House of Commons and in this House, the Conservative members declared that they were in favour of railway communication, and they will vote a liberal sum of money to carry out that purpose. It is not necessary to fall back on the revenues of this country; we have revenue enough and resources enough in the Yukon to build communication and pay all other expenses. With regard to the first resolution that I put on the paper, about the necessity of early communication, I think the government and every member will agree to that. If it was essential that communication should have been had two or three months ago, communication ought to be had at as early a date as possible. I am going to commend the government now on this, that I believe they have officers surveying in that part of the country and doing now what they should have done last October. They knew then of the rush to the Yukon country, and if they had taken steps then they would have been able to act intelligently in this matter, and we probably to-day would have had communication. I know there are many members in this House who are sincerely anxious to have communication by way of Edmonton into that country. I think it would be a great boon to the Yukon country and to the North-west farmers if they could drive their cattle into that country, and if a trail could be built into the Yukon in the meantime, until the country could afford to give them a railway, but whatever is done there, it is very necessary that communication should be had from the coast if Canada is to have the trade into that district, or else it will go to other people; yet it does not follow that large grants of land are necessary for the accomplishment of that purpose.

The granting or alienating of large acres of land in that district to individuals or companies would retard the progress and development, create a monopoly inimical to the freedom of selecting, so necessary to successful prospecting and the discovery of new and profitable mines by locking up such area at pleasure.

I think the House will affirm that resolution.

That any monopoly so given would reduce the revenue producing capacity of the Yukon district—whilst the reservation of its mineral lands for mining purposes only may reasonably be expected to yield increased revenues annually.

I say without hesitation that if 4,000,000 acres were locked up in the hands of any company, they could move as fast or as slowly as they liked, and it would have the effect of blocking up that country for a number of years.

That the mineral lands of that district are the cause, and source of all revenues produced, as from its exceptionable properties, and position, commodities are imported yielding customs revenue in addition to the direct revenue from the industry of mining.

I think that cannot be questioned, because the foreign goods and commodities and the licenses in that country are the sources of revenue, and without the mineral lands there would be no source at all.

Hon. Mr BOULTON—Where did you get this information that the revenue would come to that?

Hon. Mr. MACDONALD (B.C.)—I got it from the Finance Department of the government.

That keeping in view the economical administration of that district, compatible with every possible encouragement to miners, and the mining industry, there are good reasons, from present indications, for expecting that the revenues of the Yukon district will be sufficient to defray the cost of establishing communication, and other legitimate charges.

Everything depends upon the economical administration of the district. I think it will be found that this year the government have gone to unnecessary charges. They have sent in a great number of men that I hope will not be required in the district; and as a matter of precaution, to follow these men up they sent in very large supplies at a heavy cost, and they took the unpatriotic course of going out of the country to find the means of supplying that want for the men up in the Yukon. They should have exhausted first of all the home resources, and if they could not find communication and transportation at home, then they could reasonably and fairly go to a foreign country for it.

That it is, therefore, desirable that the mineral lands of that district should be reserved for the country, the general public, and for revenue purposes, for

on wise and judicious administration depends the progress and prosperity of the district.

That the Yukon revenues for this year up to the 22nd May are $657,908, which, capitalized at 3 per cent represents a capital of $21,900,000.

That is the revenue for five months, nearly $700,000. I am informed there is now $100,000 coming down on its way to the government, so that in five months the revenue is nearly $800,000. It may be fairly expected that it will come this year to fully $1,000,000. Then there are the alternate blocks of land reserved by the government. If the government to-morrow should dispose of blocks of land in the Yukon district, say where ten miners take up claims, the government reserve the alternate claims, and these lands, I am sure, would sell for a very large figure to-day. I have an estimate here, which is approximate, of what the cost of 400 miles of railway would be. It is about $6,000,000, and British Columbia is willing to contribute $1,600,000, which would leave an annual charge on the revenues of the Yukon district of only $132,000. That is a very small matter compared with the importance of having the communication necessary for the government and everybody else going in. It is a mere flea bite. The next paragraph of my motion reads :—

That the question of communication with the Yukon district can be easily adjusted on business principles without being a charge on the consolidated revenue, proper, of the Dominion, from the revenues of that district, without weakening or lessening its revenue producing capacity, but on the contrary, with railway communication, stimulating and increasing such capacity.

I have no doubt that, with good communition to that country, the revenues would be doubled. Many more people would go in and pay duty, and the country would be in a prosperous condition. It is prosperous now and would be even more prosperous then. The miners could live more cheaply and would be in a much better condition.

Hon. Mr. MILLS—My hon. friend from British Columbia never rises to make a speech connected with railway communication with the Yukon country without undertaking to vindicate what he has done.

Hon. Mr. MACDONALD (B.C.)—Hear, hear.

Hon. Mr. MILLS—He is always soliloquizing. He has undertaken to answer the objections that in his conscience rise constantly to the course which he has pursued. My hon. friend knows that he has, on this occasion, sacrificed the interests of British Columbia to his devotion to party.

Hon. Mr. MACDONALD (B.C.)—And saved the whole country.

Hon. Mr. MILLS—And so it is a question between devotion to party and devotion to the interests of his province upon which his mind is in conflict, and he never proposes a resolution and never makes a speech in which that conflict is not made manifest. My hon. friend asks what course the government intend to take upon this question. My hon. friend said we acted too much in haste, and perhaps it would be a hasty thing on my part to undertake to answer my hon. friends question at this time.

Hon. Mr. MACDONALD (B.C.)—I did not ask any question.

Hon. Mr. MILLS—I understood my hon. friend to ask what course the government intended to adopt.

Hon. Mr. MACDONALD (B.C.)—No. I asked that question two weeks ago.

Hon. Mr. MILLS—And as we will be meeting probably in six months, I think I had better take that length of time to consider that question.

Hon. Mr. MACDONALD (B.C.)—In the meantime I hope the hon. gentleman will learn something.

Hon. Mr. MILLS—My hon. friend makes a number of statements in which I do not concur; I dissent from the inference which he has drawn, but I am not, at the last hour of the session, going to spend the time which should be devoted to other matters in discussing academic questions which my hon. friend submits now, for he admits he does not expect any action at present, and therefore what he proposes is rather a vindication on account of the mischief he has done than calling for any action on the part of the government. Here the hon. gentleman has made a series of calculations, he has told us of the immense value of those mineral lands in the Yukon country. He has told us that if four million acres of this land were to pass into the hands of the company they might be locked up. Let me say to my hon. friend that if four million acres of land had passed

into the hands of the company, I suppose the company would have undertaken to pledge those lands for moneys with which to build this road, and for a larger sum which might serve as immediate profit, if a larger sum could have been obtained. The parties who invest their moneys in these lands would naturally want to get the money out of them again, and get the interest out of the investment and so the lands would have to be worked, and as it takes at least 90 per cent of the value to get the gold out, 90 out of the 100 per cent would have gone in the form of wages to those employed, and of that 90 per cent at least 20 per cent would have been received by the government in customs or excise duties.

Hon. Mr. BOULTON—They do not seem to have given that ninety per cent in the case of the Crow's Nest Pass Railway.

Hon. Mr. MILLS—If my hon. friend will bear that in mind, he will see in the first place the amount of labour that might have been employed in the country, which is not. He will see the extent thereby to which he has hindered the development of that distant region, and he will see also the serious loss he has inflicted, not only during the present year but as long as that country will continue to be occupied by miners, upon the parties who would have gone there to mine, and he will see also what serious injuries he has inflicted on the province of British Columbia by standing in the way of railway development in that country, and what injury is inflicted on the Dominion by turning the commerce of that country into another channel and assisting in building up a United States seaport town, instead of a seaport town in his own province. I am not going to interfere with my hon. friend's reflections in this matter, because I do not profess to minister to a mind diseased, even though it be ever a worry that arises to my hon. friend from the mischief he has done to British Columbia ; but let me call his attention to another statement. He says that British Columbia proposed to contribute one million six hundred thousand dollars towards the construction of a railway and that we have not met British Columbia in that matter. British Columbia did not propose so to contribute. British Columbia proposed to make certain charges on those advances. Practically, it was a loan rather than a grant on the part of British Columbia, and so it stands and so far as I can ascertain, it was not of a character to enable parties who would have ventured to take the contract to finance successfully upon the contributions so made.

Hon. Mr. MACDONALD (B.C.)—Will the hon. gentleman allow me to tell him what the contractors said on that subject in a letter written by the contractor's agent? It reads as follows :

> VICTORIA, B. C., 30th April, 1898.—I beg to say that my firm are prepared forthwith, upon the granting to them on the said subsidy, to execute a contract on the above terms, so modified, with provision therein for the full and satisfactory equipment and operation of the railways.

Whatever it was, the contractor is willing to take that.

Hon. Mr. MILLS—My hon. friend reads the letter of Mr. Lucas. I was informed by his principals that they would not accede to that.

Hon. Mr. MACDONALD (B.C.)—Here is the offer.

Hon. Mr. MILLS—It was repudiated.

Hon. Sir MACKENZIE BOWELL—It was not my intention to say anything on this motion, but my hon. friend the Minister of Justice has, in his usual way, launched out upon that which is evidently haunting him like somebody's ghost—that is the question of the trade—

Hon. Mr. MILLS—Cæsar's ghost.

Hon. Sir MACKENZIE BOWELL—No, Hamlet's ghost ; it does not matter which. I should like to understand why the hon. gentleman makes the serious charge against my hon. friend from British Columbia of having sacrificed his province to his party? The hon. gentleman stated in the most distinct and positive terms, that my hon. friend came to the conclusion which led him to give that vote from a belief that the terms of the bargain with Mackenzie & Mann were neither advantageous to British Columbia as a province, nor to the Dominion as a whole. And I venture the assertion that ninety-nine people of every hundred who have taken the trouble to read and study and investigate that question will have come to the same conclusion. When he spoke of conscience I felt inclined to quote from Shakespeare "Conscience makes cowards of us all." Now my hon. friend's conscience must have been seared, seriously seared upon the matter

of answering questions. He declined over and over again to answer questions which were put in this house by gentlemen who thought it in the interest of the country they should be answered, the Minister of Justice could not help coming to the conclusion that my hon. friend was trying to extract from him some information, by questions, which he should have put, but which he had not put. Consequently he began in his usual way to answer questions which were not put, and declined to answer questions which were put. I do not propose to enter into the question of a serious loss to British Columbia, or to the Dominion by the rejection of the Yukon bill. But I take exception, as in the past, to the statement as to the diversion of the trade and the building up of United States towns and cities at the expense of Canada. I say more; my hon. friend knows, if he has had any conversation or consultation with men acquainted with that country, that the route that the government laid down, for the building of which they were to give such an immense tract of country, never would become a commercial route into that country. I contend, further, that it was not an all-Canadian route; that it was subject to the same regulations and the same conditions of trade that were imposed upon the entry of goods into that country through any of the other ports to which we have referred in the past. The same concessions, the same rights of trade and the same privileges to all traders throughout the whole Dominion and to the whole world, so far as goods going through Canada is concerned, are given to those who take goods into the Yukon district by Pyramid Harbour or Dyea, or Skagway, as they are by the Stikine; the result of which will be, that, no matter what road my hon. friend or his government would build, the shortest route, the easiest mode of reaching that portion of the Yukon district in which settlement has taken place, will be adopted in the future, irrespective of any road that might be built by the Stikine River route. That is so plain that I cannot understand how it is that gentlemen so conversant with the commerce of the country, and with economics, and with trade generally, knowing that trade always finds its own level, should repeat over and over again this statement of the diversion of trade from the country. If you can get into the Yukon district easier and cheaper by one route than another, that is the route which will be taken, if there are not obstacles put in the way to prevent it. As there are no more obstacles in the way of the entrance of trade into that country, than there are from the United States with goods to England, why should we have the assertion made that we have destroyed the interests of British Columbia, and of the whole Dominion for the sake of party, in order to defeat a measure which the government thought proper to lay before parliament? I venture the statement that I do not believe there is an action taken by the Senate of Canada since it was created under the Confederation Act, that is approved by a greater number of people in the Dominion of Canada than our action in rejecting that bill.

Hon. Mr. MILLS—I dissent from that.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman dissents. He dissented before I began. He has told us that we have ruined the country and diverted all the trade of the country into a United States port, and that we are going to build up United States towns and cities, sacrificing the interests of Canada. That is the idea I am combatting, and no man knows better than the hon. gentleman that such results will not flow from the action of the Senate. The contractors themselves knew, and stated publicly, that that route, never would be the commercial route: and that that was the reason why they insisted upon the monopoly clause for five years, notwithstanding the fact that the Minister of Railways and Canals stated in the House of Commons that the government insisted upon that clause being put into the contract. That is a conflict of statement between the two, and I leave it to those gentlemen to settle as to which is correct. I again repudiate in the strongest possible terms the charge which has been made against the members of this Senate who voted with the majority upon this question, that they were actuated wholly and solely by party motives. The best evidence of that is the statement of my hon. friend from Victoria that there was never any conference of the members on this side of the House, except merely casual conversation between the members who voted against the measure. I have had no consultation whatever with them. The proposition of the government was so iniquitous,

so far as the interests of that rich portion of our Dominion were concerned, that the common sense of every man led him to cast his vote against it, and I have no doubt a majority of this House would do so again if an opportunity were presented.

Hon. Mr. MACDONALD (B.C.)—I am surprised that the hon. Minister of Justice should not be able to discuss a public question without showing so much ill-feeling, venom and personal animus as he has shown in this matter. He has nothing to do with my conscience and my feelings. I am responsible to myself alone. If I had done what my hon. friend has done to injure the trade of this country and build up United States towns and divert trade from our own ports, I should hide my head and be very much ashamed. He has helped to throw the trade of this country into the hands a foreign country. He has helped to hurt the towns of British Columbia by allowing miners to pass up and get their licenses in other places, where they reaped a big harvest last season. I hope I shall never do that. If I were giving my vote again, I would vote the same way, and I would not be ashamed of it.

The motion was agreed to.

ADDRESS TO LORD ABERDEEN.

MOTION.

The Order of the Day being read:

Consideration of the Address to His Excellency the Governor General on the occasion of the approaching termination of His Excellency's official connection with this country, &c.—(Honourable Mr. Mills.)

Hon. Mr. MILLS—The following is the address which has been sent to us from the House of Commons for our concurrence.

To His Excellency the Right Honourable Sir John Campbell Hamilton Gordon, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia, &c., &c., Governor General of Canada, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's dutiful and loyal subjects, the Commons of Canada in parliament assembled, on the occasion of the approaching termination of Your Excellency's official connection with this country, hasten to assure you, the representative of Her Most Gracious Majesty, of the unswerving loyalty and devotion of the Canadian people to the Crown and Empire of Great Britain, and to express the hope that you will in person convey these assurances to our beloved Queen.

It is our pleasant duty to assure Your Excellency of the high appreciation by the people of Canada of the unfailing courtesy and assiduous care with which you have presided over the affairs of the Dominion for the last five years, a period which, it must be no small gratification to Your Excellency to know, has been characterized by a marked growth of progress and prosperity; and to testify to the generous and kindly interest which you have displayed in all that pertains to the welfare and advancement of the people irrespective of distinctions of class or creed.

We are also highly sensible of the great degree in which the literature, science and art of the Dominion have benefited from the deep and practical interest which Your Excellency has taken therein.

The important services which Your Excellency has rendered to this country have been heightened by the zealous co-operation of Her Excellency the Countess of Aberdeen, whose untiring efforts to promote the social and moral welfare of our people have endeared her to all classes of the community.

We beg to convey the assurances that Your Excellency and your distinguished consort will bear from our shores our profound respect and esteem, coupled with our warm wishes for your future welfare and happiness, and we indulge the hope that this country may continue to have in Your Excellency a friend and advocate in the councils of the Empire.

He said: I move to agree with the House of Commons by filling up the blank in the address with the words "Senate and." I have pleasure in moving, as I am sure my hon. friend will have in seconding, and this House in approving of the presentation of this address. We have had, since the constitution of our confederation, a number of distinguished men appointed by the Imperial government as the representatives of Her Majesty in this country. All of them, without exception, have been men of marked ability, men well acquainted with the constitutional system which they have been called upon to administer, and who have carried out that system in perfect accordance with the law and the conventions of British parliamentary government. In my opinion the Imperial government have been anxious to consult the best interests of the country in the appointments which they have from time to time made. We have had no one appointed as Governor General in this country without parliamentary experience and without a practical acquaintance with that system of government which he has been called upon to administer. In this regard we have had in His Excellency the Governor General who now has the honour to represent Her Majesty in this country, and that Canada has had the good fortune to have as Governor General no exception to that rule of well qualified statesmen as representatives of Her Majesty here, and I think His Excellency, not less than all those who preceded him in office, in all that he has done, in all that he has agreed to, and all he has failed to concur in, has observed with strictness the principles

and the spirit of the constitutional system which he has been called upon to administer. Canada has sometimes made rapid progress, sometimes she has seemed to be stationary. That will always occur in the history of a country. There are times in the affairs of a state which, if taken advantage of, lead on to fortune; and what is important in a country is, when those opportunities arise, that the government for the time being should take advantage of them. There is no period in the history of Canada since the system of federal union was established, in which there has been more marked changes for the advantage of this country than during the regime of His Excellency the present Governor General. I am not claiming any special credit for the present administration in these matters. I have never favoured the notion of presenting to the community the idea that their good fortune is wholly due to the administration, and not due to the self-reliance, the energy, ability, industry and frugality of the people themselves; but there are periods in the history of the country when marked changes take place, when new impulses are given to industry, when greater progress in colonization and settlement and in opening new avenues for trade come into existence and new relations spring up. We have at the present time a prospect of closer and more friendly relations between the people of this country—yes, the people of the whole British empire, and the neighbouring republic, a republic that at one time in its history formed a portion of the British empire, whose people speak our language, read our literature, and administer laws similar to our own; a people upon whom all the impressions that are made by that literature, and by that contact serve to mold them more and more in conformity with that type of man known as the Briton or the Englishman. Now, it is the good fortune that attends us at this moment that there is a prospect of closer and more friendly relations, of friendly relations likely to be more durable between the people of the British empire and the citizens of the neighbouring republic than have hitherto existed. We are likely to have, at no distant date, a conference for settling some of the outstanding differences between the people of Canada and the people on the south side of our border, which have led to some friction and led perhaps to retaliatory, or reciprocal legislation I may call it, upon the one side, and upon the other, and I hope that before His Excellency's rule in this country comes to an end, he will have the gratification of seeing those questions, by a treaty acceptable to us and acceptable to them, all fairly disposed of. A representative of the sovereign, like the sovereign, is said by Lord Brougham to reign rather than to govern. The work of government rests with the responsible ministers of the crown, but the work of ruling in its higher sense belongs to the sovereign herself and the representatives of the sovereign. The sovereign is the dignified head of the country, and I have sometimes heard opinions expressed that we do not require a dignified head—that we do not require a government house—that we do not require the social amenities which appertain to Government House. I dissent from that. If you abolish the social side of royalty you leave but little. It is that social side that gives it its influence, and it is the social influence that is exercised by the head of the state that contributes largely to make social influence a part of the government and enlists that social influence on the side of upholding and maintaining the law. I may say, without any disrespect of the people who live south of us, that one of the great advantages that we have over them in the business of government is that under our constitutional system the social features of the sovereign's rule is exercised on the side of justice and truth and decency and social order, and that no one can rise high in the state without some personal merit, and without some respect and deference to those ethical principles which are essential to the progress and prosperity of the people. Now, under the institutions of our neighbours, the law has to rely for its maintenance more largely upon the officers who administer and the deterring influences that are enlisted by the law itself on the side of order and against crime, than upon any social influence of any kind in the state. Our neighbours' institutions are institutions that may fit them well as a suit of political clothing. Our political institutions are an essential part of our life. They grow with us. They are adjusted to us. They are a part of ourselves. They are incorporated with our political existence, and as long as we possess energy and a love for what is true and just and fair, just so long will the system which we possess be superior

to that of any other. This is unquestionably the case, that under His Excellency the Governor General the principles and spirit of the English constitutional system of government has been respected and has been upheld, and every part of the country not merely the capital, has felt the social influence which His Excellency and Her Excellency the Countess of Aberdeen have exerted on the public on behalf of royalty. Let me say one other thing, that Her Excellency has taken a very active and deep interest in the social well-being of the people of this country, and especially of the women of this country, through the Woman's Council, which she has done so much to organize and to perfect. I have been myself surprised to observe with how much good sense, and how much care social questions are investigated, mischiefs are sought to be met, difficulties to be overcome, and in all these regards, although Her Excellency may in a few months leave Canada, the good that she has begun will live after her, and the institution that has been fairly organized and established by her will be carried on after she has gone from Canada. I am sure that we shall remember both His Excellency the Governor General and his esteemed lady, the Countess of Aberdeen, kindly after they are gone. I am sure we all wish them well, a long and happy life after they have left this country and through the long vista of receding years we trust that there will occasionally come to their minds tender recollections of many events that have transpired while His Excellency was the Governor General of Canada. (Applause.)

Hon. Sir MACKENZIE BOWELL—It is well chat there are occasions upon which all political parties can agree, and it is also well that that sentiment of affection for our sovereign, and of the institutions under which we live, is such, that all men who have a knowledge of either the one or the other, can, upon occasions of this kind, unite in paying that respect which is due to the representatives of our gracious Queen. In the present instance the representative of royalty in this country has, in his many acts of kindness, his devotion to the duties of the office which he holds, and in many other respects, endeared himself to those with whom he has come most in contact; as an integral portion of the great Empire, five or six millions of people though we may be, we join heartily in the esteem which we have for His Excellency the Governor General, not only as a representative of sovereignty but, I will add, as a man. Every one must deeply regret the causes which led to the severance of the Governor General from Canada and the duties pertaining to his office, at the present moment. His term of office has not expired. His departure from Canada is owing to a desire to visit at home an aged parent. When we consider the age of his respected mother, and her affectionate desire to see her son ere she passes away, we can easily not only appreciate her feeling, but recognize in the son himself that kindness and attention which every child should entertain for his parents; which has impelled him to resign the great trust which he holds, and led him to ask the authorities at home to permit him to retire, in order that he may prove that devotion which is due from a son to a parent. I am sure that His Excellency the Governor General will, like his predecessors, when he returns to his home, be to Canada what his predecessors have been in the past. It has been my good fortune to meet some of our former Governors General in England, and upon no occasion that presents itself to them have they ever lost an opportunity of saying a good word for Canada. I might almost say that they have been the very best emigrant agents that Canada has had in the mother country. Their Excellencies will be remembered in the future for the unbounded hospitality which has characterized them in all sections of the Dominion, and to all classes of the community. In addition to that, His Excellency has identified himself with everything that pertains to the welfare of the country. If by his presence he could aid in the development of science, the industries of the country, or in advancing literature, he has been always ready and willing to give his time; and, I might say, sacrifice his comfort in order to attain the great object to which I have referred. His Excellency has, upon all occasions, shown a great interest in the welfare of Canada. He has been from one end of it to the other. He has shown his faith in the future of the Dominion by investing largely in some sections of it, more particularly in the province of British Columbia. These interests will endear him to the country, as well as the good opinion which he knows is entertained of him by those with whom he

has come in contact. I shall not attempt to enlarge upon, but merely refer to the sentiments which have been uttered by my hon. friend the Minister of Justice in reference to the status of Canada in the empire, its future prosperity, and the near approach to that time, to which we all look forward, of closer relations to the empire and greater freedom of trade between all sections of it; and also his remarks upon the advantages of the institutions under which we live compared with those of other parts of the world. My hon. friend has dealt so fully with these points, and so truthfully, that I do not think there is a member of the House who is not fully in accord with the sentiments he has uttered. I have simply to say, in reference to Her Excellency, that the indomitable energy and industry which she has displayed in her endeavours to advance the welfare of the country, more particularly of those of her own sex, can never be repaid by the people of this Dominion. I am quite sure that in the future many of her acts of kindness will long be remembered. They will linger in the memory of those who received not only her personal kindness, but for the benefit which she has bestowed upon her sex in Canada. I may say that many of her efforts to ameliorate her own sex and to do good to the country have been misrepresented by those who have not known, or appreciated, the real object that the Countess had in view, in devoting so much time and so much energy to accomplishing her purpose. Though that may be the case, she will always be remembered kindly by those who have received benefits and kindness at her hands. The hospitality of Government House, over which the Countess has so acceptably presided will be difficult to emulate, and long remembered by the people of the Dominion. I shall not venture upon the subject of constitutional government, nor upon the necessity of an adherence either to the principles or the precedents of government, by which we are governed; but I say this, and I say it in all sincerity, that no man who has ever come in contact with His Excellency, personally, but must have come to the conclusion that whatever he did was done from a conscientious conviction of right. Criticism follows every public man, and we know in looking at the past how severely some of our Governors General were criticised by parties in the country. That will continue just so long as human nature is constituted as it is, and just so long as we differ in our views as to the proper course which should be pursued in the government of the country; hence I look upon these criticisms as fair, when conducted in a proper spirit, as incident to a free country and to the free institutions under which we live. I join cordially in the wish that was uttered by the hon. gentleman who moved the adoption of this Address, and also in the wish contained in the Address itself, that when their Excellencies leave Canada for the place of their birth, they may long live to enjoy pleasant recollections, as I am sure they will, of their four or five years sojourn in Canada; and that they may convey to Her Majesty that which has been conveyed to Her over and over again, the sentiment of love and affection which Her Canadian subjects have for Her, and of their continued loyalty to the Crown of Great Britain. (Applause.)

Hon. Mr. BOULTON—It would ill-become me not to add to the words that have just passed from the leader of the government and the leader of the opposition did I not as a representative of the settlers of our great boundless prairies of the west express their regret at the termination of Lord Aberdeen's public office and the departure of Her Excellency necessitated thereby. One of the first things that Lady Aberdeen did was to establish what is known as the Aberdeen Association, by which many homes in our isolated prairies have been cheered by the literature that was distributed by that means. I have also to express their feelings in the efforts that were put forth by Her Excellency in the formation of what is known as The Victorian Order of Nurses, an organization that will be felt of the greatest advantage and benefit to those isolated settlements where the appliances for hospital treatment are not so obtainable as they are down here in this eastern country. It is not the first time that Aberdeen has impressed its character upon this country. Through the University of Aberdeen, Bishop Strachan, Archbishop McRae and other distinguished men have impressed the character of that university on the educational institutions and churches over which they presided, and I am quite sure I am only expressing the feelings of those who reside in our western country when I say that they express extreme regret which we all feel

that the termination of their Excellencies' rule is coming. The social efforts their Excellencies have put forth in the organization of the National Council of Women and other similar national movements will leave as a memorial of those efforts and the good they have done will live after them. I see by this evening's paper that the name of Lord Wolseley is suggested as the probable successor of Lord Aberdeen. All I can say with regard to that appointment is that he will be a worthy successor of the many distinguished men who have filled the office of Governor General of Canada, and that he will be warmly welcomed back to Canada should the rumour prove true.

Hon. Mr. MACDONALD (B.C.)—I wish to add my small quota to the esteem which has been expressed on this occasion for Their Excellencies, Lord and Lady Aberdeen, by the hon. leaders on both sides of this House. As the hon. leader of this side said, it is pleasing to find a common ground upon which both sides of the House can take a stand. I think it will be agreed that the administration of His Excellency has been highly successful, although the country has been passing through a time of great depression during the last five years on account of the state of business on the other side of the line. Their Excellencies have taken a deep interest in everything towards the promotion and the welfare of the country. They have tried to inculcate habits of usefulness in every walk of life and have shown a good example in every possible way to the people of the country. They have organized institutions for charity and for nursing and for other useful purposes in this country which will be long remembered after they have left us. The hon. leader of the opposition alluded to the unbounded hospitality of Their Excellencies. I have certainly very great pleasure in confirming that, and without reflecting on any one else who has occupied Government House, none has been so lavish in hospitality. Our wish, and the wish of thousands of the people of this country, is for Their Excellencies' happiness in the years to come.

Hon. Mr. DRUMMOND—I am unwilling to give a silent vote on this occasion. and I just wish to say that I join most cordially in the felicitations which the hon. Minister of Justice and hon. leader of the opposition have given expression to in reference to the personal character and the official proceedings of the Governor General in this country. It is saying nothing peculiar when every senator is able to rise and give his testimony to the unbounded and unwearying hospitality and kindness which have been evinced by both His Excellency and Lady Aberdeen during the whole period of their residence here, and I think, so far as my experience goes, that we have never had a Governor General and his amiable lady in this country who have more earnestly desired to fill the duties of their lofty station with a more unsparing hand than those who are about to leave us. I most heartily join in all that has been said with reference to them, and in the good wishes and the most fervent hopes which have been expressed that they may have a long and happy career before them.

Hon. Mr. DANDURAND—I should not like this motion to be adopted without a word being said from a representative of the French section of the province of Quebec. I will not add much to what has been so happily stated before me as to the work done by the Governor General, which praise I completely endorse. I will simply add that we have had in Her Excellency a practical illustration of what is genuine philanthropy. We have seen Her Excellency, from the Atlantic to the Pacific, sowing germs that will develop into great benefits for the people of this country. The women of Canada have been shown how they could do something in their own sphere towards the advancement of humanity. They have been taught that women of wealth, women of leisure could give that leisure and part of that wealth towards the progress and the betterment of the conditions of their sex, and I have no doubt that Canada will, by the exceptional examples set by Her Excellency, morally and materially improve as our gentlewomen will bring their heretofore unknown influence, as a confederate and organized body, to bear towards the progress of the Dominion.

The motion was agreed to.

BILL INTRODUCED.

Bill (167) "An Act in further amendment of the Post Office Act."—(Hon. Mr. Mills.)

MANITOBA DEBT ACCOUNT BILL.

FIRST READING.

Hon. Mr. SCOTT moved the first reading of Bill (169) "An Act respecting the Manitoba Debt Account."

The motion was agreed to.

Hon. Mr. SCOTT—I move that the bill be read a second time at the second sitting of the House to-day.

Hon. Sir MACKENZIE BOWELL—This is a very important question, involving as I understand some half a million of money. The question is whether the Senate is prepared to consider a question of so much importance on two or three hours' notice. However, if senators have given attention to the debates in the other House, I suppose they will understand it to-night as well as to-morrow, but I must again enter my protest against this mode of bringing bills of such importance before us at this period of the session. I do not know that there will be so much objection to this one, but there is another one coming which I think will occupy the Senate for some little period of time.

Hon. Mr. SCOTT—I may say in reference to this that the amount is not quite so large as my hon. friend mentioned, and he may be somewhat familiar with the claim. It arises from the Manitoba public buildings, the Lieutenant Governor's residence and the parliament buildings, and it is a claim that has been made from time to time for many years. It was charged against them in their debt account and they always claimed it was improperly charged, inasmuch as all the other provinces were presented with their public buildings and it was not fair that Manitoba should be charged with the amount. The buildings, as my hon. friend knows, were erected by the government of Canada about 1884 or 1885, and subsequently were charged against Manitoba as expenditures of a local character. The contention of the Manitoba government has been that they were not of a local character, inasmuch as other provinces had the public buildings given to them, because at the time of confederation the public buildings all over this Dominion were federal properties, and were subsequently transferred without charge to the several provinces, and that all ought to have been treated alike.

Hon. Sir MACKENZIE BOWELL—I understand that, but the public buildings as they existed at the time of confederation belonged to the provinces and not to Canada, and when Ontario built her new government residence she built it out of her own pocket. The Dominion did not pay for it, and the question may arise as to whether Ontario may not make just as good a claim for compensation for the construction of that building as Manitoba has for hers. I am aware of the fact that they have been applying for this money ever since the buildings were completed. I know during the whole time I was in office there were constant applications, and it is only another illustration of the principle of the importunate widow. If they will only keep importuning sufficiently long. It is evident that while there is a government in power which expects to receive a consideration therefor, or have received it, they will accede to demands which other governments had refused on the ground that they were not entitled to it. However, I do not know that I shall discuss this question now, but I think I shall be able to show that the last settlement covered all claims they had against the Dominion, and that that settlement was ratified by an Act of their own legislature; while I say that, I am aware of the fact that they always demanded more and will keep demanding more. In what is proposed if ratified, is opening a door that will lead to further demands from other provinces, and as my own province has never had much consideration in that way, I should judge that Mr. Hardy should put in a claim of some half a million at least. My hon. friend says that the amount is not so large as I intimated. If I recollect right it is about $280,000, and interest added for fifteen or sixteen years at five per cent, so that when you have done that I do not think it will be much less than half a million. The object of the bill is simply to add to the credit of the indebtedness of Manitoba this amount of $280,000, upon which they will receive five per cent from the time it was credited on their capital account by the Dominion.

Hon. Mr. SCOTT—I think the interest is about $240,000.

Hon. Sir MACKENZIE BOWELL—Yes, and that together with the $280,000

will come to a little more than half a million.

Hon. Mr. AIKINS—I think my hon. friend is too hard on the province of Manitoba. The other provinces came in with certain amounts of land. The province of Manitoba had no lands, and I know it was understood at the time that the Government House and some other public building were erected that the Dominion government had a settlement with the province of Manitoba that they would be allowed. I think that was understood at the time, and it is very unfair to charge the province of Manitoba with this amount, for the simple reason that they had no resources whatever, no revenues, nothing except what they derived from the settlers.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is right to a certain extent. They were allowed certain sums in lieu of the land, not very large I admit——

Hon. Mr. SCOTT—No.

Hon Sir MACKENZIE BOWELL—We have had four or five settlements with Manitoba since she was formed into a province, and every time further concessions were made.

Hon. Mr. AIKINS—On the basis of settlement.

Hon. Sir MACKENZIE BOWELL—On the basis of settlement—yes, I admit that, and for reasons which were then given. The only point now is whether, at the last settlement, these claims which Manitoba had were included in that settlement, or whether the settlement was altogether irrespective of them. That is the position that has been taken, and that is the position taken now by the government in defence of the policy which they have adopted. I am not going to criticise their reasons for the course they have pursued, but I have my own opinion as to what led to that settlement, and probably we may give utterance to it before we get through the debate.

Hon. Mr. MILLS—I do not think my hon. friend is dealing very generously with Manitoba. You take, for instance, the public buildings of the older provinces; whatever they were worth they became the property of the Dominion under the British North America Act and are included in the schedule. Now there were public buildings at Fredericton and Halifax, there were public buildings at Quebec, and there was a public building that was used for many years as a parliament building with several acres of ground about it in the city of Toronto. All these properties were handed over to the provinces, although they were legally the properties of the Dominion, without charge. Now when certain public buildings in Manitoba, of a kindred character, are built and you undertake to charge that to the capital account of Manitoba, you are doing what is not done in any of the older provinces. As the hon. senator on the other side said, Manitoba has no natural resources the same as the maritime provinces and Quebec and Ontario. We have the public lands of Manitoba, they are Dominion property. There have been several settlements with Manitoba. There was an agreement to pay a certain sum per head of the population, but when the calculations were made it was found in every instance that Manitoba, on account of her peculiar circumstances instead of being more generously dealt with than the other provinces, was less generously dealt with. She has made claims, and I do not understand that the government of which my hon. friend was a member ever repudiated those claims. They did not finally deal with them. They did not acquiesce in them but they did not reject them. So that the claims of Manitoba have been standing ever since. We have in Manitoba a new province, a population going in there mostly of young men from the older provinces, who are seeking to make their fortunes by the cultivation of the soil; and you have foreigners most of whom are in straitened circumstances, depending upon their industry in order to obtain a competence from the land. You have a population which is not the best fitted at the outset, when the province is new, to meet all those charges which, in the other provinces, are made without any tax and burden on the population, but are derived from the natural resources of the country, the sale of its timber, minerals and lands. Manitoba has no timber, it has no land, and has none of those sources of revenue which are found in the other provinces, and I do not think, if all Manitoba asked for is conceded, that she will still be in a position of advantage as compared with the older provinces.

The motion was agreed to.

CONSTRUCTION OF PUBLIC WORKS GRANTS BILL.

FIRST READING.

A message was received from the House of Commons with Bill (161) "An Act respecting the payment of grants in aid of the construction of public works."

The bill was read the first time.

Hon. Mr. SCOTT moved that the bill be read the second time at the second sitting of the House to-day.

Hon. Sir MACKENZIE BOWELL—What is the bill?

Hon. Mr. SCOTT—The Auditor General has decided that where a subsidy is granted to any public work, no money can be paid until it is actually completed. This is to authorize advances to be made as ordinarily made on contracts. I think there are two cases excepted. The bill reads as follows:—

Whenever by an Act of parliament a grant in aid of the construction of any work has been made payable on the completion of sections thereof, or otherwise, the Governor in Council may authorize payment on account thereof according to progress estimates to be furnished by the engineers of the Department of Railways and Canals, notwithstanding that the work so aided, or any section thereof, has not been wholly completed, where the non-completion thereof is not due to delay on the part of the contractors, or to pecuniary causes, or to causes within the reasonable control of the contractors, and where the amount proposed to be paid as having been earned by the contractors will not be less than sixty-four thousand dollars, after withholding from the amount which would be earned by the completion, a sum sufficient, in the opinion of the Minister of Railways and Canals, to cover the cost of completing the whole of such work or the section thereof with respect to which payment is being made.

This Act shall only apply to the contracts made with the Grand Trunk Railway Company of Canada in aid of the construction of the Victoria Bridge, and the Canadian Pacific Railway in aid of the construction of the Crow's Nest Pass Railway.

In these two important works, the ruling of the Auditor General is that no money can be paid until the work is completed and taken off their hands. It enables a certain proportion to be advanced, the government retaining in its hands an amount sufficient to pay for the work even if it were stopped at that time.

Hon. Mr. MILLS—I will state the case out of which this bill grew. In the construction of the work on the Crow's Nest Pass, under the contract, a payment could be made when ten miles were completed. In some places there was a ravine running across the track. The steel was upon the ground for the erection of the bridge, but it could not be put up at that particular season of the year, and although the work was constructed and the material for the bridges was on hand, nevertheless, as there was no ten miles without some imperfect or uncompleted structure, it was not possible, according to the ruling—and I suppose according to the strict interpretation of the contract—to make any payment for the work that was actually done. This bill, without any departure from the principle that existed in the law before, enables the government, in a case of that sort, to make payments of the subsidy that was promised.

Hon. Mr. AIKINS—A progress estimate?

Hon. Mr. MILLS—A progress estimate. It is simply to give the contract a certain degree of flexibility that will render it possible to make payments where the money has been actually earned, although the work may not be absolutely completed in the way that it must be when it is accepted as a completed work.

Hon. Mr. McKINDSEY—What is the object in fixing the sum of $64,000?

Hon. Mr. MILLS—I suppose where the subsidy is $6,400 per mile it would be $64,000 for ten miles.

Hon. Mr. CLEMOW—I can understand an exceptional case, but where a man takes a contract on certain conditions I think he should know what those conditions are. At present the rule is that you pay as ten miles are built, and the contractor is not entitled to any money until those ten miles are completed. But under this bill the government can pay for ten miles whether the work is done or not.

Hon. Mr. MILLS—No; the work must be done. But with the thermometer down to zero, even though you had the steel and material on the ground, you might not be able to erect the bridges that were required.

Hon. Mr. CLEMOW—Of course there might be an exceptional case.

Hon. Mr. MILLS—And while the work was completed under the spirit of the contract, it would not be technically complete.

Hon. Mr. SCOTT—Take ten sections of ten miles each, making one hundred miles:

supposing each one was finished with the exception of one hundred dollars to be spent on each section, not one dollar could be paid under the ruling of the Auditor General, because the section must be absolutely complete and in working order, and although ten times the amount required to be expended had been spent on the whole hundred miles, in consequence of a section not being absolutely finished and ready for operation, no money could be paid.

Hon. Sir MACKENZIE BOWELL—That is the principle on which all these subsidies have been paid in the past.

Hon. Mr. SCOTT—I do not think so.

Hon. Sir MACKENZIE BOWELL—Oh, yes, it is. I have no doubt about it at all, because many a demand has been made upon the government, and the very reasons advanced which the hon. Secretary of State has advanced. They have completed ten miles of road, or perhaps a hundred miles of road, but there has been some bridge in the centre which rendered the whole road comparatively useless till that was built, yet they would like advances made. I should have great objection to the bill if it was of a general character, but as it is confined to the two enterprises that are being carried on by two companies that we know will complete them, there can be no possible loss. I can understand now why sixty-four thousand dollars is fixed as the maximum sum to be paid. Three thousand two hundred dollars is the amount of subsidy which in the past, has been granted per mile, in aid of the construction of these roads, but the gentlemen who have been opposing these subsidies strongly in all parts of the country, inside the House and outside of the House, increased it to six thousand four hundred per mile, which if multiplied by ten, will give the sum of sixty-four thousand. I suppose that is the basis of it?

Hon. Mr. SCOTT—Yes.

Hon. Sir MACKENZIE BOWELL—Under the circumstances, and as it is confined to the Grand Trunk Railway, and to the Crow's Nest Pass Railway to which we are bound by law to give large subsidies, I do not see any objection to the bill.

Hon. Mr. BOULTON—It is confined to those two roads?

Hon. Mr. SCOTT—Yes.

The motion was agreed to.

MANITOBA SCHOOL FUND BILL.

FIRST READING.

A message was received from the House of Commons with Bill (168) "An Act respecting the Manitoba School Fund."

The bill was read the first time.

Hon. Mr. MILLS moved that the bill be read the second time at the second sitting of the House to-day.

Hon. Sir MACKENZIE BOWELL—I look upon this bill as one of the most dangerous innovations of the principle of endowments ever proposed since we have had a parliament. If I stand alone in the parliament of Canada I shall vote against it, and I shall give my reasons for it when the second reading comes up. You might as well interfere with a man's will as take the course the government are pursuing in this matter. I look upon it as dangerous in character,—I was going to say iniquitous—and how any government holding the views that I do—perhaps they do not hold my views, or they would not—could have ever made such a proposition to a legislative body, and how it should ever have passed the Lower House, is beyond my comprehension. You might just as well invade the rights of any individual as to invade the rights, as this bill will do, of future generations in that country.

Hon. Mr. BOULTON—I would like to ask if a similar advance to that has ever been made.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. SCOTT—Yes.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. MILLS—In 1877 I myself proposed, at the instance of Mr. Norquay, who visited this part of the country, the advance of a certain sum, I forget the amount, but it seems to me it was fifteen thousand dollars a year, to the government of Manitoba in aid of their school system for supporting

their schools, which advance was to be charged against the school lands of Manitoba.

Hon. Mr. BOULTON—Against the income or capital?

Hon. Mr. MILLS—Against the school lands.

Hon. Sir MACKENZIE BOWELL—The sums were advanced, taken out of the capital, but they have been recouped in interest by the sale of the lands, and the Finance Minister has stated that fact in the House. This is an actual gift to the Manitoba government of $300,000 out of the capital which they have at present of $475,768. That is the difference between the two. This is an actual gift of $300,000 out of about $475,768, and without any regard to the manner in which they may spend it further than to say it is for school purposes. It is depleting the capital to that extent without providing means of being recouped.

The motion was agreed to.

THE NORTH-WEST IRRIGATION BILL.

RESTORED TO THE ORDER PAPER.

Hon. Mr. SCOTT—I beg to inform the House that I will place the Irrigation Bill on the Orders of the Day. I have seen the Minister of the Interior, and he has not yet decided what course he will take with reference to it; so that we can pass it now and send it down to the Commons. I understood the hon. gentleman from Calgary was willing to withdraw his amendment. There were four or five amendments inserted, but there was only one to which I objected.

Hon. Sir MACKENZIE BOWELL—The hon. senator from Calgary will be here in the morning. The hon. minister does not propose to take it up to-night?

Hon. Mr. SCOTT—Yes, and pass it with the amendment. If the hon. member from Calgary chooses to advise the Minister of the Interior in the other House that he will withdraw his amendment, that can be done. He expressed the opinion across the floor of the House that he would not insist on it.

The Senate adjourned.

SECOND SITTING.

The SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

SUPREME COURT JUDGES IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) inquired of the Minister of Justice:

If it is the intention to appoint a barrister from the bar of the province of British Columbia to the vacant judgeship in the province—also, if the travelling allowances of the Supreme Court judges in British Columbia are equal to those of the judges of Quebec and Ontario? If not—what are the reasons?

Hon. Mr. MILLS—I may say to my hon. friend that I do not think the travelling allowances of the judges of the province of British Columbia are inferior to those of judges in Quebec and Ontario. We have not touched the travelling allowances in respect to any of the Supreme Court judges.

Hon. Mr. MACDONALD (B.C.)—You have in Quebec.

Hon. Mr. MILLS—No, we have not dealt with them in the bill. The consideration of the position of the Superior Court judges was allowed to stand over until another session. The hon. member asked if it is the intention to appoint a barrister from the bar of British Columbia to the vacant judgeship in the province. I may say to my hon. friend that that subject will be considered immediately after the close of this session. Up to the present time we have been so much occupied with the business of the session that I have not had any discussion with the Prime Minister or my colleagues on the subject.

Hon. Mr. MACDONALD (B.C.)—All I have to say is that I hope we will get justice and fair-play, and that a gentleman from the province will be appointed. Sir Oliver Mowat filled the last appointment in British Columbia with a gentleman from that province.

Hon. Mr. MILLS—I have made an appointment in British Columbia from the bar of the province since I became Minister of Justice.

THIRD READING.

Bill (139) "An Act to incorporate the Northern Commercial Telegraph Company, Limited."—(Hon. Mr. Macdonald, B.C.)

LAKE CHAMPLAIN AND ST. LAWRENCE SHIP CANAL COMPANY BILL.

THIRD READING.

Hon. Mr. DANDURAND (in the absence of Hon. Mr. Clemow) moved the third reading of Bill (99) "An Act to incorporate the Lake Champlain and St. Lawrence Ship Canal Company."

Hon. Mr. ALLAN—I intend to oppose the third reading of this bill. The subject of the bill concerns very materially the trade and commerce of the country. It will affect, I think, to a very considerable extent, the trade of the St. Lawrence, and, at all events, it was brought down to us at such a very late period of the session that we had no opportunity of considering fully the provisions of the bill. There was a very small attendance of the Railway Committee. I think there were only fifteen members altogether, and the bill ought at all events to be postponed for another year.

Hon. Mr. OGILVIE—Hear, hear.

Hon. Mr. ALLAN—We had not the advantage of having the opinion of the government in reference to the details of the measure or the measure itself, although as I understand some members of the government in the other House were very strongly opposed to the bill. Under all these circumstances, it is very desirable that this measure should not go through this session, but that it should be postponed until next year. For that reason, I move that the bill be not now read the third time, but that it be read a third time this day six months.

Hon. Mr. POWER—It is a little unusual to move in this way against a private bill without giving notice of the intention to do so. The hon. gentleman from Rideau division was out of the House, and I presume had no reason at all to suppose that this unusual course would be taken.

Hon. Mr. ALLAN—Oh, yes, he had.

Hon. Mr. POWER—It is true this bill came down to this House at a very late stage of the session, and I felt that way yesterday when I took the liberty of objecting to the suspension of the rule in favour of this bill. But when I came to examine my file of bills, as introduced in the House of Commons, I found that this bill had been introduced on the 24th March. That is not an unreasonably late period of the session, considering that the session began in the month of February. Then the hon. gentleman from York said he had understood the government had been opposed to this bill, but it appears that one of the reasons why the bill did not reach this House earlier, was that the government, or some of the ministers, took time to examine the bill carefully and to go into the whole subject of the desirability of allowing it to become law. After that they were satisfied that the bill should become law, it having been first amended in certain particulars which the government thought desirable. So that really, if this bill comes to us differently from other bills, it is rather due to the fact that it has had more consideration than the ordinary private bill which comes here. It has been considered, not only by the committee of the other House and by the committee of our own House, but it has been carefully considered by the government also, or by those members of the government who would be interested in the subject of railways and canals. The fact is that this measure does not call for any public money. It simply asks for the right to build a canal which has been strongly recommended by the international commission on waterways which sat about a year ago, and it is a work the construction of which would be of the greatest advantage to the city of Montreal in particular, and to the St. Lawrence region in general, and beneficial also to the western part of the Dominion whose products would be afforded a way of getting into the United States if it were so desired. Hon. gentlemen appear to be under the impression that trade which had reached Montreal on its way to the ocean might be diverted to New York by way of this canal. No hon. gentlemen who stop to reflect for a moment would suppose that trade which was at Montreal, at the head of ocean navigation, would turn and go through some hundreds of miles of canal navigation for the purpose of reaching tide water again at the port of New York unless for consumption in New York. I regret that the hon. gentleman from York should have thought it his duty to move against

this bill. I cannot see myself that there is the slightest reason for not passing this bill If the incorporators named in it are able to go on with the work themselves, or if they are able to induce other capitalists to take hold of it and go on with the enterprise, it will be a good thing and of the greatest possible advantage to Canada, and if the other great work which my hon. friend from Rideau division has had charge of, the Ottawa and Georgian Bay Canal, be constructed within a reasonable time, the work which is provided for in this bill will be a very important link in the chain of communication between the west and the east, of which the Ottawa and Georgian Bay Canal would be itself a link. I trust the House will not, at this stage and without any notice whatever, summarily reject a bill to which I for one can see no reasonable ground of objection.

Hon. Mr. OGILVIE—It is somewhat surprising that those of us who live in or near Montreal are so obtuse that we cannot see all the advantages in this bill that the hon. member for Halifax does.

Hon. Mr. POWER—The hon. gentleman who moved the third reading lives in Montreal.

Hon. Mr. OGILVIE—I was referring to the remarks of the hon. member for Halifax. Now, I do not say that this canal would not be a benefit to both Canada and Montreal, but I do say that it is too vast and too great an undertaking for any one to be able to give judgment upon it, who did not know anything about it until yesterday or the day before, and to be asked to pronounce upon it now. The very reason that the hon. member for Halifax gave that the bill was introduced in the other House on the 24th March and has been there ever since, is good reason for us to suppose there was something that was not just straight about it, or else it would have gone through a great deal quicker. This may be a good thing for the country, but I say that more time is wanted for us to decide upon it. It is very true what the hon. member for Halifax has just said, that they ask for no money, and if they can get capital to build this it may be a very good thing, but we must not forget one thing, that it ties up anybody else from doing anything for three years, and they have seven years to complete the work. I am not a member of the Railway Committee, but I said this morning in the Railway Committee that it would be better to postpone this bill and give us some more time to know what to do with it. Now there are several things that are very indefinite about this bill but there was no use in saying anything more about it—where does this canal start from? They say opposite or below Montreal, but the bill says they are to start anywhere in the parish of Chambly. That is a pretty long range. I think they had better be more definite and state where they are going to run before they come to ask us for this charter. It is a very valuable franchise to give, and I for one would be sorry, if it is going to be such a good thing for Montreal and Canada, to stop it; but until we get more time to look into it, there is no help for us, who do not approve of this hasty legislation, but to vote for the motion of the hon. member for York and I for one shall do so, not that I consider it a good thing to throw this out, but because, if it is a good thing, they should give us more time to discuss the project another year. The last day of the session is no time to bring this bill to us and ask us to pass it, and I doubt very much if it is wise to grant a charter such as this to a private company at all. On that, however, I will not express an opinion, but I do think that, had the promoters of this bill done what I asked them to do this morning, postpone it for a time, it would have been much wiser, and that is what I should like to see done. I feel quite sure that the good sense of this House will lead hon. gentlemen to vote for the motion of the hon. member for York and give us time to consider this bill more carefully at another session.

Hon. Mr. DANDURAND—This canal is to start at the head of the Chambly Canal, on the Richelieu side, and to end on the line of Chambly County on the St. Lawrence side.

Hon. Mr. OGILVIE—The bill does not say so.

Hon. Mr. DANDURAND—It does, and it is meant that the canal should end between St. Lambert and Longueuil in order

not to pass by Montreal, but to be a feeder for Montreal. As a matter of fact, we know that the lumber starting from here goes down to Montreal, has to go around over one hundred miles to Sorel to ascend the Richelieu River in order to reach the United States, where it is sold. Now all this trade will come to Montreal, and instead of losing forty-eight hours or more to reach the Richelieu River, the head of the Chambly Canal, it would, by this canal, be reached in a very few hours. The same thing would avail for the coal, which comes from the States and from Lake Champlain and Whitehall Canal, which come by this direction, and there would be a considerable saving in the price of the coal on the Montreal market. My hon. friend opposes the bill because it comes before us so late in the session; but that is no fault of the promoters. It has been delayed in the other House. I may state that the government did not want this bill to go ahead before it could be examined thoroughly by the Minister of Railways; it was carefully examined and there was a very long discussion upon it which lasted over two or three sittings of the Railway Committee of the House of Commons, and I speak from my personal knowledge when I say that it was Sir Charles Tupper who succeeded in settling the difficulty which existed in the minds of some of the hon. gentlemen of the committee, as to the advisability of the government taking hold of this project as a public work. Sir Charles Tupper suggested that in order to give full control to the government before this work should go on, the following should be added: "This Act shall come into force on a day to be named by proclamation of the Governor in Council to that effect." By adding that to the bill the government can take hold of the work whenever it feels disposed to do so, and can even prevent the work going on if they think, from a national point of view, it is better that this canal should not be constructed. But all those who have studied the question—people appointed by the two governments—have reported in favour of the construction of this canal. I may say that I have before me letters from the French board of trade recommending the passage of the bill. The Board of Trade of Montreal has not pronounced upon it, because although the question has come up it has been adjourned; but as a matter of fact, as has been stated, there can be no question of the trade of the St. Lawrence being diverted towards Lake Champlain through that canal. The only trade that will go through is the trade that needs to go there to the States via Lake Champlain. So it seems to me that when a company asks to be allowed to construct by private capital, without asking one cent of subsidy, a canal which will save over one hundred miles in the transportation of the necessaries of life, that this bill should be received with favour, and it is no fault of the promoters of this bill that it has come to us at this late hour. It has been stated that more care has been given to this bill by the other House than to bills in general, and that more time should be given us also. I must declare that we examined it this morning in the Committee of Railways and Canals and each clause was carefully considered and it is quite an exceptional case, it seems to me, that a bill with 41 clauses of this importance should have passed after being closely scrutinized without one single amendment.

Hon. Mr. WOOD—May I ask the hon. gentleman if there has been any survey made of this canal, and have plans and specifications been prepared?

Hon. Mr. DANDURAND—I have seen plans. Of course it is provided that they should be submitted to the Governor in Council before being accepted. I know, for instance, that there is a difference, which struck me at the time as most extraordinary, between the level of the Richelieu River and the St. Lawrence at Longueuil of over seventy feet. I quite understand that that would be for the advantage of the company in the water power that would be obtained by this canal. As to the specifications being ready I could not say, but there is an approximate estimate of the cost which has been arrived at by the engineer who has done the work. How far it has been carried I am unable to say.

Hon. Mr. WOOD—I sympathize somewhat with the idea that has been expressed by the hon. member from York and my hon. friend beside me (Mr. Ogilvie) that this seems a very hasty way to pass judgment on a matter of this importance. We are accustomed to pass railway bills in some sections of the country, and give considerable latitude to the companies in regard to

the location of their lines, and without having before us when we pass the bills any very definite plans of the route, the cost and other particulars; but this appears to me to be a matter of more than ordinary importance. It is opening up a means of communication in one of the most important sections of the whole Dominion, and certainly a means of communication that must in the future affect to a very large extent, the course of trade in this Dominion. I for one feel very much embarrassed to know how I should vote on such a question as that which is presented to the House to-night. We have really no very definite information before the House; I do not know what has been presented to the House of Commons, but until yesterday my attention was not directed to this matter at all. I do not wish to stand in the way of an enterprise of this character, if it is really of the importance claimed for it and is likely to confer the benefits upon the country which the hon. gentleman who has just spoken has referred to. But, on the other hand, it is a matter of such great importance that it does seem to me that this House should be placed in possession of full information with regard to the cost of this work, the exact location of the work, and the prospective trade, which it is expected to develop, before we pass judgment on so important a matter. Perhaps there are other hon. members who are better acquainted with the locality than I am. Living at a distance from it, I certainly feel very much embarrassed, and would hesitate to give my sanction to a measure of this importance without fuller information and fuller time to consider it.

Hon. Mr. POWER—Would the hon. gentleman allow me to call his attention to the fact that a bill was passed here two or three days ago to incorporate the Georgian Bay Canal Company, which contemplates a work of as great public importance as this, and no question was raised.

Hon. Mr. WOOD—That bill was before us nearly all session.

Hon. Sir MACKENZIE BOWELL—We have heard of that for the last fifty years.

Hon. Mr. POWER—The bill was not before us.

Hon. Mr. WOOD—But the subject was, and it was discussed here very fully. We had plans posted up in the halls of the Senate, and had ample opportunity to inspect them, and a special committee of this House has been considering its merits. While I was not a member of that committee, I had an opportunity of attending some of its meetings and hearing the evidence which was given, and was in a position to form some opinion with regard to the merits of the work. And more than that, I know my attention has been called to that project, not only this session, but for several sessions. I have read a good deal on the subject and had formed an opinion on it even when it was first introduced this session, and was very glad to have a further opportunity of studying the subject during the sessions of the committee which were held in the adjoining room. But this project is in an entirely different position. I am only speaking for myself; but, so far as I am personally concerned, this matter was not brought to my attention in any way until yesterday.

Hon. Mr. BOULTON—In considering the advisability of this canal, we must consider that we ship millions of feet of lumber from Ottawa and this canal saves about 150 miles, and to the extent that it saves mileage the lumber interests are improved. Take our western grain; if it finds its way to the States through this canal, with a saving of 150 miles, the canal is a benefit.

Hon. Mr. VIDAL—I think when an hon. gentleman gives his testimony he should bear in mind that it is a very essential matter that, in speaking the truth, he should speak the whole truth. While my hon. friend from DeLorimier told us the truth about what was done in committee he did not suggest to this House the actual question before the committee. I do not know what was stated in the other House, but I think it would be only fair when the hon. gentleman said that this bill was thoroughly studied in our committee, that he should have told us that it was carried in committee by a majority of one.

Hon. Mr. DANDURAND—I was speaking as to the opportunity of examining it now or next session. We examined each clause in detail and each clause was carried unanimously. I was not speaking of what

took place at the adjournment. I was speaking of the clauses being carried.

Hon. Mr. VIDAL—As to the impression made upon the mind of the committee, I venture to make a motion in committee, founded on the sentiments expressed by my hon. friend opposite, that it was a measure that would require to be looked into more carefully to postpone the bill. There was not a word about the reference to committee by my hon. friend from De Lorimier. The impression made on the House was that the committee sanctioned the bill. I say half of the committee was of the mind that it was a bill of such a nature that we required to know more about it. When the vote was taken, it was carried by a majority of one. I do not think it was a fair argument to try and impress the House with the idea that the bill was examined by the committee and met with its approval.

Hon. Mr. DRUMMOND—In the committee this morning I did not raise any opposition to the bill, but I voted for the motion of the hon. gentleman who has just spoken to postpone the bill for one session until we had an opportunity of knowing more about it. I did it exactly for the reasons which have been given by the hon. gentleman from Westmoreland. It is a matter of great importance and deserves very careful consideration. We know how the canals are built and how they are supported. They are government works, and they do not pay for the oil for greasing the gates. They do not even pay running expenses and all the charges put on them absolutely disappear. Now here is a canal, if it is of any value, which will be a most important link in the whole canal system of the country. Its importance cannot be exaggerated. Is this a project which is likely to remunerate legitimately a private company or a joint stock company depending upon the revenue? I say obviously it is not. This canal, if ever built, will be built by the government and run on the same plan as the rest of the canals in the country, or this company which is now trying to get a charter will have to sell out or be bought out, and my own opinion is that the giving of this charter now will not advance the realization of the project, but will rather impede it. The bill is a very intricate one, full of detail, evidently thought out with great care, and the committee had not sufficient means of examining it.

Hon. Mr. PERLEY—My hon. friend from Montreal overlooks the fact that we are living in a new legislative age. I have had more bills placed on my desk this last week than during all the previous part of the session. We must get our eyesight sharpened up so that we will be able to look into bills at a moment's notice. We must become educated in that respect. I have noticed in the last two sessions that the most of the legislation has come to us in the last ten days of the session, which I think is a very improper and unjust thing, both to the country and to the senators who are expected to deal in an intelligent manner with the measures placed before them. I was going to say it is a disgrace. I say it is a very improper thing that the most important legislation of the session should come down at so late a period. I sympathize with my hon. friends from Montreal, and I voted with them, and against having the dry docks in Montreal. I see now that they do not want any improvements in Montreal. I am going to vote for the bill because there is no government aid asked for. They say they are going on with the enterprise without government aid, and I do not think it would be right to debar capitalists from going in there and spending money. Therefore, I shall have the pleasure of voting for this bill.

The Senate divided on the amendment, which was lost on the following division :—

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The bill was then read the third time and passed.

NORTH-WEST IRRIGATION ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (146) "An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895."

Hon. Mr. PERLEY—I should like to ask the hon. Secretary of State if any change was made in the amendment of the hon. gentleman from Calgary?

Hon. Mr. SCOTT—No change was made. The amendment, as moved by the hon. gentlemen from Calgary, is in the bill. It will go to the other House and the hon. gentleman himself will be here to-morrow.

The motion was agreed to, and the bill was read the third time and passed.

FISHERIES ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (166) "An Act in further amendment of the Fisheries Act." He said: This bill consists of but one clause, and that clause is the postponement of the provisions of the Revised Statutes of Canada relating to the discharging of saw-dust into rivers. This question has been frequently before this House, and the object of the bill is to postpone the operation of the law, as it now stands, until the 1st day of May, 1899. I understand that persons interested in the mills in the Ottawa River and elsewhere have the idea that it will give them sufficient time to see if they can make some beneficial use of the saw-dust. They express themselves very confidently, and so the government propose that they shall have an extension of twelve months in which to carry on their experiments. The practice has been one way, and the law another way, for a long series of years, and this is another year of grace to those who have mills upon the streams from which it is desirable that saw-dust should be excluded. Every hon. member thoroughly understands the actual situation and knows what will be the effect of this bill.

Hon. Mr. ALLAN—Is this positively the last time of asking?

Hon. Mr. MILLS—I think so. It is the final postponement.

Hon. Mr. CLEMOW—I am really surprised that the government should again call upon us to continue this nuisance. It has been in existence for the last thirty years, and it has always been the same story that we hear to-day—the last time of asking. I have brought this matter before the House every session for the last ten years, and it has always been the last time of calling. This is another subterfuge to get another year's extension. I am surprised at the government, because last year they said positively they would enforce the law—and particularly when these mill-owners have been violating the law openly for the last six weeks. It is monstrous to think that these mill-owners can defy the law. If it were a poor man who was contravening the law he would be hauled up at once. The owner of a small mill, if he permitted saw-dust to drop into a stream would be fined for it, but these men, because they are wealthy, can defy this government and all governments.

Hon. Mr. SCOTT—Hear, hear!

Hon. Mr. CLEMOW—Yes, and the hon. Secretary of State knows it. I protest against this bill in the name of the people of this community. We have suffered too long. Our river has been injured in a variety of ways. It is a standing disgrace. If you go to Grenville to-morrow and return by steamer you will come back amazed that such a nuisance has been allowed to continue from year to year. Still the government permits the saw-dust nuisance to continue, and the last government was just as bad.

Hon. Mr. MILLS—Worse.

Hon. Mr. CLEMOW—Not because last year the Minister of Justice told me he was determined to enforce the law. The Minister of Fisheries told me the same, but some change has come over the spirit of their dream, and now they ask the parliament to sanction another extension. I protest against having any further extension given to these men. It is unpleasant for me to have to take this stand, living as I do on friendly terms with these people. The Senate can pass this bill, but look at the position we will occupy before the country! We have by unmistakable majorities, decided time and again that this nuisance shall be stopped,

but still the government permit it to continue. They would not do it for a poor man. Last year two men were drowned near Montebello by an explosion of saw-dust in the river and I have known instances of narrow escapes from death from these explosions. Still the nuisance is permitted to continue, because this legislation would interfere with some wealthy men. It is very wrong that the government should do such an injustice. The other day when it was necessary to sink a shaft to construct a pier for the Interprovincial bridge opposite this city, the engineers had to sink through sixty feet of saw-dust. It remains for this House to say whether we will permit these mill-owners to perpetuate this great evil on the community. I have performed my duty; I can do no more. In the early part of the season I brought this matter before the notice of the government, and they told me the law was in operation, and that anybody could lay information. I told the government then, as I tell them now, that the people of this country would not be informers—that it was the duty of the government to enforce their laws. I hope this Dominion has not come to such a pass that it cannot enforce its laws. At one time it was understood in the United States that wealthy people could disregard the laws of that country. I hope we have more respect for our laws; I hope we will not destroy our reputation as a law-abiding people by permitting an open and flagrant violation of the law to continue. So far as I am concerned, I cannot vote for this bill.

Hon. Mr. MILLER—Give it a small hoist—say a week.

Hon. Mr. CLEMOW—You must either stop this nuisance now, or it will continue. If you give them until the 1st of May next, they will come back next session for another extension.

Hon. Mr. SCOTT—No, no.

Hon. Mr. CLEMOW—I say yes, yes, and every one knows it. I speak by the book. The mill-owners say they are going to utilize saw-dust in making calcium carbide for acetylene gas. The quantity of saw-dust that could be used for that purpose is so insignificant that it would not consume the refuse of one of the small mills. It is merely a subterfuge. Why have they not done something in the past? Some of the mill-owners have erected machinery for destroying the saw-dust, but others have not. It is for the government to enforce our laws, and if they say they cannot do so, the sooner they resign and place men in power who will enforce the laws the better for the country. If the Senate think proper to pass this bill they can do so. I am consistent at any rate. I have adhered to my position from the first, and they cannot influence me. I do not know whether others can be influenced. I have simply done my duty to my country, and I leave the responsibility, hon. gentlemen, on your shoulders to say whether you will allow this bill to pass.

Hon. Mr. SULLIVAN—I cannot see why they could not make that experiment in three or four months.

Hon. Mr. CLEMOW—If you are bound to pass the bill, let it be amended so as to have the extension only until the 1st of January. I know the feeling of the great majority of this community is with me, but if you must pass the bill, let the limit be the 1st of January next.

The motion was agreed to and the bill was read the second time on a division.

Hon. Mr. MILLS moved the suspension of the 41st rule.

Hon. Mr. CLEMOW—No, I object.

Hon. Mr. SCOTT—If you want to amend the bill you can do it in committee.

The SPEAKER—Does the hon. gentleman persist in his objection?

Hon. Mr. CLEMOW—No, I will move an amendment in committee

The House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. CLEMOW—I move to amend the first clause by inserting the word "January" in place of "May."

The committee divided on the amendment which was carried.

Yeas, 16; nays, 12.

Hon. Mr. SNOWBALL, from the committee, reported the bill with an amendment which was concurred in.

The bill as amended was read the third time and passed.

THIRD READING.

Bill (160) "An Act respecting the north-western, northern and north-eastern boundaries of the province of Quebec."—(Hon. Mr. Mills.)

THE FRANCHISE BILL.

CONSIDERATION OF COMMONS MESSAGE.

The Order of the Day being called,

Consideration of the Message from the House of Commons disagreeing to the amendments made by the Senate to (Bill 16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act."—(Honourable Mr. Mills.)

Hon. Mr. MILLS—I move that this House do not agree to those amendments. I dare say hon. gentlemen have read the resolution of the House of Commons, and the grounds of their dissent. The reason given for dissenting to the amendments moved by the hon. gentleman from Richmond (Mr. Miller), and the hon. gentleman from Prince Edward Island (Mr. Ferguson), are stated at page 637 of our Minutes of Proceedings. I need not detain the House with a discussion of the various reasons which have been given in this message. Hon. gentlemen are aware that the two amendments proposed by the hon. gentleman from Richmond are amendments that were proposed in the House of Commons before the bill came here, and while it was under consideration, and were very fully discussed and rejected by the House of Commons. I do not think that this bill stands exactly upon the footing of an ordinary bill. In the first place, it was a question which was put in issue at the elections and a majority was returned of those who were favourable to the principle involved in this bill. In the next place, it specially concerns the constitution of the lower chamber, and it has been introduced there as one specially concerning them. The amendment proposed here by the hon. gentleman from Richmond was, I think, proposed by some member on the front benches in the House of Commons, was very fully discussed and, as I have said, was there rejected; and it was taking rather an unusual course for this House to propose the very same amendment that had been proposed in the House of Commons, fully considered and rejected by the body especially concerned and affected by the measure. Then, with regard to the other amendments objected to, they do not stand exactly upon the same footing. I refer to the amendments proposed by the hon. member for Marshfield. Let me say in regard to those amendments that they are in violation of the principle laid down here as amendments relating to a measure which specially concerns the constitution of the House of Commons. I stated, when my hon. friend proposed these amendments to this House, the objection which I had to them—that the effect will be to take a very large number of persons, if parties are so disposed, out of the list of persons who vote secretly and put them in the list of voters which may be practically known by an inquiry, and in order to accomplish that result it is only necessary that the voters should be sworn, and so the secrecy which the Act is intended to secure will be withdrawn. I say, however, that the hon. gentleman's proposal, which is practically the introduction of the Ontario system with regard to every sworn voter in the province of Prince Edward Island, is not in so high a degree an objectionable amendment, or series of amendments, as that which was proposed by the hon. gentleman from Richmond. I ask in this matter the consideration of the reasons of the House of Commons for disagreement, and I ask that this House do not adhere to these amendments.

Hon. Sir MACKENZIE BOWELL—I do not think it is necessary for me to say, that I regret very much the action of the House of Commons in connection with this very important question. I regret it the more from the tone which characterized the remarks particularly of the hon. the Solicitor General, when discussing it in that House. I do not know that I am liberty, under the practice that govern the two Houses, to proceed further upon that point. I can, however, compliment the hon. Minister of Justice in not following, in that respect, in the footsteps of his colleagues, and I shall endeavour, in dealing with this question, to be as moderate as he has been in advancing my views as to the right of the Senate to interfere in a question of this kind; and in doing so, I shall confine my remarks at first to the reasons which have been given by the House of Commons for the rejection of these very important amendments. My hon. friend has already read the clauses; I will re-read them and comment upon them, and express the views that I hold upon the question, and in doing so I think I shall be expressing the

views of the great majority of this Senate. First, the House of Commons object to the whole of the amendments which we have made, not only that of the hon. gentleman for Richmond, but also those of my hon. friend from Marshfield. The House will remember that when the hon. senator from Marshfield moved his amendments, he pointed out the absolute necessity for amending the law in those particular points to which he referred, in order to make the act workable in his province ; and that they should also be objected to by the House of Commons is incomprehensible, unless it was for the reason which they give in their last paragraph, that this House had no right to interfere with the action of that House upon the question of the Franchise. The first paragraph, containing the first reason for objecting to the amendments is :

Because the amendments made by the Honourable the Senate to the bill, excepting from its operation the provinces of Nova Scotia, New Brunswick and Manitoba and providing for a special revision of the voters' list in those provinces for elections to this House, is inconsistent with and subversive of the general principle of the bill.

To that objection I demur, and for this reason : I endeavoured, in discussing this question before, to point out the difference between an interference with the franchise, which is the right to vote, and the election law, which provides the list and which gives directions for the enforcement of it. I need not pursue that question much further : neither do I believe that the amendments which were made can possibly be construed into an infringement, or that they are an infringement of, or subversive of the general principle of the bill, for this reason : we laid down the principle when we commenced this discussion that we would not oppose the principle of adopting the local franchises for a Dominion election. The ground upon which we based that opinion, although individually opposed to it, was the fact that it was one of the questions submitted to the people, and as such we thought it right, however, contrary it might be to the views that we hold upon that subject, to allow the pledge which was made by the government to be carried out and the local franchises adopted. But while we did that, the Senate affirmed the right to change the mode of procedure in the preparing of the lists and passed a resolution for no other reason or purpose, than to secure those rights to the individual elector of which he may have been deprived, either by design or by accident. We thought the best way to do that in the three provinces alluded to in this paragraph, would be by adopting the same principle that prevails in the provinces of Ontario and Quebec. That is, giving the right to every subject to appeal to a judicial power in order to right any wrong that may have been committed ; or, in other words, to enable him to enjoy the franchise which is given him under the local laws, of which he may possibly have been deprived. That is the ground that we took, and it is a ground that I think we should adhere to ; more than that, it is to my mind, in the line of some of the amendments which the ministers themselves had proposed and which remain in the law at present, and will be in the statute-book if the bill becomes law. The second objection is :

That the procedure proposed by the Honourable the Senate for securing the revision of such lists, under the authority of this parliament, is wholly inadequate, and cannot be rendered effective without creating complicated and costly machinery incompatible with the object of the bill.

To that objection I also demur, and for this reason : the whole object of the amendments was to enable the elector who might be, by the action of the assessor or those who prepared the list, deprived of his right to go to the courts, and the only machinery necessary to accomplish that, is the simple machinery which would enable him to appeal to the judge in order to have a wrong righted and his name placed upon the list. The objection to that is—and it is the only objection that presents itself to my mind, that has any force that in our amendment we provide for placing him upon the list without saying "for Dominion purposes." That is a difficulty, and consequently if that were passed as it is, it might place a voter upon the voters list of the province, and thereby give a right—that is if their interpretation be correct—to the person who is not on the provincial list, to vote for provincial purposes. That was not the intention or object of the amendment. The intention of the mover was simply to enable the elector to be placed upon the list for Dominion purposes, and if the clause is objectionable in that respect, it can easily be amended by adding the words "for Dominion purposes." The third reason is :

That the passage of the amendment by the Senate after its rejection by the House of Commons is inconsistent with the undoubted right and privilege of this

House to determine the principles of the Franchise under which its members are elected, and is the more unwarranted in that the country has emphatically pronounced in favour of the principle of the bill.

I admit the latter clause, that the country has pronounced in favour of the principle of the bill. The principle of the bill we conceded. It was only the details with which we attempted to interfere ; but it will strike as singular, I think, every member of the Senate, and it will strike with still more force every man who knows anything of parliamentary procedure and who has studied this question, and the rights of both Houses of parliament in dealing with different questions; that because, forsooth, the Lower House has supported by a majority any measure, therefore the Senate has no right to interfere. If the majority of the Lower House had not affirmed the principle and the details of every bill that comes from that House, it would not be passed, and consequently would not be sent to this chamber for approval or disapproval. If we were to admit the doctrine that we are not to deal with a measure that comes from the Lower House because a majority of that House has affirmed the principle of it, then we would have nothing whatever to do with any bill, except to be the mere recorders of the acts of the Lower House. They would probably give us the right to make verbal changes, and that would be the sole duty of this second chamber. Then they laid down the principle that because it interferes with the franchise that elects the members to that house, we have no right to interfere with the bill. That is a principle that has been recognized neither in this country in the past, nor in England. So far as this country is concerned, the hon. Secretary of State took the responsibility on himself when the question of the franchise was brought before the Senate by the late government, to move its rejection in toto. That would be a direct and positive interference with the rights of the Lower House according to the doctrine laid down by this resolution, because at that time the government that was led by Sir John Macdonald, had an overpowering majority in the House of Commons in support of that measure. I am speaking of the bill of 1885. This was taking on themselves the same liberty, and a great deal more than we attempt to assume, because the then opposition moved a six months' hoist, What we did, was first to acknowledge the principle involved in the bill, and then to assert our right to change the details of the bill in order to make it workable and reserve and conserve the rights of the electors in the different parts of the province. In looking at English precedent on this question you will find, if you read the debates in the House of Lords, when they rejected the Franchise Bill that had been passed in the House of Commons, the question arose as to the right of the Lords to interfere with the Franchise Bill which had then passed the Commons by a large majority, for extension of the franchise in England. Lord Salisbury took the ground that, as a redistribution bill, which had been promised in connection with the franchise, had not been laid before either House of parliament, and that until the Lords were made acquainted with the scheme of redistribution, they had the right to defer the coming into operation of that measure, or to defeat it altogether, and the Earl of Morley, who was then speaking on behalf of the Gladstone government, used this language in the debate. He said that "he did not for an instant deny the constitutional right of their lordships to reject or amend the bill." Now, I know it is contended by many and with a great deal of force that the powers vested in the Senate are those only which are embodied in a clause of the Confederation Act, and that all their powers are there defined, and therefore we are not governed either by precedent or by the actions of the House of Lords or the Commons of England. That may or may not be technically correct, but whether correct or not, we know that the British constitution is founded on precedent, and we in this country, whenever we discuss questions of a constitutional character, not only consult the Confederation Act which empowers us to legislate on certain subjects, but we always refer to English authorities and the course which has been pursued and the doctrines laid down by both Houses of the British parliament; and we are not departing in any particular from the course usually adopted in this country, and in every other British colony, when we appeal to British precedent in support of any position we may take. Having discussed thus far the objections of the House of Commons to the course taken by the Senate, it would be not only inconsistent with the position we have assumed, but it would be derogatory to the character and standing

of this House if we permitted a reason of that kind to be accepted, under any circumstances, to guide us in future. We have, I contend, full power and authority under the constitution and by the precedents of the Imperial parliament to justify the course we have taken. It would be much better, had those in charge of this measure in the lower House merely objected to our amendments, instead of giving such reasons for objecting. It is always unfortunate when a reason is given which is not based on the constitution under which we live, and the precedents of the mother country. I do not know that it is necessary for me to go further than this in laying down what I believe to be the rights of the Senate. Under the circumstances, it will be my duty to oppose, on behalf of the majority of the Senate, at present at least, the motion, or the suggestion of a motion, by the hon. gentleman opposite, that this House will not insist on the amendments which have been made. I am prepared to take the opposite course to that which he has followed, unless my hon. friend expresses a willingness to modify the motion he has made.

Hon. Mr. MILLS—My motion was

That the Senate doth not insist on their second, fourth, fifth, seventh, eighth, ninth, tenth and eleventh amendments to the said bill, to which the House of Commons have disagreed.

That was the proposition that I indicated in the address which I gave to the House, that I thought the same objections did not lie against the amendment made by the hon. gentleman from Marshfield, that did lie against the amendment made by the hon. gentleman from Richmond; that what the hon. gentleman from Richmond proposed was practically a continuance of a voters' list made up precisely on the same principle that the voters' list is made up under the Dominion law as it now stands; that that was so directly at variance with the principle upon which the government, as it is now constituted, went to the country, or at variance with the principle of the provincial voters' list, because it is a substitution of a Dominion voters' list for a provincial voters' list, that it was impossible the government should accept it; but my hon. friend has addressed himself to the House, and he has not indicated that he is ready to consider anything approaching a compromise on the lines that I have suggested. If my hon. friend is not prepared to act on the lines which I have indicated, then I must insist on the proposal as it came from the House of Commons.

Hon. Sir MACKENZIE BOWELL—I must apologize to the hon. gentleman. I confess that I did not understand him to make any such suggestion when he addressed the House. I understand now, that the principal objection of the government, is to the amendment made by the hon. gentleman from Richmond, but that he would not object to accept the other amendments affecting Prince Edward Island.

Hon. Mr. MILLS—That is my statement.

Hon. Sir MACKENZIE BOWELL—Under the circumstances, I would suggest to the hon. gentleman the withdrawal of his motion, and I will accept on behalf of the Senate his proposition, and make a motion which I think will meet his views, and then it will be on record. I make a motion in this way:

That the Senate do not insist upon the second and fifth amendments made to the said Bill (16) "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act."

That will meet the hon. gentleman's views. I make this motion with the understanding that I shall move immediately afterwards that we do insist upon the other amendment to which my hon. friend objects.

Hon. Mr. MILLS—Then my hon. friend will move that as an amendment to my proposition?

Hon. Sir MACKENZIE BOWELL—If you so desire it. I will move it as an amendment.

Hon. Mr. MACDONALD (B.C.)—I would ask my hon. friend to embody in his amendment the fact that we have a right to amend the bill.

Hon. Sir MACKENZIE BOWELL—I will provide for that later.

The motion was agreed to.

Hon. Mr. MILLS—I suppose there is no doubt as to the numbers. I have stated the particular amendments to which we do not object.

Hon. Sir MACKENZIE BOWELL—There is no doubt about the numbers. I now beg to move :

That the Senate do insist upon the seventh, eighth, ninth and tenth of the amendments made by them to the bill from the House of Commons (No. 16) intituled : "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act," for the following reason :—

Because the said amendments are necessary to adapt the Dominion Elections Act, as modified by the said bill, to the conditions of Prince Edward Island, where there are no voters' lists, and to provide adequate means for recording and determining, in a manner similar to that provided by the provincial law, objections to the votes of any person whose qualification to vote is questioned.

Hon. Mr. POWER—Perhaps my hon. friend will include the fourth amendment with those on which he does not insist.

Hon. Sir MACKENZIE BOWELL—No, I leave that and the eleventh to the hon. gentleman who took the responsibility of proposing those amendments :

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—I now move

Resolved, That a message be sent to the House of Commons by one of the Masters in Chancery, to acquaint that House as follows :—

1. That the Senate doth not insist upon the second and fifth of the amendments made by the Senate to Bill (No. 16) intituled : "An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act."

2. That the Senate doth insist upon the seventh, eighth, ninth and tenth of the said amendments, for the following reason :—

Because these amendments are necessary to adapt *The Dominion Elections Act*, as modified by the said bill, to the circumstances of Prince Edward Island, where there are no voters' lists, and to provide adequate means for recording and determining, in a manner similar to that provided by the provincial law, objections to the votes of any persons whose qualification to vote is questioned.

3. That the Senate doth insist on its constitutional right to reject or amend the said bill, or any bill of a similar character that may at any time be presented to the Senate.

Hon. Mr. MILLS—Would it not be better to include the fourth and eleventh amendments with those on which the hon. gentleman does not insist ?

Hon. Sir MACKENZIE BOWELL—No ; we are not responsible for these amendments. I confess I am not able to explain to the Senate the amendments to which my hon. friend the Minister of Justice refers, because I am unable to find on record any mention made of them, or the remarks which would give the reasons for proposing them. How that has been left out of the report I do not know. Consequently, I leave it to the hon. gentleman who made the amendments to explain why the government, as represented in the other chamber, reject the amendments made by members of the government in the Senate. This motion will meet the suggestion of the hon. member for Victoria.

Hon. Mr. POWER—If the hon. gentleman will excuse me, the message does not dispose of the eleventh amendment at all.

Hon. Sir MACKENZIE BOWELL—No, neither the 4th nor the 11th amendment. My motion does not interfere or deal with the 4th or the 11th amendment. My reason for that is they were amendments made by the Minister of Justice, or the Secretary of State, I am not sure which ; and, as far as my recollection serves me, at the suggestion of the hon. gentleman from Halifax. In looking at the records, as I have already stated, to ascertain what reasons were advanced for the suggestion of those amendments, I could not find any reference to them at all. If my hon. friend desires to retain those, or not to insist upon them, of course he can make a motion.

Hon. Mr. MILLS—My hon. friend is not speaking for himself, but speaking for the majority of the House, and the 2nd and 5th amendments he agrees to abandon. Then he is not insisting upon the 4th and 11th amendments. I think the 4th and 11th amendments might be put in along with the 2nd and 5th, because the hon. gentleman is speaking for a majority of the Senate.

Hon. Sir MACKENZIE BOWELL—Then that would be that we do not insist upon those.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—That can be done.

Hon. Mr. MILLS—We had some discussion, I remember, as to the precise meaning of that amendment.

Hon. Mr. FERGUSON—That amendment was suggested by the hon. member from Halifax.

Hon. Mr. WOOD—It was simply a transposition of the clauses to make the meaning clear.

Hon. Mr. SCOTT—It is a mere question of phraseology.

Hon. Sir MACKENZIE BOWELL—Then the motion is to be that the Senate do not insist on the second, fourth, fifth and eleventh amendments. That includes the two for which my hon. friend is responsible and the others for which we are responsible, and that the Senate does insist on the seventh, eighth, ninth and tenth amendments for the reasons given in my motion. I omitted one thing in moving these resolutions. I should like to have the statement of the Minister of Justice, and I have no doubt he will affirm that made by his chief in the other House: the hon. premier stated, when this question was under discussion—and if my recollection serves me right, the Minister of Finance also, but I will not be positive—that they would bring under the notice of the provinces of New Brunswick, Nova Scotia and Manitoba the opinion which had been expressed in the Commons in reference to a right of appeal to a judge by those who thought they had been deprived of their rights; and that they would urge upon these governments, the passage of a law which would give the right of appeal to a judge in such cases as those to which I have alluded. As we have come to an amicable settlement, in the interest of peace in this matter, I should like the hon. Minister of Justice to say, in order to be of record, that he is in accord with the utterances of his chief on this point. Though we have given way upon this question, most of us have very strong convictions that the right of appeal should exist, and if the prime minister or the Minister of Justice will carry out the suggestions which were made in the Commons, and which I have no doubt he would be prepared to repeat—that is, to sustain the position his chief has taken—it will be an additional reason for not insisting upon all the amendments which we made, and some of which we have now agreed to drop.

Hon. Mr. MILLS—I may say to my hon. friend that of course, one has to communicate with local governments upon a matter wholly within their jurisdiction with some degree of moderation, and I have not seen the words of the prime minister to which my hon. friend has referred, but if the prime minister has spoken as my hon. friend has represented—and I do not at all question that he has done so—I shall be very glad indeed to second his effort.

Hon. Sir MACKENZIE BOWELL—I suppose we have the assurance that this will be accepted by the hon. gentleman's colleagues in the House of Commons?

Hon. Mr. SCOTT—I think so.

Hon. Sir MACKENZIE BOWELL—If the hon. gentleman gives us that assurance, he can now move the third reading of the Plebiscite bill.

Hon. Mr. MILLS—I have no doubt the House of Commons will accept, but I do not think they will acquiesce in the declaration of right which the hon. gentleman has made.

Hon. Sir MACKENZIE BOWELL—Oh, I do not mind that.

Hon. Mr. MILLS—But I understand they will acquiesce in the decision of this House in every other respect. A communication will be made at once.

Hon. Mr. FERGUSON—When the House agrees to our amendments, we will accept that as a declaration of our rights.

Hon. Mr. DANDURAND—They may reluctantly agree.

Hon. Sir MACKENZIE BOWELL—They may as we sometimes do, when we are obliged to.

The motion was agreed to.

THE PLEBISCITE BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (121) "An Act respecting the Prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors."

Hon. Sir MACKENZIE BOWELL—May I ask whether we can have any assurance that the vote under the Plebiscite bill will be taken before the 1st of January next?

Hon. Mr. SCOTT—The question as to the time has never been discussed, but it is intended that it shall be submitted within a reasonable period.

Hon. Mr. MILLS—We have taken the appropriation for the present year and it

must be between the 1st of July, 1898, and the 1st of July, 1899.

Hon. Sir MACKENZIE BOWELL—That will not do, because the House will meet again before the 1st July, 1899.

Hon. Mr. SCOTT—It will be all over before that time.

Hon. Sir MACKENZIE BOWELL—Those who are interested in this question, the prohibitionists and the liquor dealers, should know the result of the vote before the meeting of parliament, and if my hon. friend can say that it will be submitted before the next meeting of parliament, that will satisfy me.

Hon. Mr. SCOTT—Oh, I think so.

Hon. Sir MACKENZIE BOWELL—And I think it will satisfy my hon. friend behind me (Mr. Perley), who is the champion of the North-west in regard to prohibition; but whether my hon. friend in front of me (Mr. Vidal) who objects to the cider clause will be satisfied I do not know. There is another reason that I might advance, why the hon. gentleman might submit the question to the people, that is, that they have a penchant for spending money and this will give a good deal of patronage to a large number of their friends, and no doubt they will try and bring them in line by some means or other.

Hon. Mr. MILLS—You have got to consult the public convenience of course.

The motion was agreed to and the bill was read the third time and passed.

CONSTRUCTION OF PUBLIC WORKS GRANT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (161) "An Act respecting the payment of grants in aid of the construction of public works." He said: This bill applies only to two great public works: that is the construction of the Victoria bridge by the Grand Trunk Railway and the Crow's Nest Pass Railway. It is to authorize the Governor in Council to make advances on progress estimates on those works, inasmuch as under the wording of the subsidy as it exists it would be absolutely necessary that certain portions should be completed before any money could be paid. In reference to the Crow's Nest Pass Railway, it is very well known that there are now upwards of 100 miles built, probably not one ten-mile section is absolutely finished. There may be something needed, either a bridge or culvert or something of that sort, and under the terms of the Subsidy Act the Auditor General considers he shou'd not pay any portion until each section is absolutely completed, and this is to enable the Governor in Council to make payments in the way of progress estimates. The same remark would apply to the Victoria bridge.

Hon. Mr. MACDONALD (B.C.)—What is the amount for the Grand Trunk Railway?

Hon. Mr. SCOTT—I think it is $300,000 for Victoria bridge.

The motion was agreed to, and the bill was read the second time.

The House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

On clause 1,

Hon. Mr. SCOTT—The first clause defines the mode of payment, and no more than $64,000 shall be paid on one section, and a sufficient amount shall be retained to finish the work if the contractors do not finish it.

The clause was adopted.

On clause 2,

Hon. Mr. FERGUSON—At an earlier stage of this bill, my hon. friend the Secretary of State explained the mode of operation under it, and explained that this $64,000, which is set as the amount of the value of work done on which a payment can be made, had some reference to the $6,400 per mile.

Hon. Mr. SCOTT—Not I. It was the hon. leader of the opposition.

Hon. Mr. FERGUSON—My hon. friend asked the question, and my hon. friend the Secretary of State acquiesced. I cannot see that that is why the amount is fixed at $6,000, because this applies only to the Crow's Nest Pass Railway and the Victoria bridge. There is no $6,400 subsidy in the case of the Victoria bridge, and no ten miles of structure. That is not the amount of the

subsidy for the Crow's Nest Pass Railway, which is $11,000.

Hon. Mr. SCOTT—I do not know why the amount is fixed at that figure.

Hon. Mr. FERGUSON—It has no reference to ten miles of railway.

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. OGILVIE, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

POST OFFICE ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. MILLS moved the second reading of Bill (167) "An Act in further amendment of the Post Office Act." He said: I have taken up this bill at this stage of the evening, because there will be very little controversy in regard to it. The bill reads as follows:—

1. Subsection 1 of section 9 of the Post Office Act, chapter 35 of the Revised Statutes, as amended by section 1 chapter 26 of the statutes of 1897 and by section 2 of chapter — of the statutes of 1898, is hereby amended by adding thereto the following paragraph:—

"(*t.*) Make regulations establishing a system of special delivery of mailable matter, fixing rates of charges for such special delivery, and the method of payment thereof and providing such other details as may be deemed necessary for the carrying out of such system, including payment of messengers, notwithstanding anything in the Civil Service Act."

That last provision is to enable the Postmaster General to secure an efficient performance of the duty, and there are certain classes of persons required that ought not to be required to pass the civil service examinations before they are appointed.

Hon. Sir MACKENZIE BOWELL—I suppose it will be necessary for the persons whom the Postmaster General appoints to be able to read and write, or they could not deliver the letters.

Hon. Mr. MILLS—Certainly.

Hon. Sir MACKENZIE BOWELL—Then I take it for granted that they will not appoint any one that cannot read or write.

Hon. Mr. MILLS—That is clear enough.

The motion was agreed to and the bill was read the second time.

The bill passed through its final stages under a suspension of the rule.

PUBLIC BUILDINGS OF MANITOBA BILL.

THIRD READING.

Hon. Mr. SCOTT moved the second reading of Bill (169) "An Act to authorize the payment of certain sums of money to the province of Manitoba." He said: As I briefly explained when introducing this bill, the purport is to credit the province of Manitoba with the amount expended on the public buildings, the Government House and the Lieutenant Governor's residence. At the time that Manitoba came into the confederation, they had no public buildings and it was then distinctly understood that the public buildings should be erected by the federal government. On the 18th April, 1879, an Order in Council was passed in the following language:—

That with reference to the erection of public buildings at Winnipeg, the government of Manitoba be informed that an item will be inserted in the estimates at the next session of the Dominion Parliament for the erection of plain but sufficient buildings for the legislative assembly and for the Government House, but that the Dominion Government will not undertake the furnishing of either.

The item may have been inserted in the following session or not, I do not know; but it was inserted two or three years afterwards, and contracts were given out by the Public Works of Canada, and moneys were voted for the erection of those buildings. They happened to be erected at the time the boom was on in Manitoba, and the party who took the original contract failed, and a new contract had to be entered into at a considerable advance. From time to time the government of Manitoba pressed the government of the Dominion to credit them with the cost of those buildings. In 1885, when the general settlement was made, it was stated that they were to be charged with all local work. The controversy arose as to whether this was a local work. Manitoba maintained that it was not a local work any more than the Asylum, and a sum of $150,000 was put in the estimates for building the Lunatic Asylum. The government of Manitoba have, from time to time been pressing this amount, and it was thought wise and prudent, and only fair to the province, that the controversy on the subject should be closed, and that the sum of $284,-

456.47, which was the amount expended on the buildings, should be changed from the debit to the credit side of the account, and that the province should be paid the interest on that amount as part of its subsidy. The interest is at the rate of 5 per cent on the above mentioned amount for 15 years.

Hon. Mr. MACDONALD (B.C.)—What is the whole amount proposed to be paid to Manitoba now?

Hon. Mr. SCOTT—The province gets the interest on a certain amount, and that amount, $284,456.47, has been transferred from the debit to the credit side of the account, and then they are to get the interest which ought to have been paid for the last 15 years, on the amount, at 5 per cent.

Hon. Mr. PERLEY—Then I understand the debt is cancelled and they are paid the interest?

Hon. Mr. SCOTT—They are credited with that amount.

Hon. Mr. PERLEY—Who paid for the buildings in the first place?

Hon. Mr. SCOTT—The federal government, and charged it to them.

Hon. Mr. PERLEY—Then the debt is cancelled, and you pay the interest, and all the money they are to get now is the interest.

Hon. Mr. SCOTT—Yes, that is all. This was charged against the capital account of the province 15 years ago. They brought it up from time to time, and pointed out that the other provinces had not been charged with such items, but had received their buildings as a free gift, and it was perfectly understood that Manitoba also was to have the buildings erected by the federal government, because it was the federal government that really erected them, and the Order in Council that was passed before the Act was enacted by parliament read as follows:—

That with reference to the erection of public buildings at Winnipeg, the government of Manitoba be informed that an item will be inserted in the estimates at the next session of the Dominion parliament for the erection of plain but sufficient buildings for the legislative assembly and for the Government House.

That was the 18th April, 1879.

Hon. Mr. AIKINS—The buildings were not erected for some time after that.

Hon. Mr. SCOTT—No; the government may have put an item in the estimates, but they did not go on with the work for three years after that, I think.

Hon. Mr. PERLEY—Has the Manitoba government got any interest on this money?

Hon. Mr. SCOTT—No; they are now getting the back interest they should have got. If they had not been charged with the cost of those buildings, they would have had that amount to their credit on which they would have been drawing interest. The sum of $284,456.47, they maintain, is the amount they ought to have been credited with in 1883.

Hon. Mr. MILLS—They were entitled to the money.

Hon. Mr. SCOTT—They ought not to have been charged with it; it should have been placed to their credit, and if that had been done, they would have been drawing interest on it.

Hon. Mr. PERLEY—If they did not pay interest on it, and you are going to wipe out the debt, why should they get interest on it?

Hon. Mr. BOULTON—I will explain to the hon. gentleman. The province of Manitoba came in with a credit to the capital account of so much, and these buildings were erected by the government and charged up to the capital account, and, therefore, if it had not been charged up to its capital account they would have been drawing the interest on that amount, and now they are receiving that.

Hon. Mr. PERLEY—That is a different thing. My contention was all right, but the hon. gentleman has now given me the explanation.

Hon. Mr. DE BOUCHERVILLE—Those buildings have cost $284,000, and in the province of Quebec they gave us an old building which was worth about $40,000.

Hon. Mr. BERNIER—What is the rate of interest allowed?

Hon. Mr. McMILLAN—Five per cent.

Hon. Sir MACKENZIE BOWELL—The statement made by the hon. Secretary of State in reference to the first action of the government of Canada in passing that Order in Council, is correct enough, but he made a further statement for which he had

no authority and for which he can find nothing on record, to justify; and that is, that when they passed the Order in Council informing the government of Manitoba that they would place in the estimates a sum for the construction of public buildings, that it would be at the expense of the Dominion. I am very much mistaken if any such record can be found in the Privy Council, or in any statute. It is true the Dominion government erected those buildings; they advanced the money for the reason that Manitoba had no money with which to construct their buildings; but it was with the distinct understanding, at that time, that it should be charged to their capital account, and it was so charged. If there had been any other understanding at the time, the charge never would have been made, because it would have been taken out of the consolidated revenue of the Dominion. The question as to whether Manitoba, under the circumstances, should have had the buildings constructed for her at the expense of the Dominion is another question altogether. But the fact that the government which was in existence from the time of the construction of the building up to within a year or a year and a half ago, having refused to recognize that claim as a *bona fide* claim against the Dominion, is the best possible evidence that can be given that there was no such promise made; and when you refer to the terms of the settlement which were effected in 1885; the terms of the resolutions of 1875, which will be found on page 2775, it will show that that settlement was distinctly in lieu of all the claims which the Manitoba government had against the Dominion at that time. More than that, it was on condition that the terms of that settlement should be confirmed by an Act of the local legislature, which was passed, and was sanctioned by the Governor General, before the resolutions were passed and the settlement come to. They do contend, I know, that in that settlement it meant everything else except what they are now claiming. If the hon. gentleman had brought down the Order in Council which was passed in reply to an application made by the province of Manitoba for a recognition and a payment which is now proposed to them, he will find that it is stated distinctly and positively that they had no claim; and that it had been settled, if they had any claim, by the settlement of 1895. I was going to ask—but it skipped my mind—two or three days ago, the hon. leader of the government in this House to have copies of these Orders in Council laid upon the table before we were asked to concur in the resolutions.

Hon. Mr. SCOTT—I do not think there was any such Order in Council. I tried to get a résumé of all that had been done, and I do not find any such Order in Council.

Hon. Sir MACKENZIE BOWELL—I had a copy of it among my papers, but I have not it with me. I have some little knowledge of the transaction. The hon. gentleman knows that during the absence of my colleague, the Minister of Finance, at that time, I took charge of the resolutions which were moved in the House of Commons, and effected the settlement which then took place. If this is recognized upon the principle that equitably they should be furnished with the public buildings and the government house, I suppose my hon. friend from Quebec will be making an application for a refund of the amount which it cost the province of Quebec for the construction of their new buildings. It is true Spencerwood, the governor's residence, in that province was handed over to the local authorities, as was also the old Government House property in the province of Ontario; and further, in the province of Ontario the property upon which the present building, or Government House is erected, was given to the province of Ontario upon the express condition that it should be retained as a governor's residence. An application was made on behalf of that province, during the premiership of Sir Oliver Mowat, for the surrender of that property to the province, to enable them to sell the property by which they expected to receive a sufficient amount of money to build a new residence. However, that has nothing to do with this question. But going back to the terms of the settlement, as I understood my hon. friend to say the other day when this question was first mooted, the settlement did not include the arrangement then made. The only answer I have to make to that is that the terms of the resolution itself, and the act of the Manitoba legislature, whether they should be equitably entitled to the amount of money they are now claiming is a question for parliament to

decide, but I only repeat what I said the other day, that a principle is being laid down that will be seized upon by every other province; and British Columbia, I dare say, will be claiming a million dollars for the parliament buildings which they have already constructed. If it is paid to one, I see no equitable reason, why it should not be paid to the other.

Hon. Mr. MACDONALD (B.C.)—I will take my million now.

Hon. Sir MACKENZIE BOWELL—We have had four or five settlements with Manitoba and I should like to know whether my hon. friend, the Minister of Justice, could utter the same sentiments as he did a few minutes ago with reference to the saw-dust: is this to be the finally final end of all these claims, or is the Dominion treasury to be thrown open on every occasion when any difficulty arises in any province, in order to appease the appetite of politicians in consideration for something which they give in return, politically, I hesitate not to say? I hesitate not to give utterance to the belief, and the faith that is in me, that this claim never would have been recognized under any other circumstances had it not been for what has transpired within the last three or four years.

Hon. Mr. LANDRY—Hear, hear.

Hon. Sir MACKENZIE BOWELL—And I believe honestly and candidly that it is a return for assistance given, in the political affairs of the two parties. It only confirms the statements which will be found upon record, which I made a year or two ago, in discussing this question, that it would ultimately transpire that there was a valuable consideration given for the concessions which were then supposed to have been made by Manitoba to the party now in power upon the school question. I remember, and the House will remember, that I denounced in very strong terms the alliance which was then being formed for political purposes at the expense of a certain class of people who had been deprived of the constitutional rights to which they were entitled.

Hon. Mr. LANDRY—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I shall certainly not ask the House to divide upon this question. I shall take a much stronger position on the other measure, which to my mind, involves a much more objectionable principle. When Manitoba entered confederation she was allowed a debt of only $472,090, upon which to draw interest at five per cent so long as that arrangement lasted. They received also, for the purpose of paying the expenses of legislation, $30,000 per annum, and an allowance of 80 cents per head, making a total of about $67,204.50. In 1876 an additional sum of $26,746.96 was added to the subsidy, making a total of $90,000. Then we come down to 1879, when an additional sum of $15,000 was added to the $90,000. In 1882 an additional grant of $50,000 was made for 10 years, and 80 cents per head based upon a population of 150,000. It must be borne in mind that there were not 150,000 people in Manitoba at the time that this allowance was made, but it was assumed to be 150,000 in order to give the province more money with which to carry on the affairs of government; at that time it made a total allowance of $120,000. In addition to this, $45,000 was given in lieu of public lands to which my hon. friend referred the other night, when he stated that they had no public lands from which to draw a revenue. The swamp lands were also given—at least one-half of them—upon condition that they should drain these lands and take their pay out of the first proceeds, and the balance was to be divided. In addition to this, 150,000 acres of land were set apart for university purposes, and then in 1882, the same year, another adjustment took place and $100,000 was given to the province upon the basis of the population, and the other additional concession that was made that they should be permitted to readjust the 80 cents per head by having a census every five years. Then at that time there was advanced, also, $150,000 on capital account to pay for local improvements and other indebtedness which they had incurred. I do not know that that can be considered a concession to Manitoba, because it was deducted from the capital account for which they received 5 per cent.

Hon. Mr. MACDONALD (B.C.)—That was deducted.

Hon. Sir MACKENZIE BOWELL—Yes, that was deducted from the capital

account, and consequently they could not draw interest from it after. And then, in addition, the approximate debt at the time, on which 5 per cent was paid, amounted in that settlement to about four million dollars.

Hon. Mr. SCOTT—Three million three hundred and eleven thousand dollars.

Hon. Sir MACKENZIE BOWELL—Well, say three and a half million; that is not very far out. So far the province's debt has been adjusted over and over again, and the claim that is now made is one which has been standing a long time, but one which has never been recognized as either a legitimate or a proper claim by the late government. I know that an expression of mine was quoted by the Minister of Finance in the discussion of this question in the other House, when the question was asked by Sir Richard Cartwright in reference to this and some other claims at that time, that that was not considered in this arrangement, but that it would be investigated, and if they had any claim it would be recognized; but a full investigation, and reading of the Order in Council, to which I have referred, established the fact that, so far as the government is concerned, they had no claim which they were prepared to recognize.

Hon. Mr. SCOTT—I cannot find any record. I inquired to-day.

Hon. Sir MACKENZIE BOWELL—I had it, because the present governor of Manitoba, when I was at the head of the government, made a very strong application for the recognition of this claim, and I produced that Order in Council which affected this settlement to prove to him that it had been refused on the ground that there had been a final settlement of all claims against the Dominion. I called attention a few moments ago to the resolutions which I had moved on the 10th June, 1885. The seventh resolution reads as follows:—

That the grants of land and payment authorized by the foregoing resolutions shall be made on the condition that they be accepted by the province, such acceptance being testified by an Act of the legislature thereof during the present session as a full settlement of all claims made by the said province for the reimbursement of costs incurred in the government of the disputed territories or the reference of the boundary questions to the Judicial Committee of the Privy Council, and all other questions and claims discussed between the Dominion and provincial government up to the 10th day of January, 1885.

I do not know that language could be stronger than this, and it was quite evident that the government at the time, the framers of the resolution, had not the most unbounded confidence in the promise that had been made by those who were governing the province, and in order to meet any possible evasion of the terms of the agreement, they provided that the act of the local legislature should be passed before these resolutions were brought into force, and the additional amount given them, the 80 cents a head, and the other concessions which were made. That is the ground upon which I say it was a final settlement of that question. Then there was another concession which was made to them, which escaped my mind at the moment, that was, instead of giving to the province half of the swamp lands, which they themselves were to drain and recoup themselves out of the proceeds, we made this concession, that all the lands which were considered at the time swamp lands, should be given to the province to do what they pleased with, and to reap whatever benefits would accrue to the revenues of the province by the sale of such lands. Whether there has been a final settlement as to that point and a full concession made, I am not prepared to say. Probably my hon. friend will be able to inform the House, but whether or not they were entitled to all what was termed swamp lands——

Hon. Mr. SCOTT—As lands were known to be swamp lands, on reports of officials, they have been getting them.

Hon. Sir MACKENZIE BOWELL—Perhaps it is fortunate for them that the settlement was made on such a basis, as after the rainy season there is a great deal more of what is termed swamp land, in that country than in the dry season. Some of the very best land on the shore of Lake Manitoba, some of the best lands in the province are so situated, and were settled upon for a number of years, till the raised waters of a wet season, when the settlers were all driven further back into the country; and I suppose, under these circumstances, if the government of Manitoba had seized the opportunity they would have been considered swamp lands and they would have obtained the benefit arising therefrom. I have taken the trouble to make this statement, not because I am opposed in toto even to the settlement with Manitoba on these

terms, and for this reason: it is a young and growing country and a country to which we ought, in treating with it, to be liberal, for in proportion to the progress and prosperity of Manitoba and the North-west Territories, will be the yield to the revenue from taxation, direct and indirect. But I cannot help expressing my opinion as to the causes which led to this settlement. I believe it was one of the bargains made in order to accomplish what the government did accomplish, that is, obtain power which they now hold, otherwise it never would have been done. I shall not oppose this bill, speaking for myself individually, for the reasons I have advanced. I shall be willing at all times to be liberal in cases of this kind, and on all occasions I have given my voice and vote in favor of liberal grants for the construction of railways which are the forerunners of settlement throughout the great North-west and Manitoba; but while I think the government of Canada should be liberal in dealing with these questions, the settlement should be based on the broad principle of assisting in developing the resources of the country, and not for the reasons which I have indicated and which I firmly believe—I may be mistaken—are the ones which induced the government to make this settlement with that province. Now, might I ask my hon. friend whether the figures he has quoted as being the amount of the interest represent simple interest or compound interest?

Hon. Mr. SCOTT—It is made up in the Finance Department in the usual way; I cannot say whether it is made up on the basis of compound interest or not.

Hon. Mr. MACDONALD (B.C.)—Were the parliament buildings built at the time of this settlement?

Hon. Sir MACKENZIE BOWELL—Oh, yes.

Hon. Mr. SCOTT—I have in my hand here a report of a debate in which it is quite clear that it was then considered an open question—I think Mr. McLelan was the Finance Minister in 1886, was he not?

Hon. Sir MACKENZIE BOWELL—Yes, I think the hon. gentleman is correct in that.

Hon. Mr. SCOTT—Mr. McLelan admits that it was still open.

Hon. Sir MACKENZIE BOWELL—The time I was speaking of was the time of the settlement made in 1885, under the resolutions which I proposed and the seventh of which I read to the House. What Mr. McLelan may have said in 1886 I do not know. I have already admitted that there were contentions for other concessions and other claims; but what I did say was that the government never recognized them, and they have never been recognized since until now. In the negotiations that took place between the present Lieutenant Governor and myself, I distinctly refused, on the part of the government, to recognize those claims and sometime afterwards he wrote me and intimated that I had made certain concessions. My answer was that if he could obtain the letter he would see he was labouring under a misapprehension, as I had read to him the Order in Council which declared that the settlement was a final one, and I would not recommend my colleagues to go beyond that. But the hon. gentlemen now in power had an object in view in order to gain certain political advantages, and they have yielded to the pressure at the expense of the country to the extent of over half a million dollars. It is pretty dearly bought, I must confess, but they are reaping the benefit and I suppose they feel they have got it cheap.

Hon. Mr. MACDONALD (P.E.I.)—It is particularly unfortunate that bills of this nature, disposing of very large sums of public money, should come down at this period of the session. The province of Manitoba might have rights if this bill came in at an earlier period of the session, when the question could be properly looked into, and there would be an opportunity of canvassing the question thoroughly. If they had any claim it could then be couched and granted them by parliament, but coming in as it does now, and in the face of what we have heard respecting the history of this question, I cannot see how I can give my support to the bill. This bill, as it is now before us, appears to dispose of the sum of $267,026 as the cost of this building which was erected in Manitoba. The interest on that appears to be compounded every six months at the rate of 5 per cent per annum, making now a sum approaching in all half a million dollars.

Hon. Mr. SCOTT—Oh, no. The interest payable to them is stated in the bill, $244,000.

Hon. Mr. MACDONALD (P.E.I.)—The principal to be paid under the bill——

Hon. Mr. SCOTT—They do not get any principal. When they came into the confederation there was a subsidy allowed them, and they were charged with these buildings, and are now getting the interest.

Hon. Mr. MACDONALD (P.E.I.)—The effect of the bill is to grant Manitoba the sum of about half a million dollars, principal and interest. That being the case, I have not heard anything to justify me in giving my support to the motion, and I am prepared to vote against it.

Hon. Mr. MACDONALD (B.C.)—Did Manitoba pay any interest on this debt for the buildings?

Hon. Mr. SCOTT—No; she was allowed the interest on a certain amount on coming into confederation.

Hon. Mr. MACDONALD (B.C.)—On this debt that has accumulated, did she pay any interest?

Hon. Mr. BOULTON—No, she lost the interest.

Hon. Mr. SCOTT—She should have got the interest on that. She was charged with that improperly, contrary to the understanding.

Hon. Sir MACKENZIE BOWELL—No, it was not contrary to the understanding, nor was it improper. It was distinctly understood at the time that that was to be charged to their capital account, and the question arose afterwards as to whether this concession should be made.

Hon. Mr. BOULTON—I think that more is being made out of this than there should be. It has already been explained that Manitoba was credited the same as every one of the provinces of the Dominion. Ontario was credited with $10,000,000 and Quebec was credited with so much on the capital account and Nova Scotia and every one of the provinces, and Manitoba was created a province out of the bare prairie. The lands and all the other assets that every other province enjoys belongs to them, and furnishes a handsome revenue. But in the case of Manitoba, the lands, the mines, the fisheries, the timber and everything else belongs to the Dominion government. In addition to that, out of the lands of the province of Manitoba we are taking a large block for the purpose of constructing the Canadian Pacific Railway. They were exempt from taxation for twenty years. That exemption continues at the present time, reducing the taxable power and the paying power of the people of that province.

Hon. Mr. McMILLAN—Is not Manitoba getting the C. P. R.?

Hon. Mr. BOULTON—Yes, but they took large blocks of land and then exempted them for twenty years.

Hon. Mr. McMILLAN—We built the road.

Hon. Mr. BOULTON—They built the road from Callendar Station right up to Rat Portage. The hon. leader of the opposition has urged that that was a final settlement. You cannot have a final settlement in parliament. You cannot bind futurity. It is an utter impossibility. The Dominion government may impose a condition of that kind when they are handing over a sum, but that bargain is not binding on the people 20 or 30 years hence, because they could not give their assent to it.

Hon. Mr. SCOTT—I desire to read from the debate at the time the money was being voted for the building. Sir Hector Langevin was the Minister of Public Works, and he said:

> All the other provinces, when they came in, had parliament buildings and residence for lieutenant governors, but Manitoba, being a new province, was not provided for these buildings. It was understood, when Manitoba entered confederation, that these buildings would be provided in the future. $300,000 would be the probable cost.
>
> Sir RICHARD CARTWRIGHT—There are other provinces in the Dominion that are asking for public buildings. Supposing Nova Scotia makes a similar claim to Manitoba?
>
> Sir HECTOR LANGEVIN—All the other provinces had buildings except Manitoba, and it is only fair that she should be equally treated.

Then Mr. Anglin said:

> It is true under the terms of union all the property belonging to the provinces came for a time under the possession of the Dominion government, who handed it back to the provinces.

Then, Mr. Smith, representing Selkirk, said:

> The case of Manitoba is different from that of the other provinces. Manitoba had no land, and it is

only fair the government should come forward to aid her.

Mr. CASGRAIN—How is it they were obliged to build parliament buildings in Manitoba?

Sir HECTOR LANGEVIN—When the other provinces came into confederation, they had their buildings, and these were allowed by the federal government to be used by the provinces, but as Manitoba was a new province and had no buildings, the Dominion government constructed the buildings.

And so on.

The government of the day did not regard the province as foreclosed by the Act of 1885. When the question came up in 1882, volume 2, page 960, it was said :

A settlement is to be arrived at as to what may be termed strictly local.

Mr. Norquay and the other members of the government said it did not come under the term "strictly local."

There will necessarily have to be a settlement between the two governments as to what will be charged against them as strictly local. They have gone on pressing that and it has never been allowed, and the evidence on record is that they really were entitled to it.

The motion was agreed to and the bill was read the second time.

The House resolved itself into a Committee of the Whole on the bill.

Hon. Mr. LANDRY, from the committee, reported the bill without amendment.

The bill was read the third time and passed.

MANITOBA SCHOOL FUND BILL.

SECOND READING.

Hon. Mr. MILLS moved the second reading of Bill (168) "An Act respecting the Manitoba School Fund." He said : This is a short bill and deals with the school fund of Manitoba. Hon. gentlemen will remember that in 1872 the government of Canada set apart sections in each township within the province of Manitoba that were to be dedicated to the support of the public schools of that province. There was no provision made for any sale in that Act, nor was there any provision made for the sale or disposal of the school lands till the Act of 1879. The reason of that was that these lands had at the time very little value. There were lands to be homesteaded everywhere about the school sections in every township ; there were nearly four sections reserved in each township, two for school purposes and nearly two for the Hudson Bay Company, and, apart from this, the lands were open for settlement so that as long as the country was new and there were plenty of lands available for nothing, it was not possible that lands that were reserved for school purposes could command any price. I know when I was Minister of the Interior the government of Manitoba applied to me to have a portion of these lands handed over to them in order that they might be used for the purpose of maintaining their schools. I pointed out to them that the lands had very little value, and that it would require a very large proportion of the lands required for school purposes to support schools from year to year. Their answer was, "we are poor at the present time ; it is a matter of great consequence to us to have aid now, and much more than it will be later. After the country becomes settled the people will be more wealthy and prosperous and we can get on better by direct taxation for the maintenance of our public schools without a school fund for the purpose of adding these institutions than we can at the present time even with the aid that these lands will afford." What the government did to aid them was to advance to the government of Manitoba a certain amount of money for which these lands were to remain a security. It was not intended that the money so advanced should be a gift to the people of Manitoba, but it was intended that the lands that were to be dedicated for school purposes should be held in security till the public treasury was recouped for the money advanced. Now how these lands were to be used, whether they were to form a permanent fund the interest only of which was to be drawn, or a portion of the capital might be used for the erection of superior seats of learning, or the building of school houses and a part placed at interest to form a permanent fund out of which the schools might annually be aided, was left entirely to the future. The parties were not bound by the legislation to reserve these lands for all time to come so that no portion of the value could be applied towards the erection of universities, buildings, colleges or public schools. If you loook at the provision of the law you will see that it was not intended to tie the hands of the future parliaments of Canada or future legislatures of Manitoba. It was assumed that we are a self-governing community, and that the people, or their representatives, would always be competent to decide what was best for themselves in

their own time. It was also assumed that they would not undertake to waste the estate that was placed at their disposal. There was no provision made, no intention expressed, that the parliament of Canada should retain control of those lands, or any sum arising from their sale, for all time to come. In fact, it was over and over again suggested, as not only these lands, but other lands in the province became more closely or partly settled after the people became more prosperous, that it might be in the public interest to hand over to the province the school lands or the school fund or the undisposed lands of Canada—I say that was a matter that was left open. Hon. gentlemen will remember there is a vast difference between dedicating property as long as it remains in the possession of the Crown from property that is granted away. Almost everybody in the history of the old province of Canada will remember the contest that arose in respect to the clergy reserves. Those lands were reserved for the use of the Protestant clergy; they were not lands that were granted, and the parliament and the people of the old province of Canada—I except those that were specially favourable to the maintenance of church and state—always held that it was open to the parliament of Canada to divert these lands to other uses and for other purposes as certainly as it was open to the crown, in the first instance, to reserve those lands for the use of the Protestant clergy. That, I say, was adopted, that was maintained by the Liberal party, and by those who favoured the establishment of responsible government down to the time that the clergy reserves were secularized, and the proceeds devoted to secular purposes. Now, the setting apart of these lands does not tie in this regard the hands of anybody. Let us look at the precise words that are employed in the statute of 1872, 25 Vic., chap. 23, and section 22, which reads as follows:—

> And whereas it is expedient to make provision in aid of education in Manitoba and the North-west Territories: Therefore sections 11 and 29 in each and every surveyed township throughout the extent of the Dominion lands shall be and are hereby set apart as an endowment for the purposes of education.

Now that was an Act of the parliament of Canada that expressed its intention, and that intention remains law as long as that provision is allowed to stand on the statute-book. Then further:

> Sections so dedicated shall be thereafter dealt with in such manner as may be prescribed by law, and the same are hereby withdrawn from the operation of the clauses in this Act relating to the purchase by private parties and to homestead rights, and it is hereby declared that no such right of purchase by private entry or homestead right shall be recognized in connection with the said section or any part thereof.

That is the position of the law at that time that expressed the then intention of parliament, but while these lands are dedicated to the purposes of education these are the words used:

> In Manitoba and the North-west Territories where lands, the capital of which may be wholly reserved as parliament thinks proper to so reserve it, may be disposed of, a part of the capital may be employed in the erection of large permanent buildings for superior education which might otherwise be a serious burden on the community, and the residue of the capital may be kept and the interest or income from it may be applied to lighten the burden of taxation in respect to the public schools.

Now there is no pledge or promise to anybody that the title to this property or the control of this fund should for ever remain under the jurisdiction of the Dominion.

Hon. Mr. BOULTON—Does not the word "endowment" indicate that?

Hon. Mr. MILLS—No, I do not think so—"as an endowment for the purpose of education." But what has that to do with the question as to who shall control that endowment? My hon. friends will remember this, that we are a self-governing community, that within a certain sphere of government the provinces have jurisdiction over these subjects, and for the Dominion parliament to retain for all time to come the interest or the capital which was to be paid for the purpose of supporting education, which might form a fund sufficient to support the schools without any taxation resting upon the community, might undertake by the control of that fund to control a subject which, by the constitution, is placed entirely under the control of the province. My hon. friend will see, and every hon. gentleman must recognize, the force of this proposition, that if you permit the general government to take its revenues and to apply them towards the maintenance of any local authority, you put it in the power of the general government to frustrate and defeat the object of the local body altogether. Let me take this as an illustration. Hon. gentlemen know right well that it is the power of the House of Commons over the revenues of the country that secures the meeting of parliament once a year.

It is a matter of no consequence what the law says. It is a matter of no consequence

if the law says parliament shall meet every year. There is no means of enforcing that provision. You cannot enter a suit against the Crown for the purpose of enforcing that provision or against the representatives of the Crown in any court in the British dominion. The only way you have of enforcing it is by the appropriation of the supplies necessary for the year, and so the officers of the Crown are always compelled to call parliament together in order that further steps may be taken. Look at the condition of things. Supposing you should say to a lieutenant-governor that you need not give any attention to the advice of those who claim to be your ministers. You need not call the parliament together as they advise you. You may force them to resign office. If he can control the necessary supplies for the maintenance of the government, the necessary moneys from any other source than from that of the local legislature, he can set the law and the constitution in that regard at defiance. So that hon. gentlemen will see, in the very nature of things, that if you are to have an appropriation for any purpose under the control of the local government, the moneys which go to sustain that branch of government must be moneys paid into the treasury and under the control of the local government, and can be vested nowhere else. So well is this principle settled, that in 1820, I think it was, when the troops of the King of England were left at Paris for a period of three years, some 24,000, it was agreed that they should be paid for by the French King, and Mr. Pitt, or the minister at the time, came down to parliament and said "we need not ask for public appropriation for this purpose, because under the treaty with the King of France we have the moneys necessary to meet the payment of these 24,000 men." But every parliamentarian in that House on both sides said "it cannot be suffered for a moment. The moneys which the King of France has agreed to pay under the treaty for the maintenance of these 24,000 cannot be put directly in the control of the Crown. It must be paid into the public treasury and must be voted again by parliament, precisely as any other revenues that are under the control and jurisdiction of the House of Commons. Therefore I say that this government could not pay over that money for school purposes to anybody else but the local government, and no man could apply a dollar of that money for the maintenance of education except through the instrumentality of the local government and the local legislature that has control of the affairs of that province. Now, whether the government of the Dominion or the government of Manitoba should have absolute control of the capital sum is a matter to be agreed upon between them. There is nothing in this Act of 1872, from beginning to end, which shows that that money was to remain permanently under the control of the Government of the Dominion. On the contrary, I know the intention was that it should remain under the control of this government until Manitoba became more densely settled, until there was a larger population there, until they were less pressed by immediate necessities and were in a better position to administer, in the spirit and in accordance with the intention of our parliamentary system, the institutions placed under their control. What has been done heretofore? Why, on one occasion $30,000 were agreed by the Dominion government to be paid over to the government of Manitoba for school purposes, and it was to be placed under their control. They drew $20,000 of that and $10,000 is still standing to their credit, and a short time afterwards there was another grant of $30,000.

Hon. Mr. DE BOUCHERVILLE—When?

Hon. Mr. MILLS—It was some time in the 80's. There was another $30,000, so that they received $60,000 altogether from the capital sum of the school fund, and the government continued to hold those school lands as a pledge for the payment of that amount to the treasury of Canada. Now that is the position of things, and if the government could hand over $30,000 they could hand over ten times $30,000, or the $300,000. There was no difficulty whatever on that score.

Hon. Mr. BOULTON—Provided they saw a possibility of its being repaid.

Hon. Mr. MILLS—Repaid by the government of Manitoba?

Hon. Mr. BOULTON—Repaid by receipts from the school lands.

Hon. Mr. MILLS—Yes, precisely so. But the school lands themselves, as long as this policy of retaining them as an endow-

ment for education, are, for the time being, as long as the law remains in that form, under the control of the parliament of Canada, subject to the administration of the government of Canada, but liable at any time to be placed under the contrel of the government of Manitoba. These are the words :

Sections 11 and 29 shall be thereafter dealt with in such manner as may be prescribed by law.

So that if the law prescribes some other manner of dealing with them than they had been dealt with under the statute of 1872, it was open to the parliament of Canada to make that alteration and to make such amendments with regard to the management of these lands as it might see proper. So that the government of Canada, in undertaking to meet the wishes of the government of Manitoba in this regard, are violating no principle, are departing from no understanding, are strictly acting in conformity with the original intention. The intention was that those lands should be for the maintenance of public institutions. At the time that settlement was made, the school system was a denominational system, and as long as it continued denominational, and there were schools receiving aid from the public treasury those schools received the aid. When you amended the system, it went to the schools under that amended system, and if you go back to the system as it was before, the aid would be given to the institutions as they were constituted and recognized as public institutions.

Hon. Mr. BERNIER—In the meantime, the minority will lose its share ?

Hon. Mr. MILLS—No, I do not think the minority will lose its share.

Hon. Mr. MACDONALD (B.C.)—Posterity will.

Hon. Mr. MILLS—If the hon. gentleman were to defeat the bill, then the result might be very different.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. MILLS—The hon. gentleman says "hear, hear." My views on that question are very well known. I recognize the rights of the minority ; I did not recognize their right to a separate administration. The constitution gave nothing of that sort. That was a matter entirely under the control of the local government. In the province of Ontario, when our school system was first established, we had a superintendent of education and a board at which clergymen of different denominations were represented. We, in time, abolished that board. We abolished the office of superintendent. We placed the management of the schools under the control of the Minister of Education. But no one, from first to last, ever for one moment argued that the matter of administration that was in the Crown, legally in the Crown, and administered by the Crown upon the advice of its ministers was in any sense violated by the change that took place in the administration. My hon. friend from Manitoba and many of his friends argued that the whole of this matter was a matter of compact, a matter of administration, of inspection, of examination, everything of that sort. I say that is not so. That would be a very mistaken view of the law. That is not the decision of the Judicial Committee of the Privy Council. They were entitled to give religious instruction. They were entitled when they had qualified teachers to employ them, and they might have the same qualification or different qualifications as the law stated. But the fact is that the separate schools of Manitoba, like the separate schools of Ontario, are public schools.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. MILLS—They were as much public schools as any others.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. MILLS—As public schools, the legislature had a right to say what the qualification of the teacher should be. They had a right to say they should be subject to the same examination. They had a right to insist upon the inspection of the schools with respect to all matters relating to the subjects which the statute decided were necessary to the welfare of the community. When the compact was made to give religious instruction, that was a concession made, not to any denomination, but a concession made to the parents of a denomination, and, perhaps, so far as that question is concerned, of the instruction to be given in the schools. I do not differ from my hon. friend's view as to the compact. That I am not discussing. I have no doubt that when the heat of the excitement of the moment passes away, whatever right was conceded originally in that regard

will ultimately be restored. In dealing with large political questions and questions upon which there is public excitement, we do not move as rapidly as a court of justice can. A court of justice has nothing to do with public opinion. But we must remember that the constitution of this country placed the decision of this question, not in the hands of a judicial body, but in the hands of the political department of government, and you must recognize what the rule of government is in that regard.

Hon. Mr. DE BOUCHERVILLE—Before we adjourn, I desire to ask the hon. gentleman if he referred to the 25th clause of the Dominion Lands Act.

Hon. Mr. MILLS—I referred to the 22nd section.

Hon. Sir MACKENZIE BOWELL—My hon. friend is quoting from a law before consolidation. If he will refer to revised statutes of Canada, 1886, 41 Vic. page 823, which I think my hon. friend has in his hand, he will find that it is clause 23 in this Act.

Hon. Mr. MILLS—I was discussing the initial steps that were taken and I was pointing out that at that time the question was left open for the parties to decide later as to what course would be adopted. As it is now twelve o'clock, I move the adjournment of the debate.

The motion was agreed to.

The Senate adjourned.

THE SENATE.

Ottawa, Saturday, 11th June, 1898.

The SPEAKER took the Chair at Eleven o'Clock.

Prayers and routine proceedings.

YUKON SUPPLIES.

INQUIRY.

Hon. Mr. PERLEY—I should like to know if the hon. Minister of Justice can give me the information that I asked for as to quantities of goods bought from H. N. Bate & Co., Ottawa, and also where the goods were delivered.

Hon. Mr. MILLS—I have not had the papers sent over to me. The answer was to have come this morning. If it does not come soon I shall telephone over for it.

DRUMMOND COUNTY RAILWAY.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government to the following facts :—

By its legislation of 1897, the government was binding itself to give to the Drummond Railway Company, for a period of 99 years, an annuity of $64,000, this representing the interest on a capital of $1,600,000 at a rate of 4 per cent. This amount of $1,600,000 was the estimated cost of a railway between Chaudière and Ste. Rosalie.

The government has been able, since several years, to borrow money at a lower rate than 3 per cent.

A capital of $1,600,000 at a rate of 3 per cent would bring $48,000.

If this interest of $48,000 were deducted from the annuity of $64,000 it would leave $16,000 for a sinking fund.

This sinking fund embodied in the annuity of $64,000 would at the end of 47 years and two months, reproduce the original capital of $1,600,000.

By binding itself to pay an annual grant of $64,000 during 99 years, the government, having paid the capital of $1,600,000 at the expiration of 47 years and two months, was undertaking, by this very fact, to pay during a further period of 51 years and ten months $64,000 per annum for a capital already paid back.

This useless annual payment of $64,000 would, at the expiration of 51 years and ten months, form a capital in round numbers of $7,800,000.

And asked :

Was not this amount of $7,800,000 really saved the country by the action of the Senate in throwing out the Drummond deal?

Does the government deny the correctness of these figures? If so, wherein are they wrong, and what are the correct figures?

Hon. Mr. MILLS—I would say to the hon. gentleman that his calculation reminds me of nothing so much as a statement made by Mark Twain in reference to shortening the Mississippi between St. Louis and New Orleans. He said that the windings of the river had, during the flood season, been cut off and that the result was, that the distance between New Orleans and St. Louis was some 90 miles shorter than in 1780, and at that rate of shortening, by the year 3000 and something, St. Louis and New Orleans would be brought together. Now, my hon. friend's calculation is very much of the same sort. I dissent from the view which he has expressed. I deny the gain to which he refers, and when a fitting opportunity occurs I shall be prepared to discuss that question with the hon. gentleman.

Hon. Mr. LANDRY—That is a studied answer, and it is not a real one.

THE MANITOBA SCHOOL FUND BILL.

BILL REJECTED.

The Order of the Day being called :

Resuming the adjourned debate on the second reading of the Bill (168) "An Act respecting the Manitoba School Fund."

Hon. Mr. MILLS said : As I have no doubt whatever, from rumours abroad, that the majority of this House have made up their minds as to how they will deal with the question of the proposed advance from the school funds to the government and legislature of Manitoba, I need not detain the House with very much further discussion. My hon. friend opposite (Sir Mackenzie Bowell) has informed us that if he stood alone he would vote against this appropriation, and I am informed that the hon. gentleman does not expect to stand alone.

Hon. Sir MACKENZIE BOWELL—No, I do not.

Hon. McMILLAN—Here is one that will stand up with him.

Hon. Mr. MILLS—Where hon. gentlemen have made up their minds as to the course which they are to take, and I do not question their right to do so at all, I feel that any laboured discussion of this question, in advance of the course which the government intended to take, would be time simply wasted. I wish to make one further observation with respect to what I said yesterday, that the parliament of Canada had never undertaken to tie its hands by any legislation upon this subject with the view or intention of putting it out of the power of parliament, in the future, to revise the policy that it had adopted and to take a different course if it thought it in the public interest. Now what the view of parliament was in 1887 is shown by paragraph 3 of section 25 in the revised statutes of 1887. There it says :

All moneys from time to time realized from the sale of school lands shall be invested in securities of Canada to form a school fund, and interest arising therefrom, after deducting the cost of management, shall be paid only to the government of the province or territory within which such lands are situated, towards the support of public schools therein, and the money so paid shall be distributed for the purpose by the government of such province or territory in such manner as it deems expedient.

There is nothing in that at all inconsistent with the course which the government now proposes to take. At that time the intention was to invest the moneys in securities of Canada, and to pay over to the province or the territory as the case might be, the proceeds therefrom, to be used for the maintenance of public schools in such manner as the government of the province, or of the territory, might deem expedient. That was the expression of a present purpose, and that continued as a regulation made in 1872 until parliament determined upon a different policy. There is no pledge to anybody. The control of parliament over the subject was an absolute control, and that property still being vested in the Crown, parliament could deal with it just as a former parliament of old Canada dealt with the subject of the clergy reserves. It is dedicated to school purposes, invested, in the first instance, under a provision of this statute with the proceeds placed at the disposal of the government of the province. Whether that should continue for a long, or for a short period of time, depends upon the action of parliament. There was no intention whatever disclosed in any statute passed upon the subject, or in any speech made in support of any proposition, that one parliament should tie the hands of a future parliament. In fact, it would have no such power, and there can be no doubt whatever that the proposal made to-day is a proper proposal to be judged of in itself, as much so as if we were dealing with these funds for the first time. This was the opinion of parliament in 1887, and the statement I read last night was the opinion of parliament in 1872, as the measure which I now submit to the consideration of this House, if it were to carry, would be the opinion of the parliament of to-day. All legislation of this sort is legislation based upon public policy, considering what is best to do under the existing circumstances. My hon. friend opposite me yesterday, in the discussion of another question, alluded to this and said that if he were to stand alone he would oppose this measure, but the reason he gave for it was, in my opinion, a very insufficient reason. We have twice dealt with this fund before. We on two different occasions took $30,000 from the fund and placed it at the disposal of the government of Manitoba for the payment of ordinary school expenses. Now it is proposed by the measure under the consideration of this House to place $300,000, but not more than $200,000 in

any one year, at the disposal of the government of Manitoba from this fund. This $300,000 is to be used for school purposes. That is the purpose for which the government of Canada is paying this money over to the government of Manitoba, and if the government of Manitoba thinks it is better, that it can do more towards promoting the efficiency of the schools by having this considerable sum at its disposal at one time, of that I think it is the best judge. We have parliamentary government in the province and here, and in my opinion the parliament of Canada can trust the province in the matter. I shall not trespass further upon the patience of the House but shall move the second reading of the bill.

Hon. Mr. SCOTT—I should deeply regret that the members of the Senate in approaching a subject of this kind had prejudged it and decided that the measure was not one that they would entertain.

Hon. Mr. MACDONALD (B.C.)—I do not think the hon. senator is warranted in making such a statement.

Hon. Mr. SCOTT—The statement has gone abroad.

Hon. Mr. MACDONALD (B.C.)—One hon. gentleman expressed his opinion, that is all.

Hon. Mr. SCOTT—My statement was made on the assumption that all were not of that opinion. I said I should deeply regret if that was the position in this chamber.

Hon. Mr. McMILLAN—Prejudged!

Hon. Mr. SCOTT—Yes, prejudged. I think it is a matter of sufficient importance that one's mind should be left open and free to consider the subject from all points.

Hon. Sir MACKENZIE BOWELL—At what period are we to arrive at that decision?

Hon. Mr. SCOTT—Possibly we may all discuss it, and then we should be able to form a better judgment, because I think there are features of it which have not been brought under the notice of the Senate. My hon. friend is too fair minded not to be open to conviction. That is my belief.

Hon. Mr. AIKINS—So is my mind open to conviction.

Hon. Mr. SCOTT—I say there are features of this question which have not been discussed. If this fund were to be seriously impaired, I should object to interference, but we have responsibility to the present generation and not generations to come.

Hon. Sir MACKENZIE BOWELL—It is politics.

Hon. Mr. SCOTT—The value of this fund is probably larger than any similar fund which has been instituted, not alone in Canada but in the United States. I estimate that the funds arising from the sale of these lands will, if properly administered—and I have every reason to believe it will be, because I think every government will feel that the responsibility in administering funds of this character, is sufficiently great that sales will be made for the highest possible prices—I estimate this fund will in time realize $20,000,000. In view of that fact, I think the proportion taken by the present generation is a very small fragment.

Hon. Mr. MACDONALD (B.C.)—What is the basis of that calculation?

Hon. Mr. SCOTT—I will give the basis. The lands reserved for schools in Manitoba are 2,277,900 acres. There are two sections in each township. That is the area. None of the lands were sold at the time the advances were made by Canada. The sums which my hon. friend has just alluded to were advances before one acre was sold, and they were to be recouped out of the sales when made. The first sales were made in 1888. The sales in that year were comparatively small, only $9,000. It was about the year 1893, only five years ago, that sales began to assume large proportions. At that time the fund was over $200,000. In 1895 it was $373,000; in 1896 it was $426,000; in 1897 it was $448,000, and in the present year, up to the 31st of March, it was $475,000.

Hon. Mr. AIKINS—Could the hon. gentleman give us the acreage?

Hon. Mr. SCOTT—The whole acreage sold is 84,000 acres out of the 2,277,900. The price realized per acre has been $7.68. Hon. gentlemen will see that those lands are only sold when settlements have been made, and when increased value has been given by the labour of the people who sur-

round those school sections. There is no doubt whatever that within the next five years the average price to be obtained for those lands will be $10 per acre.

Hon. Mr. AIKINS—I have very grave doubts about it.

Hon. Mr. SCOTT—How is it that in times less prosperous, in 1892, 1893, 1894 and 1895, when certainly lands in Manitoba were not equal to the value of lands to-day, they have sold at the price I have named.

Hon. Mr. AIKINS—They were the most favourably situated lands in the province.

Hon. Mr. SCOTT—As settlement goes in, of course, prices go up. It is not proposed that those lands shall be sold practically within the next twenty-five years. They will still be selling as we are selling school lands in Ontario—as for instance the Canadian Company's lands are selling. Those lands cost fifty cents an acre. Some of them have been sold at $15 and $20 an acre. Do hon. gentlemen not think that the land in the North-west will rise in the same proportion as the clergy and other lands have increased in Ontario. Assuming even $7.68 as the average, the price will be $17,000,000, the lands would realize, so that hon. gentlemen would see the fund will be of very considerable magnitude in the future, if properly administered. At the present time the fund is invested at three per cent. It gets the savings bank rate. The amount now accrued to the fund is $475,764.96. That is invested at three per cent, so that hon. gentlemen will see that the only sum payable out of that fund——

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman tell us how it is invested?

Hon. Mr. SCOTT—In the savings bank.

Hon. Sir MACKENZIE BOWELL—The law says it shall be invested in Dominion securities.

Hon. Mr. SCOTT—It has not been changed since the hon. gentleman's regime. The Post Office Savings Banks are considered securities. The number of children in Manitoba attending school is 40,000. That would give the munificent sum towards each child from this fund of thirty-two or thirty-three cents a year. The children now attending the school have thirty-two or thirty-three cents per head out of this fund. Except in Winnipeg, St. Boniface, Portage la Prairie and some other centres, the schools of Manitoba are very poor. They are like the schools in Ontario were half a century ago—small cabins, with low ceilings, small windows and stoves for heating them in winter—rooms not fit to place children in. They are not furnished with the appliances that the schools in the older portions of Ontario and the other provinces have. That is, they are not equipped with maps, blackboards and other appliances which aid education. I refer to the rural schools.

Hon. Mr. BERNIER—In Manitoba?

Hon. Mr. SCOTT—Yes.

Hon. Mr. BERNIER—The hon. gentleman is quite misinformed.

Hon. Mr. SCOTT—My information is that it is so in the poorer sections. We know that the immigration into Manitoba is largely composed of a very poor class—those from abroad. The settlers from Ontario and the other provinces are in a better condition and better circumstances, but the foreigners who go in there in considerable numbers are without means. They are not able to build school-houses, and we have some responsibility to the children who are now attending those schools rather than to the children who are coming after us and the generation that is unborn. I consider our responsibility to children now growing up in Manitoba is very considerable. If we can aid and assist in smoothing the way to their better education, I feel it is a duty that we will all gladly discharge. If that is a fact, there is a very strong reason why we should make a reasonable allotment towards those schools. There is no province in confederation, except British Columbia perhaps, that is giving as freely out of its limited means for educational purposes as the province of Manitoba. I looked at the educational estimate for last year for the public schools. It was for public schools, $180,000; university, $3,500; teachers' association, $600—a total of $184,100. That is a more liberal contribution towards educational purposes than is given by any province in the confederation.

Hon. Mr. AIKINS—Do I understand the hon. gentleman to say that that is all the schools receive?

Hon. Mr. SCOTT—That is from the government.

Hon. Mr. AIKINS—All the lands in the municipalities are taxed.

Hon. Mr. SCOTT—This is voted by the Manitoba legislature towards schools.

Hon. Mr. AIKINS—I am aware of this fact, being a property owner there myself that the lands are taxed three or four cents an acre every year besides.

Hon. Mr. SCOTT—This is the government grant. Of course, in addition to the government grant, in all parts of Manitoba there is a school rate collected, just as in Ontario and other provinces. In Ontario there is a government grant towards the schools, which is distributed in accordance to attendance. In addition to that, every property holder—every man having an income, is assessed just so much as a contribution towards the schools. What I am pointing out is the government grant from the funds that they receive, ninety per cent of it being funds given by the federal power, amounts to $183,600.

Hon. Mr. MACDONALD (B.C.)—Will they remit that this year when they get the $300,000?

Hon. Mr. SCOTT—No; this money is to go to the improvement of the schools out in the poorer sections. No one could disapprove of a proposition of that kind, because it is so manifestly right and proper on the face of it, and it does not impair the fund seriously or affect it in the future.

Hon. Mr. MACDONALD (B.C.)—There is no guarantee as to the application.

Hon. Mr. SCOTT—No government would be so base, so discreditable, as to divert moneys given for school purposes. I have yet to learn that any government has been guilty of so gross a violation of what is right and proper. I give you evidence of the feeling in Manitoba, in the legislature voting that large sum, which is comparatively much larger than the amount the rich province of Ontario gives to the schools of its province. For that reason I think we should aid the efforts of the legislature of Manitoba, if we reasonably can do it. My point is this: that we are not taking from that province any amount that is going to seriously impair the school fund, and the present generation are certainly more entitled to consideration than those who will come after us. As years go on, the people in Manitoba will be better able to support their schools. They will no doubt be improved in their financial position year by year. Their numbers will be increasing and their ability to support the schools will improve. Therefore, it ought to be rather our anxiety to give to the schools when they are in the condition that I understand they are to-day, impoverished by the want of aid even with the assistance they are getting. It is for that reason that I make this appeal to this House. The subject is one that ought to enlist not only our sympathy, but our desire to aid so laudable a proposition as the improvement of the school system in Manitoba. I am quite aware that, in the opinion of some hon. gentlemen, a degree of feeling necessarily enters into the consideration of this question. I fully appreciate the ground for it, that there is a just cause for it, and I make this statement, that the full share that the minority would be entitled to under the best circumstances will still go to the minority under this bill. At the present time a number of the schools may be called Catholic schools, because they are situated in a district where they have Catholic teachers and trustees, and the clergymen and inspectors are of their faith, and there should be and there is no difficulty in the schools being administered as public schools. The greatest liberality prevails as to the use of text books in the schools. A large number of schools are coming in under that class. I make that statement without fear of contradiction, because I have from time to time reports from the inspector as to the progress that is being made, and that is improving. It is in the interest of all of us to favour that movement, to as far as possible bring about a peaceful condition in Manitoba, and I have myself the most unlimited confidence that it is merely a question of time, a short time, when all those grievances will be remedied. That those grievances did exist, I frankly admit, and I admit the grievances are of a just character.

Hon. Mr. McMILLAN—And it is this same government who perpetrated the injustice that you are going to entrust with this fund—a government that deprives the minority of their constitutional rights.

Hon. Mr. SCOTT—The same government. I never did defend that government's injustice. On the contrary, I think I scored them quite as much as any member who has spoken on the subject, but I am one of those who look to the improvement of time. I think it is my duty as far as possible to conciliate the elements which have been fanned into a flame in that country, and if we can all do it surely it is a most praiseworthy course that we can adopt. It is with the utmost confidence that I now say they will get their portion of the benefit of this bill, and the rejection of this measure will leave them less equipped and less able to carry on their schools than they are to-day. The schools in Winnipeg, St. Boniface and Portage la Prairie will yet come under the system. Terms will be made which, without any sacrifice of their principles, will enable them to have their schools administered in accordance with their own conscientious wishes, and it is because I believe that, because I am convinced that the course we are taking to-day in aiding them with this money is the wisest and most prudent, that I appeal to the House to let this bill go through. It will be seen that the sum which is now being paid over to the school fund in Manitoba out of those sales of land is so insignificant that it is scarcely worth offering—33 cents a year per head of the school population. The school population of Manitoba is about 40,000. By the official returns of 1894 it was about 37,000; I estimated it has increased about 3,000 since. What I think we ought all to appreciate is that the children of to-day, the children who are now being educated, are those that we are more responsible for than the children who will come in twenty, thirty or forty years, and it is for that reason that I think they are entitled to some degree of consideration, and when giving that consideration we are not robbing this fund or seriously impairing it. We are, at all events, devoting it to the object for which it was instituted. That is the main thing, the children of to-day need it more than the children who will be educated twenty-five years hence. That is the point, the whole point, that twenty-five years hence the parents will be better off, the population will be more dense, the facilities for educational purposes will be greater than they are to-day, and it is because the schools are in an impoverished condition this appeal is made to the government for an advance in aid of the poor rural schools of Manitoba.

Hon. Sir MACKENZIE BOWELL—It is not my intention to enter into any laboured argument upon the question now before the House. I shall confine myself to what I consider to have been the intention of parliament when this magnificent grant of over 2,000,000 acres of land was made to assist in the education of the people of Manitoba and the North-west Territories. I shall not, as my hon. friend the Minister of Justice has done, enter into an elaborate argument to establish the rights and privileges and powers of parliament. I admit all that he has said upon that subject. I admit that parliament might have the power to pass an Act to take off the head of any man who would deliver an hour's thesis upon the constitutional rights and powers of parliament altogether irrelevant to the subject before the House. While I admit that power, I deny the right, or the justice, that would be meted out to the gentleman who so far departed from the subject under discussion. Precisely the same authority exists in reference to the power of parliament, so far as it affects any law which it may have placed upon the statute-book. It has the power to divert the money from its original intention, but I question the right to do so, or the equity of doing so. This question is of a most singular character and has one or two peculiar features, I find, in looking at the speeches of the Minister of Finance, and the letter he read from the treasurer of Manitoba, that the first request made was for an advance of $100,000 from this fund.

Hon. Mr. POWER—Will the hon. gentleman mention the date of that?

Hon. Sir MACKENZIE BOWELL—The letter can be found in the House of Commons *Hansard*. The date of the letter is Winnipeg, March 20th, 1897. I will read the paragraph :

> The request for $100,000 this year is therefore, we believe justified and necessary for the following reasons.

Then the reasons are given. Subsequently a request was made for double that amount, $200,000 ; but the charity of the hon. gentlemen opposite was so unbounded, that they, without any request, so far as I can glean from these documents and speeches, actually

present a bill to parliament asking us to place $300,000 at their disposal to hand over to the treasurer of the province of Manitoba, $200,000 of which is to be paid at once, and the other $100,000 held in reserve, to be given to the province when, in the wisdom of the Dominion government, they think proper to do so.

Hon. Mr. SCOTT—Not earlier than next year, I think.

Hon. Mr. McMILLAN—About election time.

Hon. Sir MACKENZIE BOWELL—That is what I was about to say.

Hon. Mr. MILLS—What page in *Hansard* is that letter on?

Hon. Sir MACKENZIE BOWELL—It commences on column 7640 and ends on 7641 in the *Hansard* of June 8th, 1898. That is, I think, the first letter that was written by Treasurer McMillan to the Dominion government. So that it will be seen that while the province of Manitoba was anxious to obtain a certain amount of money out of the capital, subsequently asked for double the amount; notwithstanding the fact that there is no demand for more from the province, the government take the power to hand them over another $100,000, making $300,000 in all. The capital to the credit of the school fund at the present moment in the hands of the government is $475,764. They propose to take from that fund $300,000, reducing the capital upon which interest will be paid hereafter in support of the present schools to $175,764. If the interest upon nearly half a million dollars is not sufficient to enable them to carry on the schools of that province, now, what position will they be in with a growing population, as it is at the present day, with only the interest upon $175,764? The next proposition we shall have will be to surrender to the province of Manitoba not only the balance of the fund, but all the lands which were reserved for school purposes, and it is just as well that we should understand what the demands of the province of Manitoba are. They have demanded that all these lands shall be handed over to them, to be managed by them, as they think proper, and to dispose of the proceeds in such a way as they think best. I know that they also claim all the lands belonging to the Dominion within the limits of the province. If we are to be asked every year to cash a draft upon this school fund, we had better get rid of it at once, and let them take the responsibility. The hon. Secretary of State has told us over and over again that we have nothing, as a Dominion, to do with educational matters in the provinces; now, he comes forward and wants to act as parent and guardian over the children in that province—that we must look after their interest. I have no objection to his becoming foster father of the whole of them, if he will only advance his own means, and not take it out of the funds belonging to future generations. My hon. friend the Minister of Justice, I hope, will not consider it presumption if I dare, as a laymen, to take exception to his interpretation of the law on the statute-book. When this land was set apart—and I take objection to his statement on that—he said that the intention at that time was to divert this capital if they thought proper to do so. I have already said that I do not deny the power, but I question the right. Such was not the intention of parliament at that time or of the gentleman who framed the law, or the government which placed it on the statute-book. The intention of the government, and parliament, and people, at that time was to set apart a sufficient quantity of land in that new country about being settled to provide for all time to come a fund, the interest of which should be applied for educational purposes. That was the intention of parliament, and the idea of attempting to divert the capital in the manner in which it is now proposed never was even contemplated. My hon. friend says this has been done over and over again. There is a practice, I am sorry to say, and a policy of telling just half the truth, leaving the balance unstated. The bare statement that upon one or two occasions this fund was drawn upon and advanced to the government of Manitoba for educational purposes, is true, but the hon. gentleman forgot to tell the House that that was taken from the capital advanced for school purposes, with the distinct understanding, that it should be recouped to the capital as the lands were sold.

Hon. Mr. SCOTT—But there was no capital at that time. That was before any sales were made.

Hon. Sir MACKENZIE BOWELL—So much the stronger is my argument.

Hon. Mr. MILLS—No.

Hon. Sir MACKENZIE BOWELL—So much the stronger is my defence of the government of that time. The hon. gentleman will, if not careful, get himself into the same position that he did a few days ago, when he expressed an opinion diametrically opposed to that expressed by his colleague in the other House. If he consults the speech of the Finance Minister he will see that the statement I made is justified to the letter. On page 7600 of the *Hansard* that hon. gentleman said, when discussing the question:

> We have already left to the government of Manitoba the disposition of the interest on this fund from year to year, and on the same principle.

They could not do otherwise, because the law provides they shall pay them the interest, to be disposed of as the province of Manitoba think proper. Then the Finance Minister goes on to say:

> That if they are entitled to receive interest from time to time and free to use it to the best of their judgment for school purposes, I see no reason why we should not give them the apportioning of the principal fund upon the same terms and conditions, allowing them to exercise their own judgment in the application of these moneys, &c.

Then he adds:

> In that respect the money would stand exactly in the same position as the money advanced to them years ago by former governments, and in the same position as the money we have been paying from time to time in the form of interest. They all form part of a trust fund, but the exercise of that trust was left to the government of Manitoba.

Then he points out that the moneys which have been advanced have been repaid to the capital out of the sale of the lands. Now, let us see whether the interpretation put by the hon. gentleman on this clause of the statute can by any possibility be borne out. Section 11 sets apart the lands and what does it say:

> Sections 11 and 29, in every surveyed township throughout the extent of the Dominion lands, are hereby set apart as an endowment for the purposes of education, and shall be designated school lands.

My hon. friend last night, when a question was put to him by the hon. gentleman from Shell River, whether that word "endowment" did not mean a permanency, took exception to that interpretation of the word. I think if he will consult the dictionary he will find that it is laid down that the meaning of that word is permanency, and is more than that. Worcester says it is a permanent investment. I will send the dictionary over to the hon. gentleman if he would like to look at it, because I took exception to his interpretation last night, the word "endowment" is defined as a permanency. I hold further, that in this matter you might just as well, if a man left a certain amount of money to be invested for the support of his wife, the interest of which was to be paid to her annually, confiscate the capital, because it is nothing more or less than the capital which should be invested in her interest, and handed over to the children to whom it would belong only after her death. Then the Act makes this provision:

> All money from time to time realized from time to time shall be invested in securities of Canada to form a school fund——

Which, it will be understood, constitutes the endowment.

> And the interest arising therefrom, after deducting the cost of management, shall be paid annually to the government of the province or territory in which such lands are situated, towards the support of public schools therein, and the moneys so paid shall be distributed for the purpose by the government of such province or such territory, in such manner as is deemed expedient.

Now, the Minister of Finance, in the speech to which I have alluded, stated, and the hon. Minister of Justice also stated here, that the lands belonged to the province of Manitoba. Ergo, they were entitled to receive not only the lands, but that they were entitled to receive the full amount of the capital arising from the sale of those lands. I deny that proposition. The lands belong to the Dominion. They never were handed over to the province of Manitoba. They were set apart to form an endowment for school purposes, the interest of which was to be paid as provided, to the government of Manitoba for public school purposes. The lands never were theirs. They are not theirs now. It is only the interest which accrues on the investments made from the capital received after the lands are sold that belongs to them. So that the statements made, that we are only handing back to them that which is their own, is not based on fact, and is certainly not based on law. I do not pretend to say that you have not the power to divert these funds. The same power that put that law on the

statute-book could take it from the statute-book, but I say it is striking at the very principle which actuated the legislature at that time in setting these lands apart. I hope the hon. gentleman is more correct in his predictions as to the results which are to follow in the future from the sale of these lands, than the predictions of some others have proved to be. There is scarcely a prediction that the late government of Sir John Macdonald made — and I refer particularly to the utterances made by Sir Charles Tupper in reference to the anticipated rapid settlement and progress of that country — which has been fulfilled. My hon. friend has toted the value of these lands up to about twenty million dollars. I sincerely hope that parliament will never divert or interfere with one single cent of that capital, and that the time may arrive when Manitoba and the North-west Territories will have twenty million dollars at their credit from which to draw the interest to assist them in carrying on the schools of that vast territory. My own estimates were not so high as that. Taking the statement of the Finance Minister that the net sales in the past have realized $7.68 per acre, and taking the quantity of land which has been set apart, I came to the conclusion, that they might ultimately realize from fifteen to seventeen million dollars; and even with that munificent capital for so worthy a purpose as the education of the future generations, the province and the Dominion, and particularly those who had any part in placing that law on the statute-book, might well feel proud that they created such an endowment. The simple question is, whether it is advisable to deplete the present capital, which amounts to nearly half a million, by three hundred thousand dollars, a third of which has never been asked for by the parties to whom it is to be granted. It is true there may be poor sections which need help. I question if there is a province in Canada in which there are not poor sections, and where there are school-houses very much of the character the hon. Secretary of State has spoken of. Go into the rural sections of Ontario—I will not speak of any other province, as I do not know from personal experience—we have a free grant territory in Ontario, and you find the same difficulty, and the same poverty, if poverty I might term it, when the settlers from the older countries settled upon these very lands, where they are densely wooded and about one-third—certainly not over one-half—of the land is arable, and the rest rocks. I have known and witnessed the privations to which my hon. friend refers, and the province of Ontario in this sense contributes out of the general funds a small amount to assist these schools over and above the amount which legitimately belongs to them, under the division which is made proportionate to the attendance at the schools. Let Manitoba do the same thing. When that country fills up, as I hope it will at a very early period, when we have millions, instead of hundreds of thousands in that country, will they not require a larger sum to support their schools just the same as they require the sum they are now receiving for the small number of children going to school? It is a magnificent endowment. It is an endowment for educational purposes in a new province, and the Dominion, and every one in it who had anything to do with establishing that principle, should not only adhere to it, but be proud of what they had done. To divert it from the purposes for which it was set apart would be a gross violation of the intentions of parliament when the law was made.

Hon. Mr. LANDRY—Hear, hear.

Hon. Sir MACKENZIE BOWELL—If we are to invade what I consider the sacred rights of the people in this way, there is no security for property at all; and no matter what endowment may be made in the future, it may be ruthlessly seized in the same manner in which this government is taking hold of this fund. Perhaps I had better not attribute motives in this House but I have my own doubts on that question. They may just as ruthlessly take hold of any endowment, and destroy the intention of the original endower of the property. Why they might just as well go and divert the money that has been granted to the medical college by Lord Strathcona.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—The same principle exactly.

Hon. Mr. MILLS—Not at all.

Hon. Sir MACKENZIE BOWELL—You have the power and now want to establish a precedent.

Hon. Mr. SCOTT—No.

Hon. Sir MACKENZIE BOWELL—Let me put it some other way, and perhaps it will meet the critical views of my hon. friend. Mr. Macdonald has bestowed on a university in Montreal an amount of money for a certain purpose. I know that that money has been expended for that purpose—at least we have reason to believe it. We know also that the endowment is not sufficient to carry on the work of that branch of the university. The people of the university might just as well have said: "No, we will not invest it for the purposes for which the donor gave it, or bestowed it; but we will appropriate it for some other purpose." That is precisely the same thing. But they could not do it under the law. That is the only difference. They could come to my hon. friend opposite and say: "We do not want this to teach mechanical science, but we want it to teach physics and law, and to endow a few chairs in the establishment," and of course with the idea that they have of an endowment, they might take hold of it and divert it from the original intention. I do not intend to say any more at this moment upon this question. I hold very strong views upon the question, looking upon it as one of vital interest to a growing province, and that this endowment should not be interfered with under any circumstances. If they were advancing this money with the provision that it should be recouped the same as the other advances, then there might be some reason in the course they are pursuing. But to take it from the capital, to deplete the capital to that extent, without any provision whatever for its being refunded, is a wrong perpetrated on the present generation, and still more a wrong on future generations.

Hon. Mr. BOULTON—The question we are discussing is certainly a very important one. We are dealing with what is an endowment for school purposes in Manitoba. My idea of an endowment is a trust for the education of the people of the province of Manitoba not only to-day but for all time to come. For that reason, it would be unfortunate if we were to establish the precedent that is at present sought to be introduced into this House by the measure before us. I do not think there is a necessity for it. The province of Manitoba, at any rate this year, is getting a very handsome supplementary fund, increasing its resources by the grant that has already been made, and the addition of this would, I think from an economic standpoint, probably lead to some extravagance that is not desirable. The very moment one's pockets are filled with money, he does not consider the value of it so much as when his pockets were empty, and for that reason I think, so far as this school fund is concerned, it is desirable always to keep a certain check. The natural consequence of granting this would be that in three years' time another application to the treasury would be made for another three hundred thousand dollars, and gradually, as fast as the lands are sold, the capital will be taken out of the hands of this government, and used for purposes for which it was not designed. There will be a million people in the province of Manitoba in the course of time, and the demand for schools will be just as urgent and the necessity for keeping them up will be just as urgent as it is to-day. The hon. Secretary of State has quoted figures to show that there are twenty million dollars possibly in sight in connection with this fund. The estimate is perhaps a little high, but I believe in all those places where the settlement of the country has gone, in consequence of the excellence of the lands, that these lands will bring an average price in the neighbourhood of ten dollars an acre all round. They are exempt from taxation. There is no doubt the provincial government would like, if possible, to increase the subsidies for school purposes. As has already been stated, they are very liberal. Out of their limited means I think they contribute $135,000 a year, distributed in provincial grants, which is a great assistance. But if we were to dissipate the capital in the way here proposed, and the population and the demands increased still further, then this handsome endowment which will amount at least to ten million dollars would be missed. I think it is not at all improbable that the fund will amount to ten million dollars in the course of the next thirty or forty years. We are not here to consider the immediate interests of Manitoba, but we are here to consider the interests of the province for all time to come, and it is advisable, I think, that we should not too hastily establish a precedent such as we are doing to-day. I have a suggestion to make in regard to this

matter. At the present moment the fund amounts to $750,000.

Hon. Mr. SCOTT—There is an unpaid portion.

Hon. Mr. BOULTON—Yes; the unpaid portion calls for interest, and therefore the interest at three per cent amounts to about $21,000 a year, which the province of Manitoba is entitled to, and which the Dominion government pays over to them. If the Dominion government wish to supplement the $135,000 for educational purposes, it would not be out of place to make an advance of $50,000 out of that grant, to be repaid out of the accumulation of the fund—that is to say, the capital account shall not be impaired, but the annual income might be anticipated, so that instead of $21,000 a year being paid, over $50,000 a year would be paid, and the fund would be drawn upon to the extent of $150,000 to make up this annual income, and the receipts from capital account would come in and reimburse the treasury. Then there is another mode. The Dominion government deposits this money in the savings bank at three per cent interest. We build school-houses all over that province, and it is done by the issue of school debentures. We are limited to $800 in the rural districts, and the amount we have to raise is from $500 to $800. These debentures are sold and bear six per cent interest, if I am correct, and I think the provincial government guarantees these debentures and advances the money, but at six per cent. I do not know what amount is expended annually in the erection of school-houses, but it must be very large. In the settlement of that country we build school-houses, first of logs, and that will cost two or three hundred dollars. Then in about five years time, when the credit of the district has increased, we put up a frame school-house, which costs six or seven hundred dollars. Eight or nine years after that, when the debentures have all been paid there is an increased demand for school accommodation, because when a population increases in the country there are constant requisitions of that kind, so that the amount expended annually in the province of Manitoba in schools must be considerable, though I have no figures in my hand at the present moment. I do not see why the Dominion government should not advance upon these debentures which are taken up by the public, a portion of this money at three per cent interest and save the province that amount of expenditure. That would be a saving of three per cent on eight hundred dollars of debentures, which is a great saving indeed. There is no reason why the school sections where this grant is asked for should not be assisted in this way without impairing the capital account, which should be kept as an asset. We have no assets like other provinces. We have nothing to depend on. This is the only capital account we have. If it amounts to ten million dollars capital in the next thirty or forty years, there will be an annual revenue of three or four hundred thousand. If it amounts to twenty million, as the hon. Secretary of State has foreshadowed, it will be an annual revenue of six hundred thousand. It is the duty of this parliament to protect that income for the benefit of the province in the future.

Hon. Mr. MACDONALD (B.C.)—That is right.

Hon. Mr. BOULTON—That is my idea. I should like to see education assisted in every way. I have pointed out one or two methods by which it might be supplemented, and yet I do not think there is any public opinion at the back of this grant, nothing more than the desire to have the handling of three hundred thousand dollars, and perhaps cause it to be expended for a certain purpose; but I do not think the people of the province thoroughly understand the position this fund stands in. If they understood it in its proper light they would take the view that I am stating. Let them nurse the fund for present purposes and obtain assistance in the way I suggest.

Hon. Mr. BERNIER—On a former occasion I foreshadowed my opinion on this matter. I do not concur in the policy of the government, and it is not through any feeling that I take this view, but through a sense of duty. The hon. Minister of Justice, and also the Secretary of State have stated that at no time parliament had indicated its intention upon this matter. I think I can show to the satisfaction of the House that in more than one instance parliament has indicated its views upon this matter. I need not quote the statutes. It is admitted

that the word "endownent" is used in this law. What is an endowment? Here is a legal authority, Wharton, Law Lexicon, and the definition it gives is this: An endowment is

> The creation of a perpetual provision out of lands or money for any institution or person.

Then I read from Anderson's dictionary of law. His definition is:

> The endowment of a religious corporation refers to that particular fund or part of the fund, of the institution, bestowed for its permanent use, and usually kept sacred for the purposes intended.

So much for the expression in framing this law, which shows the intention of the legislature. Has parliament indicated its views at some other times? I say that it has. In 1883 there was a consolidation of this Dominion Lands Act. Sir Alexander Campbell, speaking in this Senate, said:

> It is necessary that the school fund should be kept sacred. The proceeds of those lands are intended for the education of the people in the future, and the government of the Dominion are the trustees for the future inhabitants of Manitoba.

In the House of Commons, on the discussion of the same bill, Sir John A. Macdonald said:

> Representations have come from the province of Manitoba, and very naturally from the government of that province, that the school lands of Manitoba should be handed over to them for their management. Hitherto the government have not seen their way to go so far. That province is large and the population small; and the temptation to deal with that magnificent grant for present purposes to meet present exigencies is very great; and the government think—and I may here mention that the course of the government met with apparent approval during the last parliament—they ought not to denude themselves of this sacred trust, handed over to them as trustee for this great fund for the education of the people in the illimitable future; so that the policy of the government hitherto has been, in the province of Manitoba, to dispose of this land, the proceeds of which are funded, as the law provides, in government securities, and the annual interest or increment is handed over from year to year to the province of Manitoba for educational purposes. The fund being intact, the fund continually growing, and the interest annually being handed over to the province for the purpose of education, I think that it is in the interest of Manitoba itself; I think it is in the interest of the great North-west, that this magnificent provision for education should be rightly preserved.

Mr. Sutherland, a representative of Manitoba, then said:

> In reference to school lands, I quite agree with the law as it is at present.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. BERNIER—Mr. Royal, who was also a member of parliament and representative of Manitoba, said:

> I do not believe myself, that these lands should be placed under the management of the provincial government. I think that this is a wise provision of the law, and I fully concur in the wisdom of the remarks made by the right honourable the premier on that subject.

Mr. Watson, who was then a member of parliament, and who is at present a member of the Manitoba government, said:

> I heartily agree with the remarks of the honourable the first minister (Sir John A. Macdonald) with regard to those lands.

Mr. Ross, another member from Manitoba, said:

> As far as I am concerned, I believe that the people of the North-west think that the government should preserve these lands intact for school purposes.

And later on he said:

> I agree with the remark made by my hon. friend from Provencher (Mr. Royal) with regard to the school fund. I think that fund should not be dealt with by the local government. I believe it is better to leave it in the hands of the Dominion government.

Hon. Mr. MILLS—A question of policy again.

Hon. Mr. BERNIER—Mr. Scott, who was also a representative of Manitoba in the House of Commons at that time, said:

> I agree with them that the management of these lands should remain entirely in the hands of the Dominion government.

Sir John A. Macdonald again said:

> The government is merely a trustee for these lands, and cannot divest them in any way whatever for the purposes of school endowment.

Sir John A. Macdonald later said also:

> All I can say is that every member of Manitoba has protested against the possibility of the Dominion government giving up these lands.

This will show that on more than one occasion parliament expressed its views as to the permanency of the school fund. The hon. ministers have laid great stress upon the fact that we are governed by parliamentary institutions. But, which are the institutions that in this case could be regarded as expressing the views of the people? It is the local legislature. Now, up to the present, we have before us no request of the legislature of Manitoba asking for these funds. We have not even the request of the local government asking for them. What we have before us is only a request from the treasurer of Manitoba for a part of

the funds. I do not know whether I should detain the House any longer. I might perhaps say one word in answer to what the hon. Minister of Justice said yesterday in reference to the school question. I have no intention to go into that controversy now, except to state that nobody can deny that the present circumstances are not the same that were in existence when that school fund was created. A section of the population of that province claims that injustice has been done to them; and their grievances have been upheld by the Privy Council. So that nobody can deny that they are right. If they are right the others are wrong, and consequently I do not think the present circumstances would justify parliament to divest itself of the trust that has been vested in them, when the government to which it is proposed to hand over this large sum of money is, legally speaking, in open rebellion with the direction of the highest tribunal of the empire, and in fact against the highest authority of the empire, against the command of Her Majesty herself. One of the contentions of the hon. Minister of Justice is that the change of circumstances does not affect the case. What the law provides is that the school endowment shall be for the benefit of the public schools, and notwithstanding any change that may occur, the law is properly carried on if the money is given to the public schools for the time being. Parliament has not to concern itself about those changes. So says the hon. gentleman. Well, he may be technically right, but most assuredly he is substantially wrong. Because, if we were to adopt his views on the matter, any sort of injustice might arise therefrom. In this particular case, knowing as we do know, that a large section of the people of Manitoba is deprived of its legitimate share of the school appropriations, the adoption of the policy proposed by the government would surely result in a new injustice to the minority. All through the speeches of the hon. gentlemen on the treasury benches, there is a kind of semi-intimation that this concession would rather lead to the other way. I may say that I do not believe in the proposition that an injustice can be cured by another injustice. I would rather believe in the old maxim: *summum jus, summa injuria.* You may have strictly the power to hand over that fund to the public schools for the time being, but surely in adhering to that strict power, it would be, under the circumstances referred to, manifestly doing a supreme injustice to a large portion of the people.

Hon. Mr. MILLS—I shall only detain hon. gentlemen a few minutes. I must say it seems to me that we have heard very extraordinary doctrines laid down in connection with this question. We are told this is an endowment, and because the moneys are devoted to school purposes that therefore this parliament is absolutely disqualified to deal with the subject at all, in fact, that this provision stands much in the same position as if it were a provision of the British North America Act, and that the parliament is absolutely disqualified from dealing with it.

Hon. Mr. BOULTON—It is a question of policy.

Hon. Mr. MILLS—My hon. friend says it is a question of policy and it is as a question of policy we are called upon to consider it.

Hon. Sir MACKENZIE BOWELL—But not as a question of right, and no one has taken that position.

Hon. Mr. MILLS—Well, my hon. friend forgets what position he has taken. He contends that the diversion of this fund, not to another purpose but to meet the immediate wants of a population that are somewhat straitened, would be exactly of the same nature as if the Board of McGill University were to confiscate the gift of Lord Strathcona and divert it to some other purpose, and that if we were to legislate in this way that there was no longer any security for property. Now my hon. friend has made very extravagant statements and I do not at all concur in those views. What is the effect of an endowment? It is the application of the money or gift or grant for a particular purpose, and if there are different parties entering into a compact we are called upon to see that there is no breach of faith with those who are parties to that compact in any alteration or change we may make in regard to the matter. But is that the case here? Who are the parties here? This legislation was legislation by a parliament that is no longer in existence, by men who are no longer living.

Hon. Sir MACKENZIE BOWELL—Some of them are.

Hon. Mr. MILLS—Yes, but my hon. friend has no greater right because he was a member of a previous parliament upon this subject, neither have I, than if we were made members yesterday.

Hon. Sir MACKENZIE BOWELL—That is true.

Hon. Mr. MILLS—Then there is nothing in the point. Who are the *cestui qui* trust in this matter, whose rights are being invaded. Does my hon. friend say that the men who are now in their graves have made a compact with men who are not yet born? That is the position that the hon. gentleman has taken, and for which he has seriously argued. I deny that altogether. As an act of public policy, it does not stand, under existing circumstances, in any different position from any other act of public policy that has been adopted by those who legislated for the people of this country in the past period of time. This parliament comes to the consideration of that question with the same freedom and with the same power that was possessed by the parliament that set apart these lands. There is no difference between their authority and ours; there is no difference between their right to judge and ours, unless hon. gentlemen can show that there is some specific right given to private parties who have, under the arrangement, acquired a right which we, by our legislation, are invading. Now, I say that that is not the case. This is not a dedication for certain private parties, but for the whole country. We are just as free to legislate upon this subject as the government of Mr. Gladstone was free to legislate on the subject of church and state in Ireland. What did they do with the properties that belonged to the Irish Church? Did they say, "These are your private properties, we have no right to use them for any purpose whatever?" No; they said, "This was endowed for national purposes; that it is still the interest of the nation that is to be considered, and the purpose to which we apply this property shall be a purpose in which the whole nation is interested, in which those who constitute the majority, but are not members of the Established Church, shall have an opportunity of sharing and benefiting as much as those who are not." If the government were to-morrow, in the public interest, to apply the sale of this same fund to some other purpose, if it was found that some other purpose than that to which it was dedicated would be more in the public interest, does any hon. gentleman say that parliament would not have a right to do so, or that any interest or right of any party would be illegally or unconstitutionally invaded, and that faith would be broken with any persons in the province of Manitoba? I say there is no such doctrine recognized under our constitutional system. Let me say further, we are not doing differently from what was done. This parliament sanctioned before, the advance of $30,000, and on a second occasion, $30,000 more from the public fund of this country to aid in the schools, and we held the lands in pledge for the payment of those loans. Where did that $60,000 come from? From the interest of this fund? No, not at all. It came from the principal, the funds obtained from the sale of those lands to that extent. When was that? Years ago; and to-day we are asking five times as much, but the population of Manitoba is more than five times greater than it was at that time; and so, what is the condition of things to be considered? It is this: you have a large and poor population in Manitoba, a population who need aid at the present time, a population who cannot provide sufficient schools on account of the poverty and sparseness of that population, and then hon. gentlemen say we are not making the truest possible use of that fund when we propose to take a portion of that capital for the education of the present generation, and to build school houses instead of retaining it for the education of men who will not come into the world until those who are now in the schools go out of them. That is the position which hon. gentlemen take. There is more than that. You have in this fund, according to the estimated value, a fund worth over $15,000,000. Is it necessary to starve the schools at the present time and to keep them inefficient, to have the present generation grow up in ignorance, in order that that fund may be conserved to its full amount for the advantage of those who will occupy that province in the future? What is the position of things? Twenty-five years hence, after these lands are all sold, and

after you have a fund in all probability of not less than $20,000,000, you will have a population in Manitoba whose wealth, whose density will enable them to maintain efficient schools without any aid at all, far easier than the present generation can maintain the schools with the aid that you propose to give them. Is that a matter of no consequence? Is it not making a proper use of this fund to say that this small moiety of $300,000 shall be devoted to the education of the children at this time, and that the great portion of the fund may be reserved to a later period? No one has proposed that this fund should be destroyed and yet I say if it were in the public interest; if public policy pointed in that direction, there is no pledge, nothing existing which would, in the slightest degree interfere with our freedom in that matter. The hon. gentleman has quoted Sir John Macdonald as to what he said with regard to the fund. What did Sir John Macdonald say? He said that the needs of Manitoba, the poverty of the population, the disposition that there would be in consequence of that poverty and their straitened circumstances to use the fund at the present moment, made it unsafe to transfer it to the government of Manitoba. Did he say there was any sacred pledge or trust that would be violated if we were to make the transfer? That is not the ground upon which he put it. It was on the ground of public policy, the ground that the fund was safer in the hands of the Dominion under existing circumstances than it would be in the hands of the province of Manitoba. But that is all beside the question. We are not proposing to hand over the entire fund created by this reservation of school lands to the government of Manitoba. We are proposing to hand over a small moiety. We have sold a few thousand acres of the two million that lie in Manitoba; and the value of the sale, small as it is, amounts to over $700,000; and the government propose that $300,000 of this money shall be placed in the hands of the government of Manitoba at the present time to meet the exigencies of the situation. I say that is a very small amount of capital to place at the disposal of the government at a period when the province is poor, when the population is scattered far and wide and when it is difficult to maintain schools. Twenty-five years hence you will have a dense population, and the whole province filled up everywhere with prosperous farmers, and they will be able to support the schools without any difficulty and without any aid from the state, by their own direct means. The time for a government to give aid is when it is most needed, and the period when it is most needed is the present time. I say to hon. gentlemen that I do not subscribe to the wild statements that were made by the leader of the opposition with regard to the measure being a threat as to the security of property or interference with any private rights. There is nothing of the sort involved in the question. It is purely a question of public policy, where you have a most magnificent endowment for school purposes which is entirely under your control, upon which no one has any special claim, whether you will, to meet present requirement of the population, take a small percentage of that endowment for the purpose of maintaining the schools in efficiency at the present moment when they most require it. I say that the course taken by the government in this matter in meeting the wishes of the government of Manitoba is a most proper course to pursue. It is wise and statesman-like, because you will have a better educated and better informed population after this measure is carried out, and men will be better qualified to discharge their duties to the children of twenty-five years hence, than if you withhold from them the aid which they need and compel them to grow up.

The Senate divided on the motion, which was lost on the following vote:—

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DRUMMOND COUNTY RAILWAY COMMISSION.

MOTION.

Hon. Mr. MILLER—I beg leave to move the adoption of the report of the select committee appointed to inquire into the affairs of the Drummond County Railway Company.

Hon. Mr. MILLS—I must deprecate very much the adoption of the report by this House until we have had an opportunity of reading and considering it.

Hon. Sir MACKENZIE BOWELL—We have had two or three days. The hon. gentleman has had a much longer time to read this report, and form his opinion on it, than we have had in dealing with some millions of dollars.

Hon. Mr. MILLER—I may say the course adopted in the other branch of the legislature was to postpone the discussion of the report until next session, and I thought that the hon. leader of the opposition was going to suggest that course here, if there was no objection to it.

Hon. Sir MACKENZIE BOWELL—I have no objection. If we had been requested to let this stand over, I was going to suggest adopting the same policy that was pursued by the premier in the other House, but no request was made for it. I have no objections to adopting that course. If the hon. gentleman would like to have it deferred I think the chairman would acquiesce.

Hon. Mr. MILLS—I certainly do desire that it should be deferred. I am not prepared to enter into a discussion of the subject.

Hon. Mr. MILLER—Then, at the request of the hon. leader of the House, I move that the discussion of this report stand over till next session.

The motion was agreed to.

Hon. Mr. MILLER—I move that the third report of the select committee appointed to inquire into the affairs of the Drummond County Railway be adopted. This report refers simply to the charge by the counsel who was employed to conduct the proceedings before the committee. The charge is very reasonable.

Hon. Mr. POWER—I wish to make just one or two observations on this report. The committee might have gone on with the inquiry and examined witnesses themselves, or they might have done, as they have decided to do, refrained from examining any witnesses or going into the inquiry at all. But the hon. gentlemen should have decided that question for themselves, and to send for an eminent counsel in Toronto to enable the committee to make up their minds as to whether they should proceed or not, and then to pay that learned gentleman $575 for telling them they should not proceed, is not, to my mind, the best way of transacting the business of the Senate. We are very fond of talking of the extravagance of the government, but in our own little way this report, which we are asked to adopt, illustrates the fact that we can be extravagant too. I must repeat that I think the committee—I am now referring to the general action of the committee—should have decided whether or not they should go into the inquiry without the assistance of Mr. Walter Barwick; and, further, it does strike me that $575 is a large amount to pay for the service which this gentleman performed, that of advising the committee that they should not go on.

Hon. Mr. DEVER—Is the committee going to adopt this report without dividing? I simply want to have my name recorded against the payment of this sum for such a purpose.

The motion was carried on a division.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (173) "An Act further to amend the Act respecting the Senate and House of Commons."

The bill was read the first time.

Hon. Mr. MILLS moved that the rules be suspended with regard to this bill and that it be read the second time presently.

Hon. Mr. MILLER—I understand this is a permanent bill. I give notice that I shall ask the government to make an amendment to the bill in this direction—that the fifteen days shall not apply to the last fifteen days of the session. I think it is in the

public interest that we should make some provision of that kind. Unless the hon. members of the House of Commons will undertake to amend it, we cannot amend it here. It is a delicate question to speak upon, but I think that the bill should be amended by providing that the fifteen days' exemption shall not apply to the last fifteen days of the session hereafter. I think it is absolutely necessary. I do not want to go into particulars, but the measures brought before the Senate during the last fifteen days of the session are more important than all the business done during the three months previously. The most important business of the House is crowded into a few days, and I am sorry to say too many members go home near the end of the session.

Hon. Mr. CLEMOW—Cannot we amend it?

Hon. Mr. MILLER—No.

Hon. Mr. POWER—In order that this matter may not be out of our hands in a future session, I do not see why we should be altogether doing wrong in striking out the words which refer to future sessions.

Hon. Mr. BOULTON—I agree to it.

Hon. Mr. POWER—The effect of the measure is to pay gentlemen, who prefer to attend to their own business, for the time expended in attending to their own affairs. I think it is an unjust bill.

Hon. Mr. OGILVIE—The hon. member for Halifax is wrong. He says it is to pay people to attend to their own business. I could give him four or five cases in which that is absolutely untrue, where people have been kept at home ill and where they have been detained from here and could not possibly help it. He should be a little more careful in making general assertions of that kind.

Hon. Mr. DANDURAND—There is one thing which I have noticed in my short experience: it is that we are supposed to be here during the first two months of the session to hear the prayers and the petitions, and then have the adjournment about ten minutes after. Then why should people who live far from the capital be called away from homes to do what is called public business? I do not think that during the first two months of this session we did more than five days' work.

Hon. Mr. MASSON—Does the hon. gentleman apply that to the House of Commons?

Hon. Mr. DANDURAND—If it pleases the House of Commons to while away the time in idle talk, that is their own affair, but it seems to me that we attend here to mark time for the first two months.

Hon. Mr. MILLER—The hon. gentleman's remarks are just as applicable to the House of Commons as they are to this House. In the first two months of the session nothing was done by the House of Commons.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman was wrong entirely. This fifteen days does not apply to the adjournment. Nothing is deducted for the adjournment. It only applies to the days the Senate sits and transacts business.

Hon. Mr. DANDURAND—During the first two months we are supposed to be here four or five days in the week to attend to the business of the Senate, when nothing comes from the House of Commons and the time is lost in idle speeches, made simply to fill the Débats with speeches for the electorate, and we have to remain here doing nothing, waiting for the pleasure of the Commons. We have to sit here five or ten minutes each day for the first two months of the session doing nothing, and I wonder why we do not adjourn every two weeks.

Hon. Mr. FERGUSON—I hope the government will take this reprimand to heart on account of the way they are managing business.

Hon. Mr. DANDURAND—I may say it is generally the opposition that does the talking.

Hon. Mr. MILLER—The House will see the importance of having the members here during the last fifteen days of the session, and it is for that reason I desire that a provision should be made in the law that this exemption shall not apply to the last fifteen days of the session. I think it will commend itself to every member of the House. There may be some excuse for allowing fifteen days exemption during a long session of four months. I should not object to members going home and attending to pri-

vate business where the public business might not be imperative, and the private business might be very urgent, but during the last fifteen days of the session, it is very important that every member of parliament of both Houses, should be in his place, because we know the great bulk of the work is done then and the most important bills come before us, and it is most desirable that we should not do anything to encourage a thin House in the Senate or the House of Commons during the session.

Hon. Mr. OGILVIE—I have been seventeen years in this House, and it does not say much for the generosity of the members who live at a distance, and cannot go home, when I say that nine out of ten of the men who have found fault with the adjournments have been gentlemen who cannot go home. It is like the dog in the manger, "because I cannot do it I will not let you do it." It has been so for seventeen years back. A great many members find fault with adjournments because they cannot go home themselves.

Hon. Mr. MILLER—I have never assumed any dog in the manger attitude on this question. I have generally allowed people to go home, far and near. I have never voted against an adjournment for years.

Hon. Mr. OGILVIE—You are doing it now.

Hon. Mr. MILLER—I am not doing it now. The hon. gentleman should be more particular in his statements when he makes them with such force. Loud talk will not make a statement any more correct.

Hon. Mr. BERNIER—I am one of those who cannot take advantage of the fifteen days' allowance, but I do not object that those who are able to go home and attend to their own private business during the session should do so. It cannot be said that because a member has lost ten or fifteen days he has neglected his duty. It is but fair, and any hon. gentleman having pressing and urgent business, even if it be private business, should have the opportunity of attending to it.

Hon. Mr. MILLS—I will not persist in my motion at the present moment. When we meet again at three o'clock I will move the second reading.

The motion was agreed to.

Hon. Mr. POWER—I give notice that I will move that the words "and each session of parliament hereafter held" be striken out.

The Senate adjourned.

SECOND SITTING.

Ottawa, Saturday, 11th June, 1898.

The speaker took the chair at Three o'Clock.

Prayers and routine proceedings.

SENATE AND HOUSE OF COMMONS BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS moved the second reading of Bill (173) "An Act further to amend the Act respecting the Senate and the House of Commons."

Hon. Mr. POWER—I do not know whether, strictly speaking, the Senate has a right to amend a bill of this kind, but I think if we have the right we ought to exercise it. I take, first, the constitutional ground that, as I am informed and as I believe is the case, the measure when it was submitted to the House of Commons with His Excellency's approval, dealt only with the present year. Under an undoubted rule of parliament, the House of Commons had no right to add to what was set forth in the message from His Excellency, and the House of Commons had no right to legislate beyond the present year, so that I think this House, particularly as it is a matter in which the Senate is concerned as much as the House of Commons, has a perfect right to so amend the bill as to bring it back practically to the condition in which it should have been. That is as a matter of practice. I think we have a right, under the circumstances, to deal with this bill although it is in some sense a money bill. Then there are one or two other reasons why I think we should deal with it. Several hon. gentlemen have spoken of the great inconvenience of allowing this fifteen days, spoken of to be counted at the end of the

session when most of the important work is to be done. There is a great deal of force in that. For that reason it would be wiser that the measure should pass now only for this year, and that the government and the House of Commons should have an opportunity, during the recess, of thinking over the latter and submitting a more carefully thought out measure than this is at the next meeting of parliament. Then, there is another result of the measure in itself which perhaps has not occurred to the government or to some members of parliament, and that is, that when members of both Houses feel that they can be absent for fifteen days during the session without any loss to themselves, they are very likely to absent themselves, and that causes a feeling amongst the members of both Houses that it is not necessary to hurry prorogation. They can go home and lose nothing by going home, and the consequence is that those members who come from a distance, and who cannot conveniently go home, are obliged to remain here for a longer period than they otherwise would. If there were no adjournments, and if every member from far and near had to remain in Ottawa from the beginning to the end of the session, the session would be very considerably shorter than it is now. This giving of fifteen additional days and making it a permanent thing, is going to increase that absenteeism very much, and tend to prolong the session. The hon. gentleman from Alma division (Mr. Ogilvie) made some reference to members who come from remote places acting rather like the dog in the manger. The hon. gentleman's observations did not apply to me. I have not for years made any opposition to those adjournments, but hon. gentlemen who live near at hand might be a little generous with us ; and in the interest of the whole House, in the interest of the country and of the government, it is better that the sessions should be shorter, and the tendency of this measure, if it becomes permanent, will be to lengthen the sessions. So, on the grounds that the House of Commons have no right to pass this bill in its present shape ; that we have as much right to restore it to its original shape as they had to change it ; that it does not represent the deliberate and well-thought-out opinion of the government and of parliament ; that it needs to be amended so as not to apply to the closing days of the session, and also because it is not a good thing in itself, I move that the words in this bill which apply to future sessions be stricken out, "and for each session of parliament hereafter held."

Hon. Mr. PERLEY—I live 1,600 miles from here. It is utterly impossible for me to go home through the session unless we make long adjournments. A week or ten days would not enable me to visit my home, therefore, of necessity, I have to remain here. However, I am fortunate in having others at home to carry on my business and I can remain here. But I hesitate not to say that the principle of the bill is a wrong one. If they had included a condition in the bill that it is not to apply to the last days of the session there might be some force in it. During the last ten days we have done more business than in the previous forty days. More money has been voted and more important legislation passed during the past ten days than in the previous forty days. This does not apply to this government merely ; it applies to the last as well. A man is obliged to spend four months of each year attending to his duties here, and very many, when the session nears its close, make a bee line for home without any proper regard for the legislation that is to come before us. It would not be so wrong to vote this exemption session by session but it is wrong to undertake to make it a fixed rule that we get paid for fifteen days that we do not attend. It is better to increase the indemnity. If you want to get men of business capacity who can afford to devote their time to the affairs of the country you must either pay them for it or get a class of men who can afford it. A wealthy man can afford it. I cannot, and if I was not a member of the Senate having two boys to look after my business, I would retire from politics altogether, as I could not attend to politics and to my business, and would have to let one or the other go. Establishing the principle and making it permanent that a man should be paid for fifteen days that he is not here, would suit me to a dot, because in the middle of the session I would take my fifteen days in connection with adjournment. There is generally an adjournment about seed time when I require to get home, but if everybody else acted on the same principle there would be no parliament at all. While I do

not propose to vote against the allowing of fifteen days this year I shall vote against making it a permanent rule.

Hon. Mr. ALLAN—I suppose the principle of the bill, if there is any principle in it at all, is this, that in such a session as is just coming to an end now, when members have been kept away from home for nearly four and a half months, if such hon. members find it absolutely necessary to go home for a certain number of days during the session they shall not lose a portion of their indemnity. I presume the idea is that if the session is a comparatively short one, there is no occasion for making any allowance on that score at all; but if the session is an abnormally long one, it is only just and fair, if this principle of paying members is to be continued, to make an allowance of that kind. My idea is that senators should not be paid at all for their attendance, though I have no hope of seeing that brought about. I prefer the bill as it is, for this reason: there is something not very pleasant, as if it were a little charity thrown into the end of the session, to make this small concession of fifteen days' allowance. I would much rather, I confess, see the exemption made permanent, if the principle is to be admitted at all, than to have a bill like this brought up in the last days of every session. If the exemption is to be given, I very much prefer the view taken by the hon. gentleman from Richmond, as, there is no question about it, any one who has watched the working of it for the last few years when these bonuses have been granted, knows perfectly well, though it is a disagreeable thing to have to say, that there is an exodus of members of both Houses just about the close of the session; and this is almost an inducement to make them feel that they can do that. Therefore, I would rather see this arrangement made permanent, unless it is done away with altogether.

Hon. Mr. DEVER—I think I can speak from experience on this subject about as well as most members as I have been here a long time. I cannot find fault with one government more than an other. I have always found, during the last thirty years that the great rush of business generally comes in near the close of the session. What I am finding fault with at the present time, and what I have found fault with at other times, is that needlessly the opposition keep us here entirely too long. That is the trouble. During this session the Yukon Bill occupied the other House a long time, and then it came to this House and we all know the result—that all the heavy labour bestowed on that measure and all the benefits which would have accrued to the country from the legislation had been smashed like a glass house by this Senate, and the whole time of the House up to that period was simply wasted. I do not find fault with this. It is done and cannot be helped now, but I had a notion for a long time that both the Senate and the House of Commons might well be reformed.

Hon. Mr. ALLAN—Hear, hear.

Hon. Mr. DEVER—It is my opinion that the membership of this Senate is entirely too numerous and that we are too poorly paid. I am free and open-handed, because I know what the feelings of the country are. I believe the House of Commons is also too large.

Hon. Mr. BOULTON—There is safety in numbers.

Hon. Mr. DEVER—I will not occupy the time of the House very long, and hon. gentlemen may thank me for expressing thoughts which they have themselves but are too cowardly to express. It is my opinion, hon. gentlemen—and I speak of both Houses—that if the membership were reduced one-half and the pay doubled, we would be sure of getting a better class of men. It would cost the country no more than at present and would improve the representation of the people.

Hon. Mr. MACDONALD (B.C.)—Who would retire first?

Hon. Mr. DEVER—The hon. gentleman from Victoria would not retire any way if he could help it. These are the views I hold, and I believe they are held very extensively by other gentlemen, too. I do not hope that such a reformation will take place, but I only wish it could, because I think if the Senate were composed of half the number and if they attended to their duty day by day, without interruptions and adjournments, or giving to one party or another a number of days to enable him to go here and there, it would be better, because the

legislation of the country could be done at most in ten weeks instead of four or five months. I throw out these views to the House and lay them before the government, hoping it may be possible that they may be considered, perhaps when I am no longer here but in another world. These are my views and I think if they could be adopted and a change made in the direction I point out—because a change will have to take place in the Senate before long—it would be very acceptable to the country and I believe we would get a better class of legislators.

Hon. Mr. DE BOUCHERVILLE—There is another important point to be considered. Have we a right to amend this bill? This is an appropriation bill.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. DE BOUCHERVILLE—And if we amend it we shall probably have the pleasure of receiving from the House of Commons notice that they will not agree to the amendments, and then we will say that we do not insist on the amendments. I think one message of that kind in the session is enough.

Hon. Mr. MILLS—I have no doubt whatever that this is an appropriation bill, and that this House has no power to amend it. I do not know that members take their fifteen days at the end of the session. There are a good many legal gentlemen in the other House, and during the period the courts are in session they go away to attend to their cases. There are others who leave for the purpose of attending to their business as bankers and merchants. So that if we look at the time that members are away, we will find that it is pretty evenly distributed over the session, almost from the very beginning. There may be a few who have no special business to call them away, who feel that they are entitled to the fifteen days, and will take them at the end of the session. I believe the experience of the House of Commons is, that after that the House progresses more rapidly with the public business, and I am not at all sure, if we were to carry the amendments suggested by the hon. gentleman from Richmond, and provide that these fifteen days should not be taken at any time during the last month of the session, that we would have a shorter session than we have now. I think the House will find on the whole that it is better to accept the bill from the Commons in its present form, and if any hon. gentleman desires next session to amend this bill in the direction mentioned by the hon. gentleman from Richmond, the amendment could be proposed by a member of the House of Commons. I do not for a moment admit that the principle contended for by my hon. friend—I think erroneously—in another bill is applicable to this, that if the House passes it, we are bound, by some sort of mysterious compact, not to make any alteration in it afterwards.

Hon. Mr. BOULTON—I do not agree with the leader of the House when he says he hopes the sessions will become shorter. We have a very large country to deal with, and this year more than half the legislation has come from the western country, which is certainly not going to decrease. It is going to increase. At the present moment a very large number of members come a long distance, and are forced to neglect their private affairs, but people living in the east are not obliged to do that, and it is a greater hardship on those who have to make these sacrifices.

Hon. Mr. DE BOUCHERVILLE—I should like to hear the opinion of the Speaker as to whether it is an appropriation bill.

The SPEAKER—It seems to me that this is clearly a bill providing for the appropriation of money, and consequently I do not think the amendment is in order.

Hon. Mr. POWER—I bow to the decision of the chair.

The amendment was withdrawn.

The bill was then read the second and third times and passed.

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

RETURNED FROM THE COMMONS.

A message was received from the House of Commons returning Bill (71) "An Act further to amend the Weights and Measures Act," and stating that they had agreed to the amendments made by the Senate with an amendment.

Hon. Sir MACKENZIE BOWELL—How will it read?

Hon. Mr. MILLS—There is some doubt as to whether the bushel capacity was Winchester or Imperial, and the Commons struck out the word "Winchester" and left the word "bushel."

Hon. Mr. POWER—To leave room for litigation.

Hon. Mr. MILLS—I do not know that there is any opportunity for litigation, because I think there is a statute abolishing the Winchester bushel which was passed some years ago. I met some of the officers here yesterday, who came over with Mr. Paterson to discuss the subject, and they maintained that the bushel of capacity now in use was an Imperial bushel. An Imperial bushel is $2,212\frac{192}{1000}$. The Winchester bushel is $2,215\frac{42}{1000}$. I am quite satisfied that the sixty pounds of wheat average quality is the weight of a Winchester bushel. At all events, the Department of Inland Revenue will decide that by actual experiment and act accordingly.

Hon. Mr. FERGUSON—I think now we have just got back to the point where we started from.

Hon. Mr. MILLS—No.

Hon. Mr. FERGUSON—My hon. friend the leader of the opposition, stated that instead of the smaller tests, as formerly used, it should be less than sixty pounds. The leader of the House suggested that it shall be no smaller quantity than the Winchester bushel. Now the House of Commons strikes out the word "Winchester," and we get back to the bushel which, under the law, is sixty pounds.

Hon. Mr. MILLS—My hon. friend will see that there is a bushel by weight and a bushel by capacity. You want to test the quality of a bushel by weight as well as by capacity, and the objection to sixty pounds was that you could not test the bushel at all.

Hon. Sir MACKENZIE BOWELL—The Commons have gone beyond that.

Hon. Mr. FERGUSON—If the amendment will now provide that it shall be a bushel of capacity I can then understand it, but I think it will be a bushel of weight, and accordingly where there is no expressed understanding to the contrary, a bushel is sixty pounds. Unless it expressly says it shall be a bushel in capacity we shall have sixty pounds.

Hon. Sir MACKENZIE BOWELL—The amendment of the Commons leaves out the whole of the amendment made by the Senate. It places the bill in precisely where it was before we made any amendment. The word "Winchester" is not the only word left out. It says "leave out from capacity" and it leaves out all from this word "capacity" to "Winchester measure," leaving it exactly as the bill was before we amended it.

Hon. Mr. MILLS—Yes, I see now that they have struck out that whole amendment. The hon. gentleman from London has had his way.

Hon. Sir MACKENZIE BOWELL—No, it is the gentleman who voted for a measure of a sixteenth part of a bushel. The government have undertaken to fix a measure by which the farmer is wronged in the weights of every bushel of grain he sells, let them take the responsibility.

Hon. Mr. MILLS moved that the Senate do not insist upon its amendment.

The motion was agreed to.

INLAND REVENUE ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (172) "An Act further to amend the Inland Revenue Act."

The bill was read the first time.

Hon. Mr. MILLS moved the second reading of the bill.

Hon. Mr. DE BOUCHERVILLE—What is the effect of that?

Hon. Mr. MILLS—My hon. friend will have to give me time, I will require to look at two or three of these chapters before I could tell. I cannot say that I admire this method of amending the law.

Hon. Mr. POWER—It means, I think, that the weight is to be computed on the tobacco dry.

Hon. Mr. MILLS—Quite so.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman had better give notice that he will move the second reading at the next sitting, and in the meantime he can find out what the bill implies. It is a matter of great importance, interfering with the revenue, and we should have time to get information about it.

Hon. Mr. MILLS—I will move the second reading now and move the House into committee upon it at the next sitting.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. VILLENEUVE—I think the amendments have been asked by the manufacturers of tobacco. They thought it was very unjust to pay the duty. There was a duty on the leaf when it came in, and then an excise duty. In passing this bill, as presented to the House just now, I think you will render justice to the manufacturers, as I believe they have paid on more pounds than there were really in the packages. The tobacco is moist and they had to pay on the moisture. By this bill they will only have to pay the amount of duty that the government means to exact. They will not have to pay it on the moisture, but on the actual weight.

Hon. Sir MACKENZIE BOWELL—What do they allow for moisture?

Hon. Mr. VILLENEUVE—Nothing now, I suppose they will after this, I have been told by some manufacturers of tobacco that they have come several times before the government with a request for legislation in this direction and at last they have succeeded.

Hon. Sir MACKENZIE BOWELL—It is a very good thing to have some members of the Senate who are able to explain government bills when they are brought before us; otherwise we would have to ask for a great deal of time to consider them.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—I am glad that my hon. friend agrees with me; it is not often that he does. He has had the advantage of a practical man to tell him what the bill means and what its effect will be. I know there are constant applications made on the part of manufacturers for changes in the duty. Some require the whole system changed and an imposition on the raw leaf and no excise at all; the same I think as they do in some other countries. This is one of those peculiar bills brought before us amending certain clauses and repealing other clauses affecting the revenue of the country, and we are asked to accept it at a moment's warning without knowing anything at all about it. I am glad my hon. friend has given us some little inkling or idea of what the bill contains.

Hon. Mr. MILLS—My hon. friend asked that the second reading should stand till the next sitting, that is after eight o'clock, and I do not object.

Hon. Sir MACKENZIE BOWELL—In the meantime, I should like to have a copy of the bill so that I can have it before me to compare it with the law now upon the statute-book. It must be printed before we can consider it.

Hon. Mr. VILLENEUVE—I hope my hon. friend will not put anything in the way of carrying this bill, as he will find that it is in the interests of the manufacturers. I do not think the government should exact any duty they are not entitled to. They levy on the excise as well as on the customs.

Hon. Sir MACKENZIE BOWELL—Do they impose customs and excise besides.

Hon. Mr. VILLENEUVE—They begin by imposing customs duty and then they impose an excise duty. They levy the duty on the weight, and consequently we pay an excise duty on the water.

Hon. Mr. BOULTON—Is this a removal of the customs or the excise?

Hon. Mr. VILLENEUVE—I think the removal would be on the customs.

Hon. Mr. MILLS—I move that this bill be read the second time at the next sitting of this House.

Hon. Mr. POWER—There is some question as to the next sitting of the House. We decided there should be two sittings each day, and it was decided yesterday that the first sitting to-day should be at eleven, and I think this present sitting is the last one.

Hon. Sir MACKENZIE BOWELL—The next sitting would be the third sitting to-day. I would like to ask my hon. friend from Halifax, who has more knowledge of the rules of the House than I have, whether, in adopting the motion made by the Minister of Justice that we should sit at eleven o'clock, and three, and eight o'clock in the same day, that repeals the rule that one full day must elapse between any two stages.

Hon. Mr. POWER—What happened was this: the Minister of Justice moved that there should be, after the day he made the motion, two sittings of the House and then it was decided that, inasmuch as committees were still sitting in the morning, the sittings should be at three o'clock and eight o'clock in the afternoon, instead of one sitting in the forenoon, as was the usual practice, and it was further understood that when the committees had ceased to sit, then the session was to be at eleven. That was in substitution for the meeting at eight o'clock in the evening, and as I take it now, we have met this afternoon, and as there are only two meetings in the day, there is no further meeting to-day beyond the one at three o'clock.

Hon. Mr. MACDONALD (B.C.)—A motion can be made now for the House to meet at eight o'clock.

Hon. Mr. POWER—Oh, yes. The hon. leader of the opposition is anxious to get information, and I presume the Secretary of State has all the information that is necessary to enable us to grapple with this measure now, and perhaps the hon. gentleman will withdraw his objection and let it go through.

Hon. Sir MACKENZIE BOWELL—What surprises me is that the hon. member for Halifax, who is so well up in the rules of the House, should not have answered the question I put to him, whether the motion to meet twice in the same day repeals that rule of the House which declares that one full day shall pass between the two stages of a bill; otherwise no bill can be proceeded with until one day has elapsed between the time———

Hon. Mr. POWER—Of course it repeals it.

Hon. Sir MACKENZIE BOWELL—I am not so sure that it does repeal it.

Hon. Mr. MILLS—If after eight o'clock there is another session there is no object in delay.

Hon. Sir MACKENZIE BOWELL—Decide that point first. You are not going to take that for granted, that there is no other session. I contend that it is another session. The hon. gentleman made a motion that the House should meet at three and adjourn at six, and meet again at eight. He subsequently made another motion that we should meet at eleven to-day, so that really we have three days in one day.

Hon. Mr. MILLS—Hear, hear.

Hon. Mr. POWER—It is quite wrong; there has never been any motion that there should be three meetings the same day. There is a motion that there should be two sessions a day, one at three and the other at eight, until the committees have ceased sitting, after which time it was stated that we would sit in the morning, and the hon. Minister of Justice yesterday moved that we sit to-day at eleven o'clock, and it does not follow that we meet three times a day.

The motion was agreed to.

NORTH-WEST IRRIGATION ACT AMENDMENT BILL.

CONSIDERATION OF COMMONS AMENDMENTS.

A message was received from the House of Commons returning Bill (146) "An Act to amend and consolidate the North-west Irrigation Act of 1894-95," stating that the Commons had agreed to the amendments made by the Senate, with the exception of the amendment on the second page, line 36, "insert the maximum rates which were charged by the licensee," to which the Commons disagreed for the reason that it is impracticable to fix a maximum rate before the conclusion of the work and before it is ascertained what the cost of constructing and maintaining the same would be.

Hon. Mr. SCOTT—When this amendment was carried I understood the hon. member from Calgary to say that if it was going to seriously affect the bill he would not insist upon it. I do not think the hon. gentleman is here, so that I think it would be as well for the House not to insist upon this amendment.

Hon. Mr. WOOD—He is here; he was in the House a little while ago.

Hon. Mr. SCOTT—Then I will let it stand.

TARIFF ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. SCOTT moved the first reading of Bill (171) "An Act to amend the Customs Tariff Act of 1897." He said: The Act makes provision for substituting another clause for clause six of the Customs Tariff Act of 1897. The only new words in it are the following, "or otherwise dealt with as the Minister of Customs directs." This is with reference to certain contraband goods. It was found, I suppose, that there were some goods that ought not to be destroyed and the minister ought to have some discretionary powers to know what to do with them. Then the bill extends, as hon. gentlemen are aware who have read the debates, that preferential tariff to certain British colonies which are named, and to any other British colony or possession the customs tariff of which is on the whole as favourable to Canada as the British preferential tariff herein referred to. Hon. gentlemen will probably recollect that an appeal has been made to the British parliament for some relief to the British West Indians in consequence of the bounties paid on sugar by France and Germany, and that the sugar industry of the West India Islands, which was the main industry, as hon. gentlemen know, has fallen so far away that they are suffering. The values of property have gone down so much that the British government, as probably hon. gentlemen who have followed the debates there know, have intimated the probability of their doing something to aid them; and we thought it would be a graceful thing on our part to say that we are also prepared to do something. Our trade with them, it is true, is not very large, but we propose to cultivate it, and we propose to extend the preferential tariff to the West India Islands, and subsequently to other British colonies but I do not know that it takes in any other but New South Wales. There is a proviso, however, to the following effect:

Provided, however, that manufactured articles to be admitted under such preferential tariff shall be *bona fide* the manufactures of a country or countries entitled to the benefits of such tariff, and that such benefits shall not extend to the importation of articles into the production of which there has not entered a substantial portion of the labour of such countries. Any question arising as to any article being entitled to such benefits shall be decided by the Minister of Customs, whose decision shall be final.

The article with reference to raw sugar is:

2. Raw sugar, including all sugar described in item 436 of schedule A, may, when imported direct from any British colony or possession, be entered for duty or taken out of warehouse for consumption in Canada at the reduced rate of duty provided in the British preferential tariff.

At first the intention was to extend it only to the West India Islands, but there are one or two islands on the Pacific that are producing sugar. I do not know that we are doing any trade with them, but we thought it as well to extend it to them—Fiji, for instance, and some other islands. Then, in the tariff of last year there was a mistake in item 221 which reads as follows:

India rubber boots and shoes, and all manufactures of India rubber and gutta percha, n.o.p., twenty-five per cent ad valorem.

It was intended at that time that rubber belting should be included and it was a clerical error that it was omitted. The change will make the item read:

221. India rubber boots and shoes; rubber belting, rubber cement and all manufactures of India rubber and gutta percha, n.o.p., twenty-five per cent ad valorem.

The statement made by the Minister of Finance and the Minister of Customs shows that it was intended that rubber belting should be included in that item. In 435 of the customs tariff of last year, under the heading of sugar, syrup and molasses, it reads that the duty on all sugar above No. 16 Dutch standard in colour, and all refined sugar of whatever kind, grades or standards shall be one cent per pound, and 436 is as follows:—

Sugar, n.e.s., above No. 16 Dutch standard in colour, sugar drainings or pumpkins drained in transit melado or concentrated melado, tank bottoms and sugar concrete, one-half cent per pound.

The polariscope test has been introduced in lieu of the specific. Instead of taking 16 Dutch standard and charging, as the tariff now charges, at so much per pound, the polariscope test is made to apply. It reads now:

435. All sugar above No. 16 Dutch standard in colour, and all refined sugars of whatever kinds, grades or standards, testing not more than eighty-eight degrees by the polariscope, one dollar and eight cents per one hundred pounds, and for each additional de-

gree one and one-half cent per one hundred pounds. Fractions of five-tenths of a degree or less not to be subject to duty, and fractions of more than five-tenths to be dutiable as a degree.

436. Sugar n.e.s. not above number sixteen Dutch standard in colour, sugar drainings or pumpings drained in transit, melado or concentrated melado, tank bottoms and sugar concrete, testing not more than seventy-five degrees by the polariscope, forty cents per one hundred pounds, and for each additional degree one and one-half cent per one hundred pounds. Fractions of five-tenths of a degree or less not to be subject to duty, and fractions of more than five-tenths to be dutiable as a degree. The usual package in which imported to be free.

Hon. gentlemen will probably recollect the Minister of Finance made the statement in his budget speech, and those changes are simply in conformity with the changes he announced. Items 445 and 446 are repealed. Those items related to tobacco. The puzzle that we had before us a few moments ago is explained. These are transferred for the collection of duty, from the customs to the excise. It is not done in a very clear way, but this bill repeals the authority of the customs collection, and that part of the bill which we have been endeavouring to unravel gives authority to the Excise Department to collect the revenue at the same figures, ten cents per pound for the unstemmed and fourteen cents for the stemmed.

Hon. Mr. BOULTON—Do I understand this customs duty is on the raw leaf, or on the manufactured article as well?

Hon. Mr. SCOTT—On the raw leaf. There was an object in transferring it. In the customs they do not allow for evaporation of the moisture: in the excise they do, so that the manufacturer gets an advantage in that way by the diminution in the weight.

Hon. Mr. POWER—He does not pay duty on the water?

Hon. Mr. SCOTT—No, he does not pay duty on the water.

Hon. Mr. VILLENEUVE—There will be only one to collect instead of two.

Hon. Mr. SCOTT—Then on and after the 1st June, 1897, tobacco manufactured for excise purposes under conditions of the Inland Revenue Act——

Hon. Sir MACKENZIE BOWELL—Leaving out the limit?

Hon. Mr. SCOTT—Yes. The Excise Act we had just now is explained by this bill, because the repealed sections are re-enacted for the Inland Revenue. In the British preferential tariff, articles entitled to the benefit of this preferential tariff come under the duties mentioned in section 17 schedule (A).

On articles entitled to the benefits of this preferential tariff under section seventeen, the duties mentioned in schedule A shall be reduced as follows: The reduction shall be one-fourth of the duty mentioned in schedule A, and the duty to be levied, collected and paid shall be three-fourths of the duty mentioned in schedule A.

Provided, however, that this reduction shall not apply to any of the following articles and that such articles shall in all cases be subject to the duties mentioned in schedule A, viz.: wines, malt liquors, spirits, spirituous liquors, liquid medicines and articles containing alcohol, tobacco, cigars and cigarettes.

It takes out sugar, as far as the British colonies are concerned, from the former schedule. As my hon. friend will remember, sugar was not originally in the perferential column. The concluding clause of the bill is:

Except has herein otherwise provided, this Act shall be held to have come into force on the sixth day of April, in the present year, one thousand eight hundred and ninety-eight.

That is the day the minister made the announcement of those changes.

Hon. Sir MACKENZIE BOWELL—Before the bill is read the second time, I wish to call the attention of the hon. gentleman to this fact: here is a bill which perhaps it is useless for us to discuss, for the simple reason that we have no power to change, alter or amend it; but I ask any one whether, from the explanation given by the hon. Secretary of State, he can understand the effect which these changes will have upon the trade of the country, unless he is very familiar with the subject. We are asked to adopt this, which we must do or reject it, without really knowing what we are doing. There is this much about it, however, which presses itself very forcibly on my mind after hearing the statement made by the hon. gentleman, and the reading of the clauses of the bill. It is a matter of congratulation to the country, and certainly to those who hold the views that I do on trade questions, and which was one of the fundamental principles that guided the last government in their tariff policy, and that is, that the hon. gentlemen are advancing as rapidly as they

possibly can, towards protection. I congratulate them and the country upon that fact. Notwithstanding all their declarations in favour of free trade, every step that they are taking is in the direction of protection. There is one fault, however, in their policy which characterized it in the past, and which they appear to be determined to continue. We are told that there is a clerical error. It is not the first Finance Minister I have heard say, when he had made a mistake that it was a clerical error. I remember hearing a great deal of condemnation of a Finance Minister for using that expression when he wanted to change the rate of duty imposed upon any one article, and now we have a clerical error on the part of this perfect administration and its Finance Minister, and that clerical error is in the right direction—rather the correction of the clerical error is in the right direction, and I congratulate my hon. friend the Minister of Justice upon the fact that the part of a government that is improving in that particular, and that he is foregoing in practice, if not in thought and sentiment, the Cobden theory which has characterized his whole political life, since I had the pleasure of knowing him. I should like to know very much, for my own satisfaction, who the manufacturer of this kind of rubber belting is, so that I could be able to come to a conclusion whether the increased duty of five per cent on his belting is the result of political influence, or a desire to encourage and protect that particular industry. If they can help their political friends by increasing the duty on his manufactured articles, I have no objection ; but I would much rather, in all such cases have the increase based upon principle rather than favouritism.

Hon. Mr. MILLS—I think it is a friend of the hon. gentleman.

Hon. Sir MACKENZIE BOWELL—So much the better. If such be the case, then I again congratulate the hon. gentlemen that they are actuated by political principle and not by a desire to confer a favour. So long as they do that, and go on increasing the protection to home industries, they will receive the congratulation and the support of members of the Senate who think as I do on this question. There is another wonderful change in this bill. I had the honour of changing the mode of testing sugars, molasses and other articles of that character which are imported into the country, and upon which test the duty was levied. I pointed out last year—I do not know that I spoke of it in the House but I did to the gentlemen who were to carry out the law—that their having gone back to the colour test of sugar, what is known as the Dutch standard, would open the door to fraud which it was impossible to prevent.

Hon. Mr. SCOTT—But the law had been changed before last year.

Hon. Sir MACKENZIE BOWELL—What law ?

Hon. Mr. SCOTT—Fixing the duty.

Hon. Sir MACKENZIE BOWELL—Certainly the late government adopted the polariscope test.

Hon. Mr. SCOTT—Did you not change it back again ?

Hon. Sir MACKENZIE BOWELL—No, you changed it from the polariscope test, to the Dutch standard, and now you are harking back. If the change in testing the strength of sugar by the polariscope had not been made, and the Dutch standard had not been adopted in its place, it would not now be necessary to go back to the polariscope test.

Hon. Mr. SCOTT—The hon. gentleman can correct me if I am wrong. I thought the polariscope test was not in force in 1896.

Hon. Sir MACKENZIE BOWELL—The polariscope test was adopted before Sir John Macdonald's death. I established a laboratory in Ottawa to which samples of all the sugar imported into every section of the country had to be sent, in order to be tested. I met the condemnation and disapproval of every sugar importer in Halifax, St. Johns, Vancouver and Victoria. In reply to all the opposition that was given to the policy then adopted by the government, they were told that the government would not recede from the stand they had taken until one year's trial of the new system was had ; and it was very gratifying to the government, and more particularly so to myself when a gentleman like Mr. Jones, of Halifax, whose political opinions and predilections were well known, and who had taken strong grounds, not so much against the polariscope

test, as against the establishment of a laboratory in Ottawa—six months after it had been in operation, when he visited Ottawa, after examining the laboratory, he said he would not on any consideration go back to the old system; for the simple reason that when a cargo of sugar came in, all he had to do was to say to the owners, "I will give you so much per 100 lbs. based upon the government test, as to strength." One of the great advantages that the trade enjoyed by the adoption of one system, and one of the great advantages that accrued to the revenue of the country, was the fact that there was but one establishment in which the test of the sacharine strength of the sugar was made; while on the other hand, if you had a laboratory in each of the importing ports, you would have just so many more officers, who might be said to be tampered with, and great loss to the revenue might accrue. You can easily understand that a 16th or a 32nd part of a degree in strength on a cargo of sugar makes a great difference. The government has taken a wise course on going back to the old system, and still further on having adopted a system by which cheating and fraud, which could be perpetrated under the Dutch standard, is not so likely to occur. Under the polariscope test, if it is properly carried out, the frauds which were perpetrated in the past cannot occur. As an illustration, I have known, when I was Minister of Customs, Java sugar to be put on my table that with the colour test, would be admitted at the lowest possible rate of duty—under nine—and yet by the simple process of putting water upon it, shaking it up and letting it settle, you could pour off the water as black as ink, and in doing that twice, the residue would come up to 12 or 14 Dutch standard, but when you tested it by the polariscope it actually proved to have a strength of 95 per cent, and 100 is the highest. That is one reason which led the government to adopt the policy to which my hon. friend has returned. But what is the most important point in this, as I understand it, is that they have increased the duty upon refined sugars over 16, and have reduced the duties upon the raw material, so that they give those "bloated monopolists," of whom we have heard so much—these "robbers" of the poor people—actually greater protection than the protectionist government gave them.

Hon. Mr. BOULTON—Is that in this bill?

Hon. Sir MACKENZIE BOWELL—Certainly, it is the effect of this bill. If the bill which the hon. gentleman has placed in our hands, and the interpretation he has put upon it, is correct, and the figures which he has given is right, there is no doubt about it that the sugar refiners have a much greater protection than they had under the law as it existed before these changes. I do not say that they have a greater protection than they had under the tariff which was placed on the statute-book by the Conservative party; but I do say that they have ample protection under this bill to carry on their work without any fear of successful competition from foreigners, and I am very glad that such is the fact.

Hon. Mr. SCOTT—Do we repeal item 534 and 536?

Hon. Sir MACKENZIE BOWELL—Yes, they are repealed. I am also in favour of the extension of the preferential clauses of the tariff, as far as they are extended to the British Colonies. But in this, as in other instances affecting the tariff, I think they have committed the same blunder that they did in placing the preferential tariff upon the statute-book. The reason given by the government for extending these privileges to the West Indies is to help them out of their difficulties.

Hon. Mr. MILLS—Hear, hear.

Hon. Sir MACKENZIE BOWELL—That is, we are to join the mother country in extending trade to one of her colonies in order to help them, when she cannot help them. I am pleased to know that we occupy that important position. It is gratifying to every Canadian to learn that they can help a sister colony, but there is no reason why there should not be a concession asked from the West Indian Islands in return for the benefit which we give them—had you instead of imposing a duty upon the raw material, said to them: "We will allow your raw material to come into Canada free, or at a very nominal rate, to cover cost, if you like, if you will give us in return a reduction upon those agricultural products, food which we have to export and which you now receive not from Canada or from the British colonies, but from the United States."

Hon. Mr. BOULTON—They might make a better bargain with the United States, if you went on that principle.

Hon. Sir MACKENZIE BOWELL—No, they tried that; there was a concession made by the late government of the United States in favour of these colonies. But when that which was supposed to be a concession was tested, proved not to be a concession.

Hon. Mr. MILLS—They are negotiating with the United States.

Hon. Sir MACKENZIE BOWELL—That is one reason why we should have negotiated with them. The moment the United States saw you were giving them an advantage, and that it was probable the trade of Canada would flow in that direction, they at once took steps in the direction of securing trade. I would have gone further and said "reduce your tariff upon flour and bacon and upon all articles where there is a high duty and we will give you raw sugar free." Then we would have a tolerably good market for the products of the soil of Canada in return for giving concessions in the matter of the products of their islands. That is the view I hold, and I believe it is a correct view upon which to carry on negotiations of this kind. In reference to the question of tobacco, I begin to understand really what the two bills mean, when you take them together. There had been a constant demand on the government by a certain manufacturer in Montreal—my hon. friend I dare say knows him very well—to change the mode of collecting duty upon raw material. He has been urging the government for the last six or seven years to change from the excise to the customs duty. I am speaking of the former government, and I suppose he continued it with this government.

Hon. Mr. SCOTT—From customs to excise I think the hon. gentleman means.

Hon. Sir MACKENZIE BOWELL—No, excise to customs. Last session the present minister met that demand to the extent that appears upon the statute-book, to-day, of changing it from the excise to customs. Now the hon. gentlemen are going back again from the customs to the excise. We distinctly refused to accede to his request. That gentleman had the coolness to say to me, "if you will do this I shall make a hundred thousand dollars by it." I replied "do you suppose for a moment that if the government made the change they would permit you to keep, without paying duty on the immense quantity of raw material you now have in bond? That is contrary to the principles of the whole tariff, and if you have any such idea as that, you had better banish it from your mind at once; for the moment a customs duty was imposed the full amount of duty would be collected for every ounce of tobacco you have in bond to day." When he ascertained that, he was not so anxious to have the change made. I offer no opinion now, but no doubt the department have seen the error into which they had fallen and have now gone back to the old method. I am gratified, in the interest of the trade of this country, that the government have extended preferential trade to the different colonies. The principal colony that it will affect in the Pacific, is not New South Wales, as indicated by the Secretary of State, but Queensland, which is the sugar producing colony of the antipodes. It will also affect Fiji, because Fiji produces an admirable quality of sugar, better than Queensland produces; and as our present line of steamers, what we call the Canadian-Australian line, have changed their route, and instead of having a direct route from Vancouver to Sydney, New South Wales, had asked permission before I left office to stop at Fiji and also at New Zealand, and with the concessions which have been made, I hope it will enable the steamship lines which we are subsidizing, to secure a large trade in sugar from the Australasian colonies, which include Fiji. The great trouble in the past has been that while they have full cargoes outward from Vancouver, as much freight as they can possibly carry, and more, they have never had any return freight, hence the trade has not been as profitable to the ship-owners as it otherwise would have been. This concession, I hope, will stimulate the growth of a greater quantity of sugar in Australasia, by which our steamship lines can be made profitable. That is another step in the right direction, and it is a step in the direction of the policy of the late government, and as long as they continue in a policy which they tried to uproot, and said they would uproot, the better it will be for the prosperity of Canada. I saw in the newspapers—I did not see it in

the bill—a proposition that was made in the Customs Department to change the customs law in reference to a deduction which is to be made upon liquors which are in bond. I do not know whether we are to have that law this session or not.

Hon. Mr. SCOTT—I have not seen any reference to it.

Hon. Sir MACKENZIE BOWELL—I saw it stated in the newspapers, and heard of a discussion in the other House upon the subject. It is done in the interests of the temperance people, particularly the prohibition people. Under the law as it exists, the quantity of spirits that go into bond is the quantity upon which the duty has to be paid when it is taken out of bond. So that if you put in a cask of spirits of any kind, and it evaporates five or ten per cent during the time it is in bond, that is not taken into consideration when the duty is paid. There are many reasons which have justified that system in the past. It has been the law ever since I have known anything about the Customs Act. The proposition now is, that if the merchant places spirits of any kind in bond, he is to be allowed so much reduction in the duty he pays, in proportion to the evaporation, which takes place and is guaged by the length of time the liquor is in bond. So that if anybody goes and taps it and takes a gallon out, and the evaporation does not take place, of course the merchant at once will say: "Oh that is the percentage of evaporation." Those who are judges of liquors say that liquor is improved by age and evaporation, because it is the deleterious properties of the liquor that evaporate. I am pointing this out particularly to my hon. friend from Sarnia, because I know he is interested in having "cheap liquor" in the country; and the result will be the merchant will pay less duty upon the spirit which he imports and the consumer will be enabled to get a better quality of liquor at a cheaper rate. I suppose when we take the health of a person into consideration, it is commendable. I have now made remarks which I intended to make when the budget came down, based upon the tariff and its changes, and I shall not take the opportunity of repeating them. Though I have but a cursory knowledge of the contents of the bill as it has been introduced and explained by the Secretary of State, I have again to compliment the government on the fact that they are reaching that point which I think every lover of his country ought to attain, that is the protection of every industry in the country.

Hon. Mr. SCOTT—It is gratifying to know that the hon. gentleman's criticisms are nearly all in favour of the changes which the government are making. In reference to this polariscope test there is a point I would draw attention to. The Act of 1894 is only applicable to the lower grades of sugar. We have improved the good example set by my hon. friend, and we are applying the polariscope to the higher grade.

Hon. Sir MACKENZIE BOWELL—I think that is an improvement, but it is not so necessary in the interest of the revenue as the other.

Hon. Mr. BOULTON—While, as the hon. leader of the opposition says we have no power to amend this bill, I cannot take the same view he takes on the principle of preferable trade. I desire to take the opportunity of expressing my views upon the tariff policy of the government as so far developed. While I have opposed the government on account of their not having carried out their pledges of reform in the administration of the public lands, in the granting of subsidies which they used to charge against the late government were corrupt in their intention, in not having initiated the abolition of protection from the tariff, in not instituting measures of economy in the government of the country, in not having upheld principle as the guiding force of our national life. I support them in the principle of preferential trade which secured the denouncement of the German and Belgian treaties and paved the way for an inter-imperial commerce upon the basis of free trade. The preferential clause in our tariff, with which Sir Wilfrid Laurier was armed when he attended the Jubilee celebration of Her Majesty's long reign and which was made an occasion for the meeting of the premiers of the colonies of the British Empire with the Colonial Secretary to deliberate upon inter-imperial relations, was a loyal and patriotic move on the lines that commend themselves to my judgment. Being in London at the time of the Jubilee, which I attended as part of the Canadian contingent

representing Canada on that auspicious occasion, I supported those views by a letter to the London *Times* of the 2nd July last, which, with the permission of hon. gentlemen, I will read, in order that it may go on our *Hansard* as one of the forces that helped to bring about an advanced step in our imperial relations at a critical period of the deliberations of our premier and his imperial colleagues:

To the Editor of the *Times*:

SIR,—As a representative of the Canadian Senate, I desire to take the opportunity of expressing my views upon the question that is uppermost in the minds of public men at the present moment as to what is to follow upon the footsteps of the magnificent escort that accompanied Her Gracious Majesty to St. Paul's Cathedral upon the day of Her Diamond Jubilee—an escort in which every corner of the world was represented and the physical power of the British Empire was displayed. It may fairly be said that the 60th year of Her Majesty's accession to the throne marked the completion of the foundation of the imperial structure which has been slowly but surely building during the Victorian era. The form of architecture which will shape the superstructure that has yet to be raised upon this foundation will, in all probability, take as long to develop itself and to complete, but we have to be building all the time. Canada has been well received through her contribution to the colonial forces and through her premier. These are two or three reasons that make us feel that her reception has been especially warm. One is that during the Victorian era she has evolved out of a few small provinces a national life which governs half of the North American continent under the British constitution, the best rule of political life yet known in the principles of government. She has emphasized the loyalty of her French-Canadian population through Sir Wilfrid Laurier, a representative of the race, who have been sons of Canadian soil for several hundred years. Last but not least, Canada has taken the first step to place British workmen on the same plane as Canadian workmen in Canadian markets, which may also be said to be the first practical step towards imperial unity. That step has not been taken for the purpose of developing imperial protection, which finds its advocates, but imperial free trade. Canadians have come to realize that protection in any form is a corrupt influence and restrictive to trade, and that a change is desirable; and as England admits our products free, we desire to expand our trade in that direction by the removal of the restrictive taxation which we now impose upon British goods. It is free trade that gives England her enormous purchasing power for the surplus of the world's products, and by the removal of all taxation from the necessaries of life enables her labouring population to maintain a constant expansion of her trade, at the same time constantly adding to their own comforts. The adoption of the same policy by Canadians will contribute further to the expansion of her own trade in the world's markets. While Canadians feel they cannot yet take down their barriers along the boundary of the United States while excluded from their markets, they can with advantage remove the barriers to British trade, because their exchange of commodities will be on even terms, and when the manufacturing power of Canada has been strengthened by this limited application of free trade principles, she will then be in a better position to ignore hostile tariffs, and, united with England upon a free trade basis, a valuable and ever increasing purchasing market will be established which must strengthen the forces and increase the wealth of the British Empire.

One of the obstacles to the carrying of this policy is the clause in the two treaties with Germany and Belgium which, while it does not forbid the British government discriminating in favour of her colonies, forbids the colonies discriminating in favour of Great Britain without extending the same policy to all those nations with whom we have most-favoured nation treaties in conjunction with the British government. It is this anomaly that Canada acting within her rights has set about abolishing. Since those two treaties were negotiated, Canada has enlarged her boundaries, and her self-governing powers have been constantly added to, even, when she so desired, to the negotiation of her own treaties. Canadians cannot see that there should be any obstacle to entering into closer trade relations with the mother country or the British Empire at large without reference to the trade of other nations. The tariff bill now passed is in force giving a discrimination of 12½ per cent this year, to be increased to 25 per cent next year, in favour of British trade. This action cannot very well be brought under the purview of international law, because it is a family matter and there is a remedy. Either the British government or the German or Belgian government have the power to give a year's notice to denounce the treaty that interfered with inter-imperial trade, or recognize the justice of our claim, and although the Canadian government have loyally embodied in the preferential clause of their tariff a practical submission to imperial interests in the question of these treaties, yet the fact that the new tariff is now operating is sufficient evidence of their anxiety to have a free hand in dealing with their free trade interests between England and Canada. When the economic force of free trade comes to be applied to the British Empire at large, and which one colony after another can fall into when they are prepared, it will serve as a greater object lesson to the nations of the earth, and cause their people to struggle to throw off the sinister influences of protection. Canada is in advance of the other parts of the British Empire in her political life. For thirty years she has been a nation of confederated provinces, each part of the national autonomy thus created working within their own limits under the British constitution with the most perfect freedom of action and without friction. In the promotion of free trade principles she is able to act as a unit and should the people of the United States continue to maintain their hostile tariff, she will become, under a new economic force the field from which the foreign trade of the American continent will be promoted upon the largest scale. These are questions which are now engaging the attention of the British statesmen. I may therefore, be pardoned for occupying so much of your space in advancing a Canadian view. The Canadian contingent returns home on Saturday, and both officers and men will carry with them the liveliest recollection of the kindness and attention they have received on all hands, and the unbounded hospitality that has been extended to them, and the friendship they have formed in Chelsea Barracks while acting together at the first imperial unit of British forces gathered in from all parts of the world as representatives of the physical power of the various countries they come from. Apologizing for occupying so much of your space.

I remain, &c.,

C. A. BOULTON.

Sir Wilfrid Laurier is accused of not having accepted an offer from the British govern-

ment to apply the principle of protection to their customs tariff in favour of Canada. No such offer was ever made, no such offer was ever contemplated by the British government, so far as there were any evidences of such a policy being acceptable to the great body of the people represented by their enlightened press. Such an abandonment of the principles of free trade their country is not likely to sustain. It is a policy to tax their food and raw materials and in consequence tax their manufacturing power and their labour. It did not require any deep discernment to realize that the people of the United Kingdom were not going to tax the $500,000,000 worth of food products supplied by the United States with whom there has always been a desire to cultivate the most friendly relations, both commercial and political in the interests of the peace and good government of the world. Sir Wilfrid Laurier took the first step towards bringing the policy of the Canadian people into line with the commercial policy of the people of Great Britain which may be called the most enlightened policy of nations. In doing so he has written his name indelibly not only in the history of Canada but in the history of the British empire. For that he will always be honoured. If he had enforced upon his party the honest carrying out of principles which they had courted the confidence of the people upon he would have commended himself to every right thinking man in Canada. His party has courted the support of the manufacturers whom they denounced in opposition as leeches upon the body politic, when they sought not only by the taxation of labour and its requirements to maintain and swell their profits but to reduce the industrial power of our skilled labour by closing down factories and limit the manufacturing power of the people. If they are to have their way, they will remove the preferential clause and force the government to close its doors again on British trade. This policy will show itself in its economic force because all nations will have to compete on the terms, but until it eliminates the principle of protection as between Canada and the mother country our sister colonies it will, in my opinion, fail in its object. In order to try and present more clearly the favourable aspects of the trade with Great Britain and Ireland, I gave expression to my views last month, in an article I contributed to a magazine, entitled the "Dominion Review" which perhaps presents more clearly those views than I can at this late hour of the session give expression to. The question that is discussed in this paper is an important one. Great Britain has fostered the growth of our Canadian provinces, and given to them a national constitution within the British empire. The Imperial government handed over to Canada that vast extent of prairie, formerly under the charter to the Hudson's Bay Company, so that to-day Canada is one of the great continental countries of the world. We now exclude those self-same people of Great Britain from taking a share in the development of this large field for enterprise under a heavy tax on their trade. The question we may fairly ask ourselves is: Are we going to continue to maintain a ring-fence and exclude British trade, or open our doors and expand our trade in the direction of British unity? It is acknowledged by all, after twenty years' experience, the protection limits our power of production, in those articles for which protection is now imposed, to the demand or purchasing power of the five million people in Canada; consequently, there is a restrictive influence to the increase of population. The proof of that assertion lies in the formation of trusts and combines to limit production, and the consequent closing down of mills either temporarily or permanently. The purchasing power of the people of Canada is derived from the products of the soil, the forests, mines and fisheries. The return of the labour engaged in those industries supports the whole population. There is no outside source from which wealth is drawn; we must acknowledge that fact as a premise, to argument. Protective legislation undertakes to manipulate and distribute that earning power, which has the effect of throwing it into favoured channels, where it is accumulated and where it becomes largely unproductive. Our accumulated wealth is represented by our $60,000,000 of banking capital, while our currency, varying from $30,000,000 to $40,000,000 so far as it is in the hands of the people, represents our distributed wealth. Deposits are only capital when actively employed in the industrial life of the country, they rank with our forest and other sources of wealth, which is dormant capital until labour is applied to give it an earning power, when its profits then become accumulated capital, and as our industrial power is checked by protective

legislation this commercial capital, accumulated through the earnings of the people, is largely used for the purposes of speculation and the manipulation of stocks. In other words, while it is difficult to borrow for industrial purposes in consequence of restrictive influences, money can always be borrowed for speculative purposes, through the deposit of securities. Speculative or joint stocks are thus appreciated, while real estate securities are depreciated. There are no figures at hand to show the amount of securities issued by joint stock companies, but the proportion that are not engaged in production from the soil or from other natural resources, are taxable agents on the earning power of the people, in proportion to the securities issued and which claim dividends. It is easy to show that the whole burden of national taxation falls upon our exports, the largest part of which is the product of the soil. This is apparent in the stagnation of that part of the people's wealth represented by real estate which should be the backbone of prosperity. We know that the value of our real estate is about $1,500,000,000. We also know that during the last twenty years it has fallen in value at least forty per cent during that period. If those figures are correct we can form some idea of the loss or depreciation of that great national asset and the earning power it represents. The depreciation in real estate is an evidence of a reduction in the earning power of our farms not so much through a loss in their producing power, as through the burden of taxation which reduces the purchasing power of the farmers product and thus restricts the power to add to the countries annual wealth. The evidence of registry offices in land sales will show that under a low tariff farm values are constantly on the rise, while under a high tariff parcels are constantly falling with each successive sale. The opponents of low tariffs must show that such is not the case to prove that protection does not wipe such a large proportion of our greatest national asset the depreciation in value of farm lands being so self evident under it. If our natural or raw products are the foundation of the wealth of Canada, it stands to reason that by releasing from taxation the labour engaged in producing them or from the burden of customs revenue on their necessaries, they will be in a position to produce more wealth for the country to the extent that they are released from that taxation. It should not be forgotten that taxation imposed on imports, returned to the country in payment for exports, is money withdrawn from the use of industrial labour before the money to purchase it with is produced. The principle of British taxation for national revenue is to release the necessaries of industrial labour and place the burden on the profits. All will admit that during the fifty years that principle has been in force in the United Kingdom it has proved to be the strongest known national force in the world, financial or physical. Now, to all yourselves with that broad imperial policy should be the aim of Canadian legislation. First, because the expansion of our trade will be on the lines of least resistance; secondly, because it is unnatural to tax British trade; thirdly, because our national and commercial strength will rapidly increase under such a policy. It must be admitted, as an axiom of international trade, that you cannot export advantageously unless you consent to import. International trade is not conducted on a basis of currency, as our internal trade is conducted, but upon a basis of barter, the payment of national indebtedness being the regulator, and the taxation on imports being the restrictor. Great Britain is the largest purchaser of our commodities, the totals being seventy millions to the United Kingdom, forty millions to the United States, and ten million dollars to all other countries, of Canadian products. In 1897, the year just closed, the imports from the United Kingdom were $29,400,000, including free and dutiable, and the imports from the United States were $30,482,000 dutiable and $31,100,000 free, a total of $61,649,000. In the aggregate, for the year 1897, the excess of exports over imports is $12,000,000, taking Canadian products and consumption as the basis. It is this excess that it becomes necessary to deal with in order to have a proper understanding of cause and effect. Since the blue books for the last financial year have come to hand, showing us the details of the government trade returns for the eight months ending February 28th, we see that they show a greatly increased excess of exports, amounting to $37,000,000. That is, $37,000,000 worth of our raw products, largely agricultural, have gone out of the country more than have been returned to it; or, eliminating foreign produce going and coming through

Canada, the total excess is about $27,000,000 for the eight months. If the same rate should be maintained to the end of the financial year, we shall have parted with something like $30 or $40,000,000 worth of the industry of Canada for which there is no visible return. These exports are absorbed by our remittances abroad. There are three large items which absorb the returns of those industries which export, namely, the interest account of the Dominion debt, the net revenue of our two large railway corporations and the taxation on foreign products returned to pay for our exports. If British labour which admits our products free is taxed 30 per cent at our ocean ports for the commodities they desire to send back in payment, they can only return 70 per cent of the value exported to them; to that extent are the industries which produce those exports in Canada mulct of their profits, and by that 30 per cent of taxation are a portion of our exports also absorbed. We have, however, to look further then these three items to account for such a large excess of exports as $27,000,000 in the past eight months ending February It may be found in the speculative purchase of Canadian Pacific Railway stock, which rose from 50 last May to 89 in December, an appreciation of 39 per cent to the extent that this stock was purchased in Canada upon the deposit of a margin for a rise, the original price of 50 would have to be remitted by a loan from the banks to the seller of that stock abroad, or resold which would tend to make the stock fall again. To the extent that that remittance had to be made, to that extent our exports were absorbed. With these facts before us, it is evident that by the forced distribution of the profits of industry through its exporting power, legislation transfers those profits from localities which produce, to channels wholly apart from their point of origin. Did legislation permit the same freedom to British imports that are given to Canadian imports into the United Kingdom, the wealth that is now absorbed through the influence of monopoly, would be distributed through the natural channels uninfluenced by legislation. It should not be forgotten that commodities or products are wealth. Money or national currency is only useful for the purchase of these commodities whether they consist of iron, cotton, wool, a horse or a dog, or anything else. Now, the difference between our exports to the United Kingdom and our imports from the same is equal to $47,000,000, excess of exports. To appreciate the argument, it must be understood that exports is wealth going out of the country, and imports is wealth coming into a country. To the extent that our gross exports exceed our gross imports, some one else is getting the wealth contained in that excess other than those who produce it; and it should be understood that that excess is the profits of national industry. Now, if those who produce the wealth which is the support of the country are prevented by legislation from utilizing that wealth in the promotion of their own industrial life and the improvement of their own localities, the nation as a whole suffers. The fact that wealth is allowed to accumulate in a few hands by class legislation is no guarantee that the country is more prosperous than if the wealth were more equitably distributed, though it may be more in evidence. In fact, the country is likely to suffer by the desire of large capitalists to use their wealth in broader fields outside the country than can be found in a community of 5,000,000 people, with a restricted influence upon their individual enterprise through a non-expansive policy; and thus alienating the power of internal improvements by the absorption of our accumulated capital abroad. We cannot expand in the direction of our neighbours because they will not purchase the product of our labour untaxed; but we can expand it in the direction of British trade, because there is no restrictive influence, except our own taxation upon their return cargoes, which is under our control to remedy. All that we have to do is to remove that restrictive influence, and we at once attract British imports, which is returning wealth, and we secure a more extended investment of British capital, and a more extended interest on the part of our commercial friends in the development of our country. Ah, but some one will say, what about our manufactories? They will be ruined. Not at all; they will expand in their operations as well as every other industry. There is an economic force in the removal of taxation upon the product of industrial labour that will cause the nation that adopts it to forge ahead. It is irresistible. That is self-evident in the case of New South Wales which is concentrating under its free trade policy the trade of the Australian continent. It should first be realized that the manufac-

ture of our raw products requires no protection from our ocean trade, and our forest wealth is accumlated capital, dormant. Our total exports are $119,000,000 for 1896-1897, of which manufacturers contribute $9,500,000. Out of this export of $9,500,000 of manufactured goods, the seven following industries make a total of nearly seven million dollars, namely: Agricultural implements (including bicycles), $1,000,000; cottons, $1,000,000; leather, $1,500,000; spirits, $500,000; musical instruments, $400,000; manufactures of woodenware, doors and sashes, including pulp, etc., $1,648,000; iron and steel, $500,000. That exporting power is an evidence that those articles can hold their own abroad, and if stimulated by free imports from Great Britain, they would be strengthened in their power to contribute to the national wealth, represented by their exports. Free iron would undoubtedly stimulate the iron and implement trade, and the extent our manufacturers are able to hold their own abroad, to that extent they can hold their own in our own markets, so long as they are protected from slaughtering by our neighbours. It stands to reason that if our manufacturers can compete abroad with ocean freights against them, they can compete successfully at home with power of distribution in their favour. Placing everything within their reach that they require to manufacture with on the most favourable terms, that power to compete must be immensely strengthened. The scope of Canadian manufacturing energy is limited within a ring-fence and for a small population; it must have room to expand. That expansion cannot be secured by waiting for other countries to open their markets, but it can be secured by showing an energy and independence that will force its way through barriers, not aided by legislation, which is guided by a silent influence of monopoly, but through the absence of any legislation of a restrictive character. Our present system is creating an autocracy for our future population that will submerge that manly independence that was undoubtedly the characteristic of our Canadian forefathers. Public opinion to-day does not count to the extent it should in the government of the country. It is the power of monopoly exerted by silent influences which do not come to the surface. To be forewarned is to be forearmed. The popular cry of "Canada for Canadians" is often made to do duty for patriotism by fostering the idea that opening our doors for the trade of Great Britain to pass freely through our borders, is going to rob Canadians of their patrimony, and banish employment. Opening our door for the trade of Great Britain will multiply employment. By doing that we merely exchange a restricted market for an enlarged and practically unlimited one, which our magnificent coast-line brings to our doors, and which we at present close out by legislation. That faith in a policy that advocates the opening of our doors to nations that will not open theirs to us, especially when they are neighbours, has not yet reached Canadian hearts, and in their dealings with those nations Canadians act on the defensive. The question of the effect, consequent upon our increased exports and imports with Great Britain, upon freedom of exchange both ways, is another matter; and Canadians can more easily realize the benefit in that case of an even exchange as of mutual advantage. The fact that other nations do not realize the benefit has nothing to do with us; we have to exert our intelligence and liberty of action to understand its advantages. We are a large country with a sparse population; we are a prolific race, but we cannot absorb our growing manhood, and they sell their labour in the country to the south, where careful training and a vigorous frame tell in every walk. The restrictive force of monopoly in all its phases engendered by legislation limits our power of expansion, and impoverishes those industries engaged in the production of our raw materials and food products, which require no protective legislation for themselves, but which have to bear the cost of the protective legislation imposed upon their daily necessaries. The admission of British trade in exchange for Canadian trade upon the same basis, on the principle of an eye for an eye and a tooth for a tooth, will remove the restrictive force, expand our trade, develop our power to produce our raw materials, which is Canadian wealth, and strengthen our manufacturing power.

In referring to our imports into the country, the editor of the *Canadian Manufacturer* calls them the importer's tax, but they are certainly not a tax upon the production of raw materials, when we admit the purchaser of those raw materials to our markets upon the same terms that he

admits us. When the trade in our natural products totals up $110,000,000, as against $9,500,000 in manufactured products, a large portion of which, are the manufacture of our own raw material, it is easy to see that our material development is being taxed in such a manner that the profits of our raw materials are being diverted from their natural channels, and that their expansion on sound economic lines is being checked. To forecast the probabilities in the event of establishing free trade with Great Britain on an even keel, is not out of place. The economic force that applies to British trade will make Canada a cheap country to live in and a cheap country to manufacture in—two things that will tend to multiply employment, increase our population, make that population self-reliant, and enable it to enter the markets of the world with force. We have only to admit competition between Great Britain, which produces twelve million tons of iron, and the United States, which produces fifteen million tons, to increase our iron manufactures. Our annual production of only 36,000 tons is not in the race. Under our present system, the rebate of duty on foreign iron imported for manufacture, when it is re-exported, is a direct bonus to foreign iron against which Canadian iron cannot compete, because it has no rebate for export, consequently home consumption is charged with a tax that foreign consumption is released from. The establishment of free trade with Great Britain will be an incentive to our neighbours and British capitalists to establish branch factories in Canada, utilize our water powers and facilities for transportation, and make Canada the exporting country of this continent in manufactured goods, which protection in the United States checks from that country. This would result in an increased demand for agricultural products in our own centres. It does not appear that there would be any phase of our industrial life that would be seriously affected by the adoption of a broad policy in our commercial relations with the great industrial life of the United Kingdom. There is one incontrovertible fact, that the greater the distribution of the necessaries and comforts of life, the more employment there will be in producing them, and the more humane will be the principles which foster it. On the other hand, monopoly of a small market by restrictive legislation drives out the best of our Canadian manhood, checks individual effort, and produces stagnation when production in our stimulated manufactures is absorbed. There is the parting of the ways. One finger-post points to monopoly, the other to unrestricted effort in building up a strong and progressive nationality in the broad expanse of Canadian territory. Our neighbours are exclusive in their seventy-million market. As long as their policy leads them to pursue an exclusive policy, we must look farther afield for an enlarged market, and meet their legislation with protective enactments, always holding ourselves in readiness to reach out the hand of commercial friendship when they realize that it is mutually beneficial, in the meantime utilizing their raw materials for the promotion of our industrial life. With the United Kingdom we have everything in common with which to enlarge our trade, and such an enlargement can only be followed by beneficial results Our ocean ports, our sea-borne activity, and our inland communication will be stimulated. The eyes of the world are directed to our mineral developments in the Rocky Mountains and elsewhere. The British government regards our prairie region as the best and nearest source of food supply ; our timber resources must be stimulated by admitting our return cargoes free. The farmers of our western country have to bear the full brunt of protective taxation ; all the goods that go west of the lakes are dutiable or protected goods; none are free ; while their exported produce, wheat and cattle, goes direct to Great Britain. To compel them to sell in one market and buy in another is an injustice that will bear fruit injurious to the best interests of Canada the longer that it is continued. The success of our western country is the success of Canada ; and it is far better to act under the influence of a broad policy, which recognizes that the freedom of our markets for our best customer and senior partner in our national life is the surest way to realize profits that will flow to the treasury under a more enlightened system of taxation for revenue. The idea that somebody else than the industrial life of Canada pays our customs revenue is exploded. Our $119,000,000 of exports, which should go out to purchase imports, bear the whole charge of revenue, and are further absorbed to meet our national indebtedness and our corporate liabilities incurred abroad. An unnatural burden is thus placed upon

the labour of the country, which is the mainspring of its prosperity. Canadians have a responsible trust entailed upon them in governing this large country well. The weight of power is in the eastern provinces, and wisdom is necessary to guide the destinies of the country in such a manner that individual effort may have the freest play to add to the resources of the country, and to increase its wealth in any of our provinces. That individual effort will be increased in its power by the removal of any legislative restriction in our commerce with Great Britain; that returning commerce entering our ocean ports will scatter itself along the lines of our great railways; and that the influx of wealth generated by it will increase the prosperity of our financial and manufacturing centres, and bring our natural resources more into contact with both the outside world and our hardy population, as the certain collateral results, must be made apparent to all. If this paper should induce any of its readers to sum up the economic results that will follow upon taking our bars down to allow British trade to flow freely through Canadian channels, it will not have been written in vain. It is the logical sequence of the denouncement of the favoured-nation treaties with Germany and Belgium—treaties denounced at the instance of both parties in Canada for the sole purpose of allowing Canada to act with freedom in removing the barriers to the free access of British trade without being open to the charge of discriminating against foreign countries. The freedom of British trade will, in the opinion of the writer, stimulate every industrial centre, increase our rural population, and add to our natural strength in all avenues of commerce. The purpose is to show that there is a greater economic force for material strength and national prosperity in the principle of free trade, than in our so-called commercial protection. It must be admitted, however, that circumstances alter cases, and that while we can with national advantage admit British goods upon a mutual free-trade basis, the exclusion of our products, which is our purchasing power, from American markets by high tariffs changes the conditions in so far as they affect the Canadian people. Not so with Great Britain, where our products are admitted free. I notice that the Finance Minister spoke in his budget speech of "my friends the sugar refiners." I recollect when Sir John Macdonald referred to Mr. Stairs, the rope manufacturer in Nova Scotia, and the Liberal party accused him of helping the twine manufacturers, Sir John said, "Mr. Stairs helps me, and why should I not help him" and I suppose the Finance Minister is acting on that principle," but with this difference, Sir John by a readjustment of the tariff built up Mr. Stairs, while the Finance Minister of the Liberal party always condemned it as corruption, which now by his own confession he is adopting as his principle by increasing the protection of the sugar refiners. He speaks of his friends the sugar refiners helping him, and why should not he help them. The only thing is that the sugar refiners who yesterday were ready to cut the throats of the present government, are to-day the friends of that government, which shows as far as the manufacturers are concerned, that they have no politics at all, they are the friends of whichever government happens to be in power, and intend to keep them as long as they act as their friends. That is what I call expediency. That is what I call a corrupt motive. That is not acting on the high principle which should influence the government of this country. We have a country extending from the Atlantic to the Pacific and there is only one way we can govern and develop it successfully, and that is to act upon principle, and also to have our trade based upon freedom. It is utterly impossible for us to say we are going to tax the province of British Columbia with its ocean trade on the Pacific, and we are going to tax the farmers because they have nobody to represent them, and we are going to reduce the power of the miners to produce wealth in the country by taxation. Every hon. gentleman knows perfectly well that it is the raw material, the raw products of the country that produce the wealth of the country, and that the manufacturers have been legislated for until they have become a monopoly in Canada, unwilling to compete for the trade of the world, because they have for a limited number, which they keep limited, a better living. The very best evidence in all that, is seen in the depreciation of our real estate the product of which is taxed to keep them limited. I will not detain the House any longer, but I could not let this opportunity pass without putting my views upon this question on record. I quite agree with the principle of extending the preference on sugar to all the component

parts of the British Empire, but the people of the British Isles who purchase seventy million dollars worth of our raw products freed from customs imposts, should receive the same treatment at our hands.

Hon. Mr. DEVER—After the exhausting labours we have had for several days and the long speeches we have had to listen to and suffer, it is perhaps out of place for me to attempt to say a word or two at this late hour, but after the critical speech delivered by the hon. leader of the opposition, who was for many years Minister of Customs and a member of the cabinet that carried on legislation for Canada nearly since confederation commenced, I feel that I would be neglecting my duty if I did not take the liberty of making a few remarks on some of those propositions that he has placed before the House. His first proposition, as I heard it, was with reference to the fact that the government should promote trade with the West Indies. Well we all are most anxious to promote trade with any country, and especially with the West Indies. But, may I ask him, did he or his government at any time ever arrange a tariff so as to enable us to trade with the West Indies? We all know, hon. gentlemen, that the great exports, the great natural products of the West Indies, are sugar, molasses and the products of molasses. The first act of a former government of Canada was to introduce an extreme measure of protection to exclude at least one-third of the staple goods of the West Indies from Canada, and instead of holding out inducements to the West Indies to trade with us for our flour, cheese, butter and other commodities, the government substituted for what we could get from the West Indies, and manufactured 4,000,000 gallons of proof spirit per annum. Well, hon. gentlemen, I dare say those engaged in the manufacture of this spirit would hold up both hands and exclaim that every man was unpatriotic if he criticised or wished to prevent them from manufacturing the native spirit. But I simply ask this House and the country of what advantage is the manufacture of 2,000,000 gallons of alcohol in this country, principally from foreign grain, compared with a third at least of the trade with the West Indies which we can secure if we offer inducements. The people of the West Indies, largely, properly and naturally manufacture spirit, and at a very low rate, and it is good spirit, because it is manufactured out of the native sugar cane juice; and if we could hold out the inducement that we would take their sugar as one-third of their cargo, their molasses as another third of their cargo, and their rum as another third, we might say very properly to them: "gentlemen, we place before you a very fair proposition, one that will suit us, and we do not see why it should not suit you also." Therefore, on that basis I think we could induce the people of the West Indies to trade with us extensively. There is no reason why they should not. They want our goods, but they say we do not take their goods, and consequently it would be a one-sided trade; and therefore they refuse it. I wish this point to be thoroughly understood, because whether this government will pursue the same scale of tariff or not, I am not prepared to say; but whilst they do, I presume to state that it is an utter impossibility to develop trade with the West Indies. We must tell them we will take their products if we expect trade with them, just as we should tell France we will take their wines and their brandy if we expect them to trade with us. Now I want to make a few remarks as to the item of shrinkage which was referred to by the hon. gentleman who was at one time Minister of Customs and who ought to be an authority on these matters. I wish to point out—and I do not know whose fault it is, I do not wish to impute fault to anybody if I can help it—in Canada according to the present system of bonding liquors they are placed in private warehouses. In other countries, especially in Britain, they have Queen's warehouses, and we formerly had Queen's warehouses in New Brunswick before we came into confederation, all spirit had to be bonded in the Queen's warehouse, and under circumstances that precluded the possibility of suspicion that any tampering could take place; consequently if an outage were found when the package of liquors was being taken out of the custom-house, the treasurer was perfectly justified in allowing for the outage, because he was sure that there was no tampering with the packages. They were in the public, or Queen's warehouse under a trustworthy officer, at a distance from all possibility of access to those packages of goods. But now the case is very different. There are private warehouses, and although I believe the officers are very accurate, and perhaps anxious to perform their functions honestly

and rightly, nevertheless it is a perfect impossibility that these officials should ascertain what is going on in those warehouses in their absence, and consequently there may be very wrong things done. We have known instances where casks of liquor had been wholly taken out and substituted with water. We have known other cases where casks had been totally empty. Now, I ask this House would it be fair to expect the Customs Department to make an allowance for those outages where they occurred under very suspicious circumstances? Until we go back to having a Queen's warehouse or something of the kind, for wines and spirits, I hold we will never be sure of the qualities of liquor nor will we be sure that the quantities of liquors that duty should be paid on are there when entries are being made out.

Hon. Mr. CLEMOW—We will soon have prohibition.

Hon. Mr. DEVER—All right. I am in favour of prohibition, perhaps. There is another point, hon. gentlemen, and it is this: the question of the manufacture and bonding of tobacco was brought up. That is a branch of trade that I think I know something about. I know that certain parties commenced to manufacture tobacco in Canada about the time of confederation. We know pretty nearly what they were worth then. Subsequently they could make beautiful presents of half millions of dollars for charitable institutions. I should like to know where these half millions came from. I should like to know whether these half millions were not taken out of the people by extreme protection. That was it. They had a monopoly of the manufacture, and the consequence is these men made millions, and the country lost millions per annum. They lost it because if the tobacco had to come from abroad, duty would have been paid on every pound of tobacco and paid at the regular customs duty, whereas the manufactured tobacco came under the excise laws, and the excise laws and the customs laws were at variance; one was high, and the other was low, one protected the manufacturer, and the other bled the consumer, and the consequence was that the manufacturers got rich, and from that day to this they have not become numerous, because it is a monopoly. You see no small manufacturers because the present manufacturers have a monopoly and made extensive capital, which shuts small capitalists out. Now, the next point I wish to bring before the House is the evaporation of liquors. The hon. gentleman, who was formerly Minister of Customs, no doubt, a man of experience, but still theoretical experience. He did not know that there are two or three kinds of spirit, two of which are improved by age.

Hon. Sir MACKENZIE BOWELL—Yes I did.

Hon. Mr. DEVER—Another spirit is not improved by age; it simply evaporates without improving the liquor, but, on the contrary, the evaporation weakens it, because it is the fluid, or alcohol, or gas which evaporates, leaving the water behind. Alcohol is lighter than water, and rises to the top, and consequently evaporates and the water stays behind in the cask. Now it is known to gentlemen of experience, in the importation of French spirit that it improves by age because it is a weak spirit. In the first instance when it goes into bond. It is only about half water and half spirit; consequently it does not evaporate extensively, but becomes neutralized and mellow and in that way it is called good. Therefore, on brandy I hold there is no necessity for allowing for evaporation, but on liquor made from grain, and especially from raw grain, it is entitled to some consideration, if it is any length of time in bond, because it will evaporate. Now these are the distinctions I wish to draw. I do not know that it will do any good to mention them; but it is right at all events that they should be announced by somebody, and if they are taken into consideration at any future time, when the tariff is being reformed, so much the better. The importance of the West India trade, especially, I should like to keep before the public. We cannot have it under our present tariff, because we cannot hold out inducements to the West Indies to trade with us. I do not know that there is any use of saying much more, because what I say will not go into practice, but before I sit down I will point out again most earnestly that the government should take consideration at some period, not in the remote future, of the fact, that instead of having private warehouses for liquors especially, that we should have Queen's ware-

houses in every city. I believe they are just as important for the purpose of the protection of the revenue and reducing even the cost of collecting revenues, because almost every private warehouse now has a special officer, whereas three officers could attend to the Queen's largest warehouse where at the present we have so many. That alone would be a very great saving to the country, and it would also be such a protection that instead of the liquor trade to-day being looked upon as a trade to be shunned from the very fact that I do not know where, and I don't know anybody who does know where you can get a house that you can depend on to get pure liquor as it is branded. I do not find any fault with the liquor dealers, because the tariff for the last twenty years has been compelling those men to infuse alcohol into their liquors.

Hon. Mr. SULLIVAN — Water, you mean.

Hon. Mr. DEVER—Alcohol; the duty on alcohol is so arranged that by infusing it into other liquors they make a profit. They are compelled to do it, and the consequence is, instead of drinking good wholesome liquors, the temperance people tell us, and very properly, that we are drinking liquors made from alcohol. There is some truth in it, but it is not the people's fault; it is the fault of the tariff and the temperance people, who urged it on.

Hon. Mr. FERGUSON—What kind of spirituous liquor would it be that would not contain alcohol?

Hon. Mr. DEVER—Commercial alcohol —spirit of wine—is made from raw grain, or from potatoes and other substances of that kind. Other spirit, such as brandy, is distilled from the wines of France. That is the difference. Then, again, there are the Scotch whiskies which are good liquors, liquors that the Prince of Wales might drink, and very properly: that liquor is made from pure picked malt, barley, manufactured into almost crystallized sugar before it is put into the still and liquor made of it. The temperance people think that the consumption of liquor will be reduced. I think it would be very wrong, for if we take liquor out of the commerce of the world, commerce will become very much impaired. Instead of the production of liquor being reduced, as some hon. gentleman said the other night, it is not reduced but simply changed. The hon. gentleman will see that in 1893 alone, the world's production of ale, or wine produced from barley malt, was four billions five hundred million gallons, manufactured from 7,270,000 tons of malt, and 82,000 tons of hops.

An hon. MEMBER—No.

Hon. Mr. DEVER—You may call it beer if you like. It contains the same quantity of proof spirit as the light wines of Germany and France. I say in consequence of the enormous duty put on spirit, people who would use these articles are driven from them, and are compelled to drink it—and the supply is increasing—under the name and form of barley wine, or ale. Now I do not wonder at that, because alcohol is only worth forty cents a gallon and has to pay in the neighbourhood of four dollars a gallon duty. If a man finds that out, he is not going to drink an inferior spirit that has to pay a duty of four dollars when he can get beer containing all the alcohol he wishes to drink at a very low rate, and consequently in the schedules the quantity of spirit is being reduced apparently, but it is being supplied by the extra quantity of ale manufactured and used. In 1893—I have the return in my office—there was manufactured four billions five hundred million gallons of ale, and I believe this year's manufacture will be much more; consequently the temperance people are not doing so much as they think. They are simply displacing one liquor and substituting for it another, that is all.

The motion was agreed to, and the bill was read the second time.

Under suspension of the rules the bill then passed through its final stages.

NORTH-WEST IRRIGATION ACT AMENDMENT BILL.

AMENDMENT ABANDONED.

Hon. Mr. SCOTT—In reference to Bill (146) "An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895," I have seen the hon. senator from Calgary and told him that the Commons would not accept that amendment as to the rates, and he told me that he would not

press his amendments. Therefore, I move that this House does not insist on the second amendment made to this bill.

The motion was agreed to.

INLAND REVENUE ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. MILLS—I can now explain this bill to the House.

Hon. Sir MACKENZIE BOWELL—Oh, that is all right, we understand what it is now.

Hon. Mr. MILLS—Very well then, I move that the forty-first rule of this House be suspended and the bill be now read a second time.

The motion was agreed to, and the bill was read the second time.

The bill then passed through its final stages under a suspension of the rules.

THE EVENING SITTING.

Hon. Mr. MILLS—I may say to my hon friend that there are only two bills to come up from the House of Commons, the bill relating to the judges, which was here and which was amended by us and sent back to them, and which has yet to come to this House, and the Supply Bill. I think the House of Commons expect to get through with the concurrence in the supplies by six o'clock, but of course the Supply Bill will not be in a condition to be sent up to us until Monday morning, and as we have so very little time left now, I would suggest that when the House adjourns it stands adjourned until Monday at eleven o'clock, and we can put those two bills through and prorogue at three o'clock.

Hon. Sir MACKENZIE BOWELL—I do not suppose the hon. minister wishes us to infer that the government will object to the amendment made to the County Court Judges Bill, or that they will suggest any new amendment?

Hon. Mr. MILLS—I think they do propose to amend the amendment by dropping the whole of that section relating to the limitation to the age of judges. Of course I cannot say, but my impression is that the bill will come to us in that form, and therefore there will be no limitation upon the age of the judges at the present time.

Hon. Sir MACKENZIE BOWELL—Or in the future?

Hon. Mr. MILLS—Or in the future. My impression is, from all I can gather, that there is a general feeling in this House that if the judges were allowed their full salary as a retiring allowance, there would be no objection to apply the age limit to those who are already county judges, and if that rule is accepted, perhaps that part of the bill had better stand over until another session.

Hon. Sir MACKENZIE BOWELL—There could be no objection to that, but I think it would be highly improper for the Commons to insist at this stage, and with the limited number of senators here, upon their original bill. Of course I am only speaking for myself, but I do not think there would be any objection to an amendment of the character to which my hon. friend refers, and then I suppose the government would consider the propriety of introducing a bill next year providing for the full retiring allowance to all judges. If they do, I hope my hon. friend will consider well the question I put to him the other day, as to whether the Supreme Court Judges do not stand in precisely the same position as the County Court Judges to the government? I do not want to say much about it, but it is just as well, and I think the country would not object, to have the principle apply in the direction of the higher as well as the lower courts, if it is to be applied at all.

Hon. Mr. WOOD—I should not like the Senate to adjourn under the idea that a proposition of that kind would receive anything like unanimous consent. I think a proposition of that kind is far more objectionable than the bill in the other form.

Hon. Mr. MILLS—I am not committing myself to anything.

Hon. Mr. WOOD—The hon. minister said that that was the opinion of the Senate.

Hon. Sir MACKENZIE BOWELL—It was the opinion of a good many, but not of all.

Hon. Mr. MILLS—Yes, it was the opinion of many, but it was not unanimous. The changes I have suggested, which may possibly be made in the Commons, are to some extent the necessary outcome of the amendment made here, because the first part of that clause which was struck out is a part that exists, except with regard to the limitation of age, in the law as it now stands, so that it is not necessary to repeat it. The only words left that were new were those limiting the age, and that part we did not wish to have stand unless under the condition of which I spoke.

The motion was agreed to.

Hon. Mr. MILLS—The Supply Bill will not be in shape perhaps till we meet on Monday.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman must have a quorum on Monday.

Hon. Mr. MILLS—The hon. leader of the opposition has a majority behind him in this House, and if I had all the friends of the government that are present in Ottawa, I am not sure that we would have a quorum; therefore we are dependent upon my hon. friend discharging his constitutional duties.

Hon. Mr. FERGUSON—I am afraid the position of the government is very bad if they are not sufficiently strong to raise a quorum.

Hon. Mr. MILLS—I am speaking of the maximum number.

Hon. Mr. CLEMOW—We will have a quorum.

Hon. Sir MACKENZIE BOWELL—We will do what we can to help the government to get out of their troubles.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 13th June, 1898.

The SPEAKER took the Chair at Eleven o'Clock.

Prayers and routine proceedings.

THE FRANCHISE BILL.

EXPLANATION.

Hon. Mr. MILLER—As I was not present on Friday when the compromise on the Franchise Bill was arrived at in this House, I desire to make an explanation regarding it. I was not in favour of the compromise agreed to by the majority of the Opposition. I was in the minority, but I was in very good company and would likely, under similar circumstances, be there again. I was informed that the hon. Solicitor General in another place was very discourteous to me personally in moving the rejection of the Senate amendments to the bill. I told my informant that I did not believe it, as in any little intercourse I had ever had with that official I had always found him a courteous gentleman. I read his remarks in the Commons *Hansard* yesterday, and learned that I was right, that the Solicitor General had said nothing of which I or anybody else could complain. But the Solicitor General said, referring to me, that the man who drew up the Senate amendments had no conception of the Franchise Act, and, safe in a haven of rest, does not know what an election means. While I regret the hon. gentleman's opinion, I cannot say I feel it very crushing, but, at the same time, I think it very disingenuous. He knew that the amendments were not drafted by me, but by some of the best lawyers in the House of Commons where it was first moved—any one of whom is at least his professional equal. I stated this fact in my observations in moving the amendments in the Senate, which evidently the hon. gentleman has not taken the trouble to read. When I decided to move the amendments to the bill, I requested the law clerk of this House to put himself in communication with the professional gentlemen in the Commons who were interested in the subject, and to get me such amendments as would, to their minds, meet the object in view, and he did so. The law clerk told me that the amendments had been drawn up by three of the ablest lawyers in the Commons, after much deliberation, who were satisfied that they would meet the end in view. I have had no communication whatever with the hon. leader of the opposition, or any of its members, in the Commons on this or any other question during this session.

I wish to say further, that when the Franchise Bill was first before the Commons, a month ago, and long before it had got to the committee stage in that House, I approached the Minister of Justice, the leader of the government in the Senate, and said to him that I did not desire to see any col-

lision between the two Houses on the Franchise Bill, and that I thought a conflict could easily be avoided if Nova Scotia, New Brunswick and Manitoba were placed on the same footing in regard to an appeal to the judiciary as Ontario and Quebec. The hon. Minister of Justice urged the usual government objections to amending the bill in that direction in this House or this parliament. I then said to the leader of the House, "Your government is on good terms with the local governments in each of these provinces, and they would go far to help or please you; if you will get a pledge from the local premiers of these provinces that they will amend the franchise laws so as to give an appeal to the judiciary, it will be satisfactory to me and I think to all concerned." I pressed the hon. gentleman more than once on this point, but to no purpose. Yet it seems the compromise arrived at is in the direction of what I suggested, although not identical with it. I think it must be evident, from these facts, that I was not actuated by partisan motives or with a desire to embarrass the government by any action I took in relation to that bill before this House.

As to the bill itself, it is admitted on all sides that a more crude and ill-digested piece of legislation was never submitted to the parliament of Canada than this same Franchise Bill as introduced in the Commons by the hon. Solicitor General, and that it would have been unworkable, if it were not for the numerous amendments made to it in committee of that House, from beginning to end, and chiefly by the members of the opposition. The draftsman of the original bill had evidently no conception of the work he had undertaken to perform, which necessitated all the amendments made to it.

TAX ON COMMERCIAL TRAVELLERS IN PRINCE EDWARD ISLAND.

Hon. Mr. FERGUSON — Before the Orders of the Day are called, I wish to call the attention of the Minister of Justice to a bill that has become law in the province of Prince Edward Island, containing the following provisions:—

A creditor shall not obtain a verdict judgment or decision thereon unless it is proved at the trial of such action that at the time of such sale the said creditor, or the person who acted and sold for him such goods or merchandise had duly taken out a license according to the provisions of "An Act to impose a direct Tax on certain classes of Traders," and which license was in force at the time the sale of said goods, wares or merchandise was negotiated.

The legislature of Prince Edward Island some three or four years ago passed a law, imposing a tax on commercial travellers requiring them to take out a license before they could make sales or do business in Prince Edward Island. It has been found that the provisions of this law have been evaded, and in order to prevent such evasion the legislature of the province has this session passed an Act containing the provision that I have just read. I think the provision is an extraordinary one, and that it is a very bad one, indeed, and I may say that there is no second chamber in Prince Edward Island, and that this bill was brought in at a very late stage of the session, and was passed through without that criticism that would, under other circumstances have taken place in regard to its contents. I deprecate this bill, and consider it a very bad one, and agree in every word that has been said about it by the Montreal *Journal of Commerce*, which uses these words:—

(Montreal Journal of Commerce.)

Legislation of this class is highly objectionable for many reasons but mainly because of its iniquity and the serious injury it is calculated to reflect upon the credit of the province and its individual merchants where it is in force. We can hardly believe such a result to have been intended, but the above act is perilously near, one to enable Prince Edward Island merchants to repudiate their debts. Now they are well known to us to be as honourable a body of traders as in Canada.

This is the view taken of it by the Montreal *Journal of Commerce* and I have no hesitation in endorsing it. I do not object, however, to the construction put upon this bill, and the comment which appeared in the Montreal *Witness* on Saturday last, which contains an unjust reflection on the province of Prince Edward Island, and it is very unfair that the Montreal *Witness* or any other leading journals of Canada should take hold of an occurrence of this kind, and couple the people of the province in its entirety as being a party to a fraud. The *Witness* says:

The commercial relations of Prince Edward Island with the rest of the Dominion are in the opinion of the people of that province altogether too close and friendly. The merchants and manufacturers of the Canadian mainland have been, it seems, altogether too anxious to do business with the people of the Island, and certain Prince Edward Islanders have been foolish enough to encourage them by buying and selling with them.

Now the people of Prince Edward Island, as far at all events as the upper provinces are concerned, have not shown any disposition in the past, as the *Journal of Commerce* admits, to act otherwise than honestly, and they have shown every desire to cultivate business relations with the people of the upper provinces. To show that the people of Prince Edward Island are not to be held responsible for this extraordinary measure passed by its legislature, I quote from the Charlottetown *Examiner:*

> The disgrace inflicted from our legislature upon our merchants serves our merchants right, for they should long ago have risen in protest against the contemptible tax payment of which the legislation that has brought a cloud upon their fair fame is intended to secure. We cannot believe that the Minister of Justice will allow the act to pass. For the credit of this province we sincerely hope that he will see his way to put his foot on this measure passed by our Liberal statesmen.

This is one of the leading papers in Prince Edward Island, a Conservative paper, speaking of the bill after it was passed by the local legislature. I make these remarks in order to place on record that the people of Prince Edward Island are not oblivious of the fact that this measure is one that is calculated to injure their fair fame, and to show that there is in the province itself just as strong a feeling against it as there is in the other provinces of Canada. My object in calling attention to this was also to ask my hon. friend the Minister of Justice, whether his attention had been called to this Act, and also I wish to ask, is it his intention to permit this act to remain in force?

Hon. Mr. MILLS—I have not considered the Act, and I could not communicate any opinion to the House that I have not yet communicated to His Excellency on the subject.

Hon. Mr. MACDONALD (P.E.I.)—In respect to the matter which was brought forward by the hon. gentleman from Marshfield, that this was a case of one province passing a law to tax the people of another province, I think it is contrary to the intention of the British North America Act.

JUDGES OF PROVINCIAL COURTS ACT AMENDMENT BILL.

RETURNED FROM THE HOUSE OF COMMONS.

A message was received from the House of Commons returning Bill (150) "An Act to amend the Act respecting the Judges of Provincial Courts," with an amendment.

Hon. Mr. CLEMOW—What is the effect of the amendment?

Hon. Mr. MILLS—The effect of the amendment is that the clause fixing an age limit is dropped out for the present, as it was a consequential amendment to the amendment made in this House, and then the following section becoming the introductory section, two or three additional words became necessary and which stood in the first section before.

Hon. Mr. FERGUSON—I understood the hon. gentleman to say that the whole paragraph fixing an age limit for judges is taken out of the bill.

Hon. Mr. MILLS—Yes; they concur in the amendment made in this House, and make that amendment, as they regard it as a consequential amendment to what was made here.

Hon. Sir MACKENZIE BOWELL—The effect of the amendment is that that portion of the section which related to the compulsory retirement of judges after they have completed the 75th year of their age, struck out by the Senate, is approved. The Commons have gone further and have eliminated the former part of that clause which is as follows:—

> Every judge of a county court in any of the provinces of Canada shall, subject to the provisions of this Act, hold office during good behaviour and his residence within the county or union of counties for which the court is established.

And then the proviso, which is as follows: "Provided that no person shall hold or retain office as such judge after he has completed the 75th year of his age," is struck out. So that they agree to our amendment and strike out the other part of the clause, namely, that portion which relates to future appointments, leaving the law precisely as it is now.

Hon. Mr. MILLS—Yes.

Hon. Sir MACKENZIE BOWELL—I must confess that I do not see how one is dependent on the other. I cannot see what object the government could have in objecting to an age limit for the future. I do not very well understand their objection to the age limit for the future, unless it be for the purpose of bringing a bill forward again at another session, in order to have another tussle over this question, and I have no

doubt the same result will follow, upon the broad principle laid down by the hon. member from Barrie, that you should not interfere with what are really vested rights, so long as there are no charges against the judges which should lead to their retirement from office.

Hon. Mr. MILLS—I may say to my hon. friend and the House that there would be no object in keeping this age limit in at the present time unless it could be made immediately effective. Under the amendment it would be more than twenty years coming into operation. There was, however, an opinion expressed here, before the bill left the House, that if the retiring allowance to judges over seventy-five years of age was made a full allowance instead of a two-thirds allowance, the House would be disposed to favourably consider the proposition. It was thought desirable to remove this provision of the bill and leave the subject open to be dealt with at another session, if that was thought to be in the public interest

Hon. Mr. DE BOUCHERVILLE—What is the use?

Hon. Mr. MILLS—We have in the first place to provide for the constitution of courts in the Yukon country. We have two district courts in the province of Ontario called into existence by the local legislature this session, where before there were stipendiary magistrates, for whom it is necessary to make appointments, and the local government of Quebec can also provide for the appointment of a superior court judge in St. Francis district. There were several new judges to appoint and salaries to provide, and in one instance a new court to create, and so the bill was absolutely necessary, apart from this provision altogether.

Hon. Mr. DE BOUCHERVILLE—But if this provision was struck out, instead of sending this amendment and leaving the bill as it is—

Hon. Mr. MILLS—That is precisely what has been done.

Hon. Mr. FERGUSON—I entirely agree with the bill as it now stands. I was not in the House at the time, but I could not support the motion of my hon. friend from Barrie, because I disapprove of the age limit altogether for county court judges. The law now provides a method of retiring county court judges for old age, which it does not provide for in the case of other judges—by means of commission, and although as it has been stated it has not been effective, it could easily be made effective. If the law could be strengthened to implement that provision it would be better. I believe the retirement of judges at seventy-five arbitrarily would work injustice. Long before that age it might be necessary to retire judges for various reasons, while many others would be in the prime of their power at seventy-five. I think an arbitrary retirement at the age of seventy-five is a wrong principle altogether. We should implement the law we have now by which county court judges can be retired for old age. If that law is not sufficiently effective that the government can use it it ought to be made so that a judge can be retired when his powers fail, but, would not absolutely retire a man at seventy-five when doing that would be retiring some who would be in the very strength of their power.

The motion was agreed to.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (174) "An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively 30th June, 1898, and the 30th June, 1899, and for other purposes relating to the public service."

The bill was read the first time.

Hon. Mr. MILLS moved the suspension of the 41st rule as far as the same relates to this bill.

The motion was agreed to.

Hon. Mr. MILLS moved the second reading of the bill.

Hon. Mr. FERGUSON—Before this House proceeds to read this bill the second time, I may say that it is usual that we should be favoured with a statement by the members of the government as to what it contains. I understand there is a good deal of money being voted away by this bill, and though we may not have the power to amend a money bill, we have the power to reject it; we have certainly the right to know what it contains, and therefore, it is

due to this House that we should have an explanation of it.

Hon. Mr. SCOTT—During the numerous years that I have been in this House, it has not always been the practice for a member of the government to explain the Supply Bill to the House. I know for many years it never was done, but it is a very reasonable and proper request, and I am only too glad to give my hon. friend the information that he desires. In the first place, the supply bill for the supplementary estimates for 1897-98 amounts to $1,463,087 as against $1,777,000 last year. In schedule "B" which is the principal estimate for the financial year now approaching, the total vote on consolidated fund is $28,678,000, authorized by statute $19,124,000, total $47,853,760 as against $45,872,927 for the preceding year, a difference of about two million dollars. The amount chargeable to capital is $6,583,926. The charges that appear for the first time this year and are quite usual in their character, are largely due to both the supplementals for the present year and the amount of the estimates and supplementals for the next year due to the Yukon.

Hon. Mr. DE BOUCHERVILLE—How much does it amount to?

Hon. Mr. SCOTT—Taking the two years it amounts to considerably over a million. For the coming year in the main estimates, schedule B, salaries, Yukon district, $50,000; North-west Mounted Police, which has been largely increased, as hon. gentlemen know, $346,250. Then it is proposed to have two judges in Yukon district, and the amount is $9,000. Hon. gentlemen are also aware that a very considerable force has been sent up there of the permanent militia. There were some 200 men, what was called the Canadian permanent force. We are keeping those men up there, and it was thought advisable at the time to increase the forces there in order that law and order might be established, at all events for the present year. That involves an extra expenditure of $140,000. The surveys of the Stikine route and the Edmonton route and other expenses charged, about $15,000, making altogether $600,452 in connection with the Yukon. Then there is the plebiscite, which of course is an unusual item. That is $250,000. The plebiscite with the Yukon expenditure, makes $850,450. To gratify my hon. friend, who has asked for it, I may say that there is an item of $180,000 for a new steamer to Prince Edward Island. That, however, he has taken a note of before.

Hon. Mr. FERGUSON—That is chargeable to capital account.

Hon. Mr. SCOTT—I am not sure.

Hon. Sir MACKENZIE BOWELL—Yes, it is charged to capital.

Hon. Mr. SCOTT—I do not think it is. Then the Intercolonial Railway extension to Montreal has involved a very considerable expenditure, and the increase on that to Montreal is $211,000, and the additional rolling stock for the Intercolonial Railway is $600,000. The increased accommodation at St. John dock, making it a winter port, $250,000. There is an item for an elevator at St. John, $75,000, and for an elevator at Halifax, $75,000. Those items altogether make $2,240,000. So that hon. gentlemen will see that the increased expenditure is accounted for. The total increased expenditure, taking capital and consolidated fund, would be altogether—the total for the present year—$47,853,806, as against $45,872,922 for last year, making in round numbers $2,000,000. I have explained the items that aggregate a quarter of a million in excess of that $2,240,450. So that it will be seen, if you take out the extraordinary expenditure connected with the Yukon, the plebiscite and the extension to Montreal, and the necessary increase of rolling stock on the Intercolonial Railway, the amount really voted for the present year is not greater—in fact it is somewhat less—than that of last year, and it is certainly not two millions in excess of the amount voted in 1896-7, which was on the estimate of our predecessors. In 1896-7 the total vote was $46,132,442 as against $47,853,000 for the present year.

Hon. Mr. FERGUSON—Does my hon. friend refer to the estimates that were finally submitted to parliament for 1896-7 by his government?

Hon. Mr. SCOTT—As the hon. gentleman knows, I think two months after the late government had the main estimates prepared, the government changed.

Hon. Mr. FERGUSON—It was the figure actually submitted to parliament that year?

Hon. Mr. SCOTT—Yes.

Hon. Mr. DEVER—Projected by the former government.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. SCOTT—So that after all there is scarcely justification for saying that the amount is so abnormally increased. The abnormal increase is shown to be for charges that could not very well have been anticipated, and could not very well have been avoided under the circumstances.

Hon. Mr. FERGUSON—My hon. friend in submitting these estimates to the House has indulged in comparisons, but I notice, as hon. gentlemen will have noticed, that he confines his comparisons altogether between the estimates for the incoming year and their own estimates for the current year and a very slight comparison with the estimates for the year 1896 and 1897 which were also submitted by themselves to the House. It is true my hon. friend in a quiet way attributes these estimates of 1896-97 to the Conservative government that preceded him, but this point I wish to note, that my hon. friend does not venture to go beyond making comparisons between the various estimates of the present administration. He does not make any comparison with the expenditures of the late administration. That is a very strange change which has come over the tactics of hon. gentlemen in the government. They used to be very fond of comparisons, but they were comparisons between the administrative record of the Conservative administration and that of the Liberal government between 1873 and 1878, and they were able to show in the last year of the Conservative administration that the expenditure had gone up during the 18 years after the time the Mackenzie government had gone out of power by the amount of about twelve million dollars. These were the comparisons with which they were accustomed in those days to deal when discussing the financial position of the country, and we have not forgotten how strongly they condemned that increase from twenty-four millions when the Mackenzie government went out to thirty-six million when the Tupper administration resigned as being an increase of expenditure that was perfectly unjustifiable, that it was an expenditure which had its foundation in extravagance and corruption. These were the grounds they took. Now we all remember that in 1893 my hon. friend the Minister of Justice and his friends met here in Ottawa and they framed a platform for their party. They came together in great numbers and they laid down their policy and they said we do not want to be bound by what Mr. So and So said in this part of the country or another gentleman has said in another part of the country, but we are willing to be bound by what we solemnly declare in this Ottawa conference as our policy if we come into power. Here are the words of that platform as agreed upon at this Ottawa convention :

> We cannot but view with alarm the large increase of the public debt, and the controllable annual expenditure of the Dominion, and the consequent undue taxation of the people under the governments that have been continuously in power since 1878, and we demand strict economy in the administration of the government of the country.

Here was the solemn declaration of the party arrived at after grave consultation and after bringing all their wise men together from the shores of the Atlantic to the Pacific ocean in order to put their heads together and devise a platform, by which they were all to be bound. Following this platform we find that Sir Wilfrid Laurier, the leader of the party, spoke in Toronto on the 23rd August, 1894, and he made use of these words :

> Has the expenditure gone down? No; it has gone up. It went up two, three, five, ten millions and more until it is now $38,000,000. And the Conservatives do not shrink from it, but swallow it all. If we come into power, we will follow the example of Mr. Mackenzie, and I say that although we may not be able to bring the expenditures back to what they were, we can reduce the amount two, yea three million dollars a year. (Applause.)

The same hon. gentleman spoke a little later in the same year in the city of Brantford. Here is what he said :

> Do you imagine there is any justification for this increase of expenditure? The Conservatives tell us that there is justification. The population has increased they say. Oh, yes, it has increased nine per cent, but the expenditure has increased 100 per cent. There can be no justification for such an expenditure when, as has been stated, the great bulk is a corrupt expenditure. Moreover, they tell us that if we were in power we could not retrench and economize. But, I do not believe that it will be a very difficult task. (Hear, hear.) It would not be a very difficult task to

the extent of one, two, three, and Mr. Mills, the present Minister of Justice, told his constituents a few days ago that it was possible to retrench to the extent of four millions a year.

Now, Sir Richard Cartwright spoke a little later in the House of Commons in 1896, when the last budget was delivered by the Conservative party. He made use of these words in the speech which he delivered in reply to the then Minister of Finance. He said :

I say it is a disgrace and a shame to the government that have been entrusted with our affairs that they come down to us and ask for an expenditure of $38,300,000 a year for federal purposes. Sir, the thing is utterly unjustifiable.

Hon. Mr. DEVER—So it was.

Hon. Mr. FERGUSON—I hope my hon. friend is of the same opinion yet.

Hon. Mr. DEVER—Yes.

Hon. Mr. FERGUSON—Sir Louis Davies spoke in the same session in the same debate and he says :

Now, what is the policy of the Liberal party? Summed up in a few words, it is to reduce the expenditure of the country to the lowest possible point consistent with an efficient service. You tell us that that cannot be done. We have spent hour after hour on this side, going into details and showing how it can be done. In reply to challenges which came from the other side, gentlemen on this side undertook the labour of pointing out the particular departments of the service and which money can be saved and those are all upon record.

Not only could they do it, but they had shown how they could do it and they had pointed out the particular points in the public service where they could bring their principles of economy into practice. Sir Louis Davies continued :

We are ready to go to the country with that statement on which we pledge ourselves that very large and important reductions can be made in the expenditure of the country without impairing the efficient administration of its affairs.

Hon. gentlemen, we know that the Liberal party went to the country, as Sir Louis Davies said they would, with this as the principal point in their platform, and on that platform they received the support of the people of this country and were returned to power. When they met parliament in 1896 they brought down a rather swollen estimate, and the amount was larger than had been presented during any previous year except, I think, the year of the North-west rebellion in 1885, and when the gentlemen in opposition rose in their seats and pointed out to the government that they had gone back on their promises, that they were presenting to the country and parliament larger estimates than those which they had previously condemned as being shameful extravagance, they were answered in this way by the government. Sir Louis Davies said, that the facts—which had been presented by Mr. Foster, Mr. Wallace and other gentlemen with regard to the swollen character of the estimates that were brought down—

The facts are serious, disgraceful I acknowledge, but every atom of responsibility is charged upon the hon. gentlemen for the reckless manner in which they managed the finances. * * * * *
That the people are willing to wait for the development of my hon. friend's policy, which will take place next session, and they will judge the Finance Minister by the policy which he then proposes.

In other words the estimates we are presenting to parliament are not our estimates, we have not had time to go into every branch of the public service and find whether we could carry out our policy of economy, we are not able to do that thing for want of time, we were obliged to take up the estimates as they were prepared for us to a large extent. We admit they are disgraceful, we admit they are extravagant, but we ask the country and the House to suspend judgment upon us till we have an opportunity of presenting estimates of our own. The Hon. Mr. Fielding, Minister of Finance, was more emphatic still and went more into detail in defending himself and his party for bringing in these extravagant estimates in the year 1896. He says :

We had to say in the beginning that we accepted the estimates of the hon. gentleman opposite with a full and clear understanding that we had not an opportunity of inquiring elaborately into the details of the organization of public affairs ; but that our hope and expectation was that we would be able to make some reductions in the expenditure. I have a strong hope that before the end of the fiscal year we may be able to effect some changes in fulfilment of our promises in that direction to show the public that we are able to effect economies which have been spoken of by hon. gentlemen opposite. But it will not be until this first year is completed and until we have paid the debts of hon. gentlemen opposite and entered upon a new year for which we shall prepare the estimates ourselves and have full and complete control of them that we shall be in a position to make comparisons. I have not the slightest doubt that when that time comes a comparison of the records of the Liberal party and the Conservative party will show that the Liberal party is one of economy.

The hon. Finance Minister of the present government longed for the time to come when he would be able to make comparisons, not comparisons between one year and another, or of his own work, as the Secretary

of State is now doing, but comparisons between his work as a Finance Minister of this country and the work of the Conservative party in the administration of our financial affairs. They longed for the opportunity when they would be enabled to make these comparisons, but we have now my hon. friend the Secretary of State rising in the House and presenting enormously swollen estimates to this House without making any comparisons save between the years of the administration and management of public finances by his own friends since they have come into power He thinks it is sufficient for the purposes of defence for him to be able to show this House that the expenditure of the incoming year are not so much greater than the expenditure for the present year: that if they will prove to this House that they are not going headlong to destruction and adding tens of millions more to the expenditure of the incoming year than the year through which we are now passing, and for which they themselves have estimates, he feels that if he does this he will have made satisfactory comparisons and the country will be satisfied. As I said when I opened my remarks, the government should be able—as Mr. Fielding said they would be able after they had been two or three years in power—to make satisfactory comparisons between their own administration and the administration of affairs by the Conservatives when they were in power. As my hon. friend has not ventured on these comparisons, I will make a few, and they will be very few. I do not intend to extend my observations, but I cannot allow this opportunity to pass without placing on record some of the comparisons between the Liberal-Conservative administration and the administration as evidenced by the estimates we have now placed before us. I find that for the last complete year of Liberal-Conservative administration, 1895-96, the total expenditure on consolidated revenue was $36,949,142, and I find that the estimates now submitted to the House——

Hon. Mr. SCOTT—How much capital account?

Hon. Mr. FERGUSON—I will deal with capital account by itself. I will make distinct comparisons and keep capital account by itself. I am dealing with the expenditure on consolidated revenue and the expenditure for the year 1895-96 was $36,949,142, and I find that the expenditure on consolidated account as contained in the estimates already brought down by my hon. friend for the incoming year is about $41,000,000, an increase from a few thousand less than $37,000,000 in 1895-6, the last year of the Conservatives administration to about $41,000,000 for the year for which we are now making a provision, and with the certainty before us that next year as in all other years, there will be supplementary estimates brought down during the next session of parliament providing for other expenditures in connection with that year. It may be that not quite all of this $41,000,000 that is now being brought down will be expended. It is possible there may be small sums that will not be expended, but I think I am perfectly safe in assuming that the estimates which in all certainty will be brought down during next session of parliament for this particular year with which we are dealing will be greater than any saving which can be effected upon the main and supplementary estimates that are already before us. So that it is now certain that as far as consolidated revenue account is concerned this government is laying out for the expenditure of certainly not less—it may be more—than $41,000,000 for the year 1898–99, and then when we compare that with the expenditure of the Liberal-Conservative government during the year 1895–96 of $36,949,000 we find that there is an increase of over $4,000,000 in consolidated revenue account alone. Here let me point out to my hon. friend the Minister of Justice the position in which he stands at this moment before his former constituents in Bothwell. He promised them, so the premier says, in 1894, that if the Liberal party got into power he would and they would reduce the expenditure on consolidated revenue by $4,000,000 a year—that they would make that reduction. Here we find my hon. friend for the first year in which he is in a position to make estimates, preparing, not only preparing but committing this parliament and the country, to an expenditure of over $4,000,000 greater than what occurred under the Liberal-Conservative government. So that my hon. friend is starting out in his career as a member of the administration by spending, on consolidated

revenue account alone, for the first year over $8,000,000 more than he promised his constituents of Bothwell he would spend if he were placed in the government of the country. That is the position in which my hon. friend stands. My hon. friend said something about capital account. I have not these figures in detail. I do not intend to go very largely into them and I notice that the figures that I have are based upon the estimates that were submitted to the House of Commons, and I presume that as the estimates were going through the House some little changes were made, and I notice that the figures that my hon. friend has read, which I have no doubt are based upon the supply bill as it finally went through the House, differ only in some very small particulars from the figures I have in my hand, and I account for it for the reason that some items may have been dropped in the House of Commons. But altogether the difference is so very slight that it is not worth talking about. It only amounts to a few thousand in the whole. Now, we find that in this year there are already estimates brought down for capital expenditure of about $7,000,000. They vary a little for the reason I have already explained. My figures are $6,900,000, and adding these to the figures as I have them it makes a total expenditure of over $48,000,000 provided for in the estimates we have now before us, including capital account and consolidated revenue expenditure. I wish to place these figures on record and I wish to call the attention of hon. gentlemen to the position in which they are now placed before the people of this country in regard to this matter of expenditure. Let us look at the matter of the debt. If I had the resolution of the Quebec conference here, hon. gentlemen would see that it was particularly emphatic on the point that the debt was alarmingly increased. I think the resolution I read made that declaration. Here, we have had the debt going up by leaps and bounds since these hon. gentlemen came into power. We have the expenditure increased on consolidated revenue in two years to the amount of $4,000,000. If that rate is maintained for 18 years in place of the increase, which occurred under the Conservative administration of $12,000,000, or from $24,000,000 to $36,000,000, if that rate is continued for 18 years, it would add to the expenditure of the country on consolidated revenue account, something like $30,000,000 if they keep on as they have been doing during these two years. So that when they complain of the alleged extraordinary acceleration in the increase of the expenditure of the country during the time the Conservative government were in power, it was a mere trifle compared with the extravagant increase which is now going on under their own management. I find the debt on the 30th June, 1896, was $325,717,536.

Hon. Sir MACKENZIE BOWELL—That is gross.

Hon. Mr. FERGUSON—Yes, that is gross; of course the comparison is fair enough—while on the 30th April, 1898, the gross debt was about $336,702,000, showing at any rate an enormous increase has also gone on, and of course we have to go on when we are voting this year, as I have just shown, about seven millions of capital expenditure. That means nothing else than that an enormous increase shall be effected in the debt during the year that is now coming as has been done during the past year. But my hon. friend the Secretary of State imagines he finds an excuse for a part of this excessive expenditure in the Yukon estimates and in the extension of the Intercolonial Railway to Montreal and in the provision that is now made for the plebiscite and some other things which are mentioned. It is true that these casual expenditures are being provided for in the estimates of the next year, but it is equally true that in almost every year the government is confronted with casual expenditures of one kind or another, and the year 1898–99 is not peculiar in the fact that there have been peculiar expenditures of this kind provided for within it. If there is to be a plebiscite in that year there will, I presume, be no general election as we have had in many other years, and if a large expenditure has to be provided for the Yukon there is no North west rebellion to deal with or any difficulty of that kind; and it is quite easy to show that no deduction ought to be made on account of these expenditures to which the hon. gentleman referred, unless, for the purpose of comparison, you go back to former years when the Conservative government was in power and eliminate from their expenditures equally

abnormal expenditures that occurred in almost every one of those years. Therefore, for the purpose of comparison there is no use in presenting the statements of the hon. gentlemen to the House unless you are willing to go back, and reshape, revamp, as it were, the expenditure during the Conservative administration, making credit for expenditures which would be fairly compared with these. But while my hon. friend is ready to snatch at Yukon expenditure as a first-rate argument with which to justify himself and his friends before the country for a small part of the expenditure for next year, have we forgotten that during the long time they were in opposition they refused stubbornly to give the Conservative government credit or allowance for the vast expenditures which it had to incur in connection with the acquisition and with the development of the great North-west Territories. When they came into power this great heritage was placed under their care, the postal system had to be developed and an expensive system of Mounted Police had to be maintained; provision had to be made for the surveys of the land and provision had to be made for bringing that vast territory from a lone land such as it was then and converting it step by step until it was prepared to take its place along the line of the provinces of the Dominion of Canada. That was the responsibility that devolved upon the Liberal-Conservative government during all those years, that accounted for much of the increase in the debt which had to be incurred in building the great Canadian Pacific Railway; that was the foundation of the increased expenditure and increased capital expenditure and increased debt during the time the Conservative government were in power. But the hon. gentlemen opposite who now stand pleading that we should exonerate them before the people of this country from their broken pledges, because they had an expenditure of half a million dollars in connection with the Yukon territory: the gentlemen who refused during all those years to give their predecessors the slightest credit for the enormous expenditures they had to incur in development of the great North-west and Manitoba now come and ask the House and the country to forgive them for their broken promises, for their extravagant expenditure and for their swollen estimates, simply because they had to spend half a million dollars in connection with the Yukon territory. Hon. gentlemen, I do not propose to follow these observations any further; I desire, however, to place on record my protest against these expenditures, not only because they are large as compared with the expenditures incurred during the Conservative administration, but because I believe these expenditures are extravagant in themselves. I believe that as time goes on we shall see that our friends in the government have deviated widely from the policy they pursued in opposition and the platform they then laid down. There must be some influences at work in which I would be very sorry to include either of the hon. gentlemen who sit in this House, for I believe neither of them would be capable of being a party to what is corrupt or wrong, but I cannot help believing that for some of these extraordinary expenditures, which this country has now incurred and which will weigh us down with a heavy debt in the future, there are in many cases reasons other than those drawn from the consideration of the public interest. I know my hon. friend is anxious to profess his own honesty and the honesty of the government in reply to these observations. However, I only make them in some way to find in my mind an explanation of the extraordinary expenditures that are being incurred. I cannot understand why this government should vote such extravagant sums of money as they are voting, why they should go back on all their solemn promises, why they should do all this, and do it in the very early days of their adminstration when they cannot have forgotten the promises they made to the people and the warnings they received. I cannot believe they can have done so unless there is in the administration some evil influence that consults other interests than the best interests of the people of this country.

Hon. Mr. MILLS—I am sure that my hon. friend beside me and myself are very grateful to the hon. gentleman for his promised certificate of character. I suppose when we apply to him it will be given under his hand and seal, and the result will be that the hon. gentleman's friends all over the country, whatever they may say with regard to our colleagues, will always exempt us from the imputations which the hon. gentleman has made on this occasion with so much candour and frankness. The hon. gentleman has told us of the economical tendencies of the government of which he

was a member, and declared that all those special charges, those unforeseen requirements which the expenditure of the country from year to year calls for, were quite as frequent in the day of my hon. friend's administration as they have been since. Well, hon. gentlemen, that would require to be the case to justify the expenditure that took place. When these hon. gentlemen came into office in 1878 the expenditure was something less than twenty-three and a half millions; when they retired it was nearly sixteen millions more. I am stating a fact. I can make it as clear as a proposition in Euclid, if time permitted, and I tell hon. gentlemen that that means nearly one million a year increase during the whole period that they were in charge of the government of this country. Let us see what are the expenditures to which the hon. gentleman refers that he says were quite a set-off to those that are being incurred at the present moment. Has the hon. gentleman made any such comparison? Was any new province admitted after 1878 into the Dominion? We know how the expenditure of the government rose between 1867 and 1878, when British Columbia was admitted into the union, when Prince Edward Island was admitted into the union, when the financial terms of union were reconsidered—all these things added to the cost of government, and then the construction of the Intercolonial Railway and the interest upon the increased indebtedness that that structure led to. The same may be said with regard to the canals. It was not until this year that we have had any extra expenditure in consequence of the practical enlargement of the Dominion. The Yukon country has led to an expenditure of $600,000 for the coming year. Is there anything corresponding to that in the past period of the hon. gentleman's administration? My hon. friend knows there is not. He speaks of the development of the North-west Territories, but how was that brought about? By the borrowing of money, by the expenditure of sums on capital account, and the only additions made to the public charges in consequence of that were the sums required to meet the interest upon those expenditures. That is all. And yet I point out to the hon. gentleman that the increase of expenditure amounted to nearly $1,000,000 a year. Then the hon. gentleman has referred to the large expenditure for various other purposes. Take, for instance, the Intercolonial Railway, where $600,000 is required and $250 000 for the rolling stock. The extension of railway accommodation at St. John Harbour, $75,000, and at Halifax, $75,000, and so on. We find the total expenditure specially pertaining to the year is $2,240,000. There was nothing of that sort in any one year when the hon. gentleman was in charge.

Hon. Mr. DEVER—There would have been if he had his own way. There was a tunnel to be run under the Straits of Northumberland, and if he had got his way, how would it have been?

Hon. Mr. MILLS—The hon. gentleman incurred a very considerable debt for arms and ammunition. That debt the government which succeeded him did not repudiate. That had to be met. The hon. gentleman did not meet that debt and now he says that we have an expenditure greater than was made under their administration. Then let me take the case of the steamer which my hon. friend has referred to, that is being purchased to maintain the communication with Prince Edward Island, costing $180,000. That is an expenditure that the hon. gentleman does not say is unnecessary. He will not say it is extravagant.

Hon. Mr. DEVER—He would sooner have the tunnel.

Hon. Mr. MILLS—Let me mention another thing; the hon. gentleman took good care not to make any expenditures in constituencies not represented by his friends. Let me take a single instance. In the county of Bothwell the River Sydenham was blocked, so as to be nearly unnavigable for a series of years. I brought that matter under the attention of the government. For three years in succession the government gave solemn pledges that those obstructions would be removed and that the navigation would be improved, but that was not done. There is, however, in the estimates of the present year $5,000 for that purpose. That estimate ought to be charged to the period of the hon. gentleman.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. MILLS—Yes, it ought to be charged to the period of the hon. gentleman.

Hon. Mr. FERGUSON—Suppose we allow you to take that $5,000.

Hon. Mr. MILLS—I could name a good many five thousands if time would permit. Let us take the case of the docks and harbours in the maritime provinces, and what happened in the gentleman's own island? Let him look at the expenditure in the Department of Public Works, or in the Department of Railways and Canals in respect to that island, and see what charges have been made during the period that island returned a Reform delegation to the House of Commons. Did the hon. gentleman do his duty by his island?

Hon. Mr. FERGUSON—Yes.

Hon. Mr. MILLS—The hon. gentleman says "yes;" then I suppose the hon. gentleman will say that a larger sum is being spent there now than is called for. There is four or five times more required now than a few years ago, because the hon. gentleman neglected his duty, because the hon. gentleman undertook to punish a constituency that would not return supporters to the late administration, because the hon. gentleman, as a minister of the Crown, misused his position for the purpose of attempting to coerce constituencies into supporting the administration. That is the reason why public works, such as breakwaters, were allowed to go to decay, and the present government are expending a very considerable amount of money to bring up the public works of those constituencies to the same level as those in the favoured constituencies which returned supporters of the hon. gentleman. Of course this expenditure will not be required to be continued—certainly not; but the government to-day and next year will be doing work that ought to have been done years ago by the hon. gentleman, if he had done his duty as a minister of the Crown. That is the position of things. Let me say more than that in respect to this expenditure of public money. There are larger expenditures than are ordinarily necessary, but it is because there have been such large expenditures in certain portions of the Dominion, while other portions were absolutely neglected. That condition of things cannot continue. Then, there is another matter. The present government have been hastening the completion of the canals. There is a very considerable sum of money required for that work, and there is a large expenditure on capital account for that reason, larger than there would be under certain circumstances. But does any hon. gentleman say, when the money can be obtained at a low rate of interest, that in hurrying forward the completion of the deepening of the canals the government are not acting in the public interest? And, if it is fair to take a year when that work, which was undertaken, the policy, of which was settled before the government came into office, is being carried out with vigour to completion, that the government is not in these matters acting in the public interest? Then the hon. gentleman spoke about the swollen estimates of 1896. What estimates of 1896 were chosen? The hon. gentleman knows. He, as a member of the administration, prepared the estimates; those estimates were not brought down, but they were ready to be brought down, and the estimate brought down by this government, which he calls a swollen estimate in 1896, is a smaller estimate than that, which the hon. gentleman himself favoured.

Hon. Mr. FERGUSON—I did not speak of the estimates. I said that the reason the government gave for their swollen character, was that it was the Conservatives who were to blame. Anyway they were small compared with what we are getting now.

Hon. Mr. MILLS—The hon. gentleman says they were small compared with what we are getting now; the hon. gentleman forgets that the controllable expenditure, if he will take the trouble to figure it out, that is the cost of government, is $80,000 less than it was in 1896.

Hon. Mr. FERGUSON—No.

Hon. Mr. MILLS—The hon. gentleman shakes his head. It is so, nevertheless and I have no doubt whatever that a further reduction can be made, but the hon. gentleman's attempt to mix up appropriations for works that for years had been neglected because they were in constituencies represented by opponents of the late administration, is not, in my opinion, a fair and candid discussion of the estimates which the government have submitted for the consideration of parliament.

Hon. Sir MACKENZIE BOWELL—I do not think it is necessary to continue this discussion further than to point out this one fact; the hon. gentleman says that during the adminstration of the late government they increased the annual expenditure about $12,000,000. While admitting his statement, for the sake of argument, to be correct, without dealing in detail, we find in the Supply Bill, we have now before us, that they have increased the estimates by $7,000,000. Multiply that by eighteen, the length of time the Conservatives were in power, you can easily arrive at the position in which the finances of the country will be at the end of that time, if the hon. gentlemen should remain so long in power. The hon. gentleman talks about the public debt. Compare the public debt in 1873, when the hon. friends went into power, and the public debt when they went out of power; they increased the gross debt nearly $50,000,000 during the five years of their administration. All you have to do is to look at the figures, and they tell their own story. I am not going to argue this question at present. I have heard the statement made by the hon. gentleman's friends so often on electioneering campaigns, which have been answered so completely and effectively in the past, that it is not necessary for any one to enter, particularly at this moment of the session, into a refutation of what the hon. gentleman has said. There is just one point to which he studiously omitted to refer The hon. gentleman quoted from the speech of what the premier alleges he stated in the campaign when he was contesting Bothwell, that he was going to save in the annual expenditure some $4,000,000. Well, instead of decreasing it $4,000,000 they have increased it about $7,000,000.

Hon. Mr. MILLS—Not quite.

Hon. Sir MACKENZIE BOWELL—It is another evidence of what might be called—I would not attribute it to the hon. gentleman, because I know he would not be capable of anything of that kind—what might be called demagogism. It sounds very much like it when you compare the statement made on the stump with the facts as they exist. What I object to strongly is the reduction of the interest paid to depositors in Canada. They are paying two and seven-eighths per cent for the money borrowed in England. It takes about two-eighths to manage that fund in England. I am speaking now by the book. I have made particular inquiry, having looked into the matter in the past. That makes the cost of the money to Canada at the present moment $3\frac{1}{8}$ per cent; yet we hear the boast constantly made, of our being able to borrow at $2\frac{7}{8}$ per cent, while the poor unfortunate wage-earners of this country who deposit in the savings bank are only allowed $2\frac{1}{2}$ per cent. Add, if you like, $\frac{1}{8}$ per cent for management in Canada, and there is a difference between the cost to the country of the money borrowed abroad and the rate allowed the poorer class of people who deposit in the post office savings banks, of about $\frac{5}{8}$ of 1 per cent. Supposing it cost $\frac{2}{8}$ to manage it in Canada, the same as it does in England, then it makes a difference against the Canadian depositors of one-half per cent, I should like to know what the financial basis is, or what good reason there is for that policy, unless it is to appease the demands of the banks.

Hon. Mr. MILLS—All sums under a certain amount are allowed three per cent.

Hon. Sir MACKENZIE BOWELL—If they are allowed three per cent in Canada now, it is the result of the attacks which were made upon the government when the announcement was made by the Finance Minister in his budget speech, because there was no provision for paying three per cent upon small amounts at that time. I am dealing with the figures and facts as they were presented to parliament. If they have been compelled to recede from that position, the outside lender and loan depositor stand pretty nearly upon an equal basis. But I should like to know how small the amount is on which three per cent is allowed. If two and a half per cent only is to be paid to those who deposit larger sums, and I believe the maximum deposit allowed is not to exceed $1,000, what is the limit?

Hon. Mr. MILLS—Yes, I think that is it.

Hon. Sir MACKENZIE BOWELL—But I go further than that; I have always held the opinion, and I hold it stronger to-day than I ever did, that you had better pay three and a half per cent for money borrowed from the residents of Canada than get it at three per cent in England, or in

any foreign country, and my reason is this: that all the money remitted for interest on money borrowed in another country depletes the circulation to that extent and renders us to that extent poorer.

Hon. Mr. MILLS—But the principle comes in.

Hon. Sir MACKENZIE BOWELL—If you paid to the depositor in Canada one-half per cent more, it would be retained in Canada for the support and sustenance of those people who make the deposits. I think in connection with this question, we might take a leaf out of the book of France, where they have small landed proprietors who loan to the government to an enormous extent, so as to avoid the necessity of going into foreign markets for the money they require to carry on the affairs of their government. What is the result? The result is that all the interest which is paid to the owners of small landed plots remains in the country. It keeps the wealth in the country, and assists them in living in a comfortable state. I believe that would be the best policy for this country. The Finance Minister says "Oh, no; wherever you can get the money cheapest, get it," but when you get it cheaper you send the interest out of the country, and the policy of the present government is to pay to the Canadian depositors less by the sums to which I have called the attention of the Senate than they do to the foreign capitalists. It is a false policy. It may not be strictly in accordance with the doctrines laid down by Adam Smith and other economists and theorists like him; but the practical result is precisely what I have said, and I hope, in the interest of the small depositors in this country, who are really the wage-earners, that the government will recede from the position they have taken, and give as much at least to the Canadian depositor as they do the English lender, and a little more.

Hon. Mr. DEVER—It is really pleasant to listen to a great reasoner and philosopher, and I believe a patriot, even if he be an opponent. I fully endorse the statement just made by my hon. friend. I believe the government of the country would do better if they would borrow from their own people and pay the interest to their own people. It would, as the hon. gentleman has stated, keep the money in the country instead of having it flow out to other countries. I believe that even our municipalities are doing wrong in this respect to-day. The municipality in which I live advertised for $140,000 a short time ago, and the consequence was that the loan was taken from our city and made by a sister city in Canada, and of course as a municipality we will have to meet the annual interest and thereby deplete our income to that extent. The same rule applies, of course, to the general government of Canada. If the government in their wisdom could reconsider their position with reference to the paying of interest, and pay even a larger sum to our own people, it would be well. It would make our people more patriotic, because people who have an interest, either in money or real estate, in the country become loyalists. They become true to their country; they feel that they have something to live for and enjoy, and that they are part and parcel even of the financial system of the country. On this basis I fully endorse what the hon. gentleman from Belleville (Sir Mackenzie Bowell) has just stated. I do not know how the government will take it, but I believe they are wise enough to see there is a strong argument in the position. I trust that they will act upon the suggestion, unless they feel that it would be highly injurious to the interests of the country; but I cannot, for the life of me, see how that can be, because every dollar of interest kept in Canada must enrich the country to that extent.

Hon. Mr. CLEMOW—I do not wish to protract this debate: it has been altogether too long. I am sorry the session is now so near a close. This might have been an interesting debate had the bill been brought down sooner. But it seems to me the policy of the government is to bring the important measures down at the close of the session. We had an important bill before us the other day, and I must acknowledge that I did not do my duty in regard to it—that is, with reference to the payment of money to Manitoba for the construction of their buildings. I intended to oppose it, particularly in the face of the announcement that the question had been settled. I had intended to move that the various Orders in Council and Acts of parliament be brought down. But the bill passed so quickly that I had not an opportunity of touching it.

It is the most disgraceful measure passed this session, and I want to put upon record my dissatisfaction with the way in which these bills are brought down at the end of the session, when one has no opportunity of properly considering them. I had no opportunity of judging of the merits of that measure, and I fully intend to divide the House upon it, to ascertain whether the hon. gentlemen are willing to pay a sum twice over. The hon. Minister of Justice shakes his head. He knows more about it than I do and I think I am entitled to the information that he possesses. If these papers had been brought down, the hon. gentleman might have been able to satisfy us that we were not paying the amount over again. With reference to the question of interest, that has been well settled. Already there has been a great decrease of deposits in the various post office savings banks of this country. It is impossible for poor men to accept so low a rate. Three per cent is low enough, and I should very much like to see a larger amount paid to depositors. It is a policy that should have been pursued long ago. My idea is that when a man has $100 he should be entitled to deposit his money and receive the government security; that is better than depositing it with a bank. Now, however, they are going to withdraw the money from the savings bank and deposit it in the banks of the country. The rate of interest is increasing in England, and here we are decreasing it, and I think it is a very bad system. I hope the government will take the matter into consideration for the benefit of the people. It is too late to enter into the discussion now, but one thing strikes me very forcibly, that when the Reformers held their great meeting in Ottawa in 1893 and promised what they would do, they deceived the people. They said they would do certain things.

Hon. Mr. MILLS—You did not agree with their view.

Hon. Mr. CLEMOW—Circumstances alter cases. But these far-seeing men, who knew what they were talking about, should never have made promises that they would not be able to carry out when they were improper. I am not a politician——

Hon. Mr. MILLS—Oh, oh!

Hon. Mr. SCOTT—Oh, oh!

Hon. Mr. CLEMOW—I merely want to place matters in a proper light before this country. These gentlemen made a promise that they would reduce the expenditure; now they find it is an impossibility. Why were they not honest? They knew all the difficulties they would have to face. They blamed their opponents for the increase in the past, and now they find it necessary to come and ask pity from their opponents for the very assertions they made when in opposition. I hope that another session we will have important bills before us in proper time. If I could have my way, I would peremptorily refuse to consider any measure unless we have time to consider it carefully.

Hon. Mr. MILLS—We must have something coming last, otherwise we would have brought the session to a close months ago.

The motion was agreed to, and the bill was read the second and third times and passed.

The Senate adjourned during pleasure.

THE PROROGATION.

This day, at Three o'clock P.M., His Excellency the Governor General proceeded in state to the Senate Chamber in the Parliament Buildings, and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being present, the following bills were assented to, in Her Majesty's name, by His Excellency the Governor General, viz.:—

An Act respecting the Lake Erie and Detroit River Railway Company.

An Act respecting the Board of Trade of the City of Toronto.

An Act to amend the Mounted Police Pension Act, 1889.

An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters.

An Act further to amend the Petroleum Inspection Act.

An Act further to amend the Gas Inspection Act.

An Act further to amend the Inland Revenue Act.

An Act further to amend the Act respecting Certificates to Masters and Mates of Ships.

An Act respecting the Dominion Building and Loan Association.

An Act to incorporate the Prudential Life Assurance Company of Canada.

An Act for the relief of Robert Augustus Baldwin Hart.

An Act respecting the Hudson's Bay and Pacific Railway Company.

An Act respecting the Ontario and Rainy River Railway Company.

An Act for the relief of Edwin Heyward.

An Act to amend the Charter of the Union Bank of Canada.

An Act respecting the Manufacturers' Guarantee and Accident Insurance Company, and to change its name to "The Dominion of Canada Guarantee and Accident Insurance Company."

An Act to incorporate the Victoria Montreal Fire Insurance Company.

An Act respecting the Columbia and Western Railway Company.

An Act respecting the British Columbia Southern Railway Company.

An Act to confirm an agreement between the St. Stephen and Milltown Railway Company and the Canadian Pacific Railway Company.

An Act respecting the Queenston Heights Bridge Company.

An Act respecting the Canadian Pacific Railway Company.

An Act respecting the Calgary and Edmonton Railway Company.

An Act respecting the Federal Life Assurance Company of Ontario, and to change its name to the Federal Life Assurance Company of Canada.

An Act respecting the Inspection of Steamboats and the Examination and Licensing of Engineers employed on them.

An Act respecting the Edmonton District Railway Company.

An Act to incorporate the Cowichan Valley Railway Company.

An Act respecting the Brandon and South-western Railway Company.

An Act to incorporate the Miles Cañon and Lewes River Tramway Company.

An Act respecting the Hamilton and Lake Erie Power Company.

An Act to incorporate the Klondike and Peace River Gold Mining, Land and Transportation Company, Limited.

An Act to incorporate the Nickel Steel Company of Canada.

An Act incorporating the Central Canada Loan and Savings Company.

An Act to incorporate the Montreal and James Bay Railway Company.

An Act respecting the Brockville and St. Lawrence Bridge Company.

An Act respecting the Lake Manitoba Railway and Canal Company.

An Act to incorporate the Miles Cañon and White Horse Tramway Company.

An Act respecting the Ottawa and New York Railway Company.

An Act to incorporate the London and Lake Huron Railway Company.

An Act for better securing the Safety of certain Fishermen.

An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

An Act respecting the Canada Atlantic Railway Company.

An Act to incorporate the Timagami Railway Company.

An Act to incorporate the Canada Atlantic Transit Company.

An Act to incorporate the Atlas Loan Company.

An Act further to amend the Act respecting the Department of the Geological Survey.

An Act respecting the Montfort Colonization Railway Company, and to change its name to the Montfort and Gatineau Colonization Railway Company.

An Act to incorporate the Canadian Mining Institute.

An Act respecting the Nakusp and Slocan Railway Company.

An Act further to amend the Companies Act.

An Act respecting the Kingston and Pembroke Railway Company.

An Act to incorporate the Windsor and Detroit Union Bridge Company.

An Act respecting the Saint John Bridge and Railway Extension Company.

An Act to incorporate the Montmorency Cotton Mills Company.

An Act further to amend the Fisheries Act.

An Act respecting the Harbour of the City of Saint John, in the Province of New Brunswick.

An Act further to amend the Adulteration Act.

An Act further to amend the Act respecting Government Harbours, Piers and Breakwaters.

An Act further to amend the Act respecting the Protection of Navigable Waters.

An Act to incorporate the British American Light and Power Company.

An Act respecting the Montreal Island Belt Line Railway Company.

An Act to incorporate the Klondike and Dawson City Bank.

An Act for the relief of James Pearson.

An Act to incorporate the Toronto and Hudson Bay Railway Company.

An Act further to amend the General Inspection Act.

An Act further to amend the Militia Act.

An Act to make further provision respecting Grants of Land to members of the Militia Force on Active Service in the North-west.

An Act to amend "The Canada Evidence Act, 1893."

An Act to incorporate the Tobique Manufacturing Company (Limited).

An Act to authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Railway and Manufacturing Company.

An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

An Act to provide for the government of the Yukon District.

An Act to incorporate the Dawson City and Victoria Telegraph Company (Limited).

An Act further to amend the Land Titles Act, 1894.

An Act further to amend the Indian Act.

An Act further to amend the Acts respecting the North-west Territories.

An Act to incorporate the Lake Bennett and Klondike Railway and Tramway Company.

An Act further to amend the Dominion Lands Act.

An Act further to amend the Post Office Act.

An Act respecting the identification of Criminals.

An Act to amend Chapter 11 of the Statutes of 1897, intituled: "An Act to restrict the importation and employment of Aliens."

An Act to authorize the Quebec Harbour Commissioners to borrow money.

An Act to authorize certain contracts with Steamship Companies for Cold Storage accommodation.

An Act respecting the Saskatchewan Railway and Mining Company.

An Act respecting the International Radial Railway Company.

An Act respecting the London and Lake Huron Railway Company.

An Act respecting the Transport Contract between Her Majesty and the Winnipeg Great Northern Railway Company.

An Act to amend the Act to provide for Bounties on Iron and Steel made in Canada.

An Act to provide for the abolition of the Civil Service Superannuation Act and for the retirement of members of the Civil Service.

An Act respecting the repayment of the moneys advanced to the Saint John Bridge and Railway Extension Company.

An Act to confirm a certain award in favour of the Dominion Atlantic Railway Company.
An Act further to protect the Customs and Fisheries.
An Act further to amend the Customs Act.
An Act to incorporate the Dawson City Electric Company, Limited.
An Act to incorporate the Dawson City Electric Lighting and Tramway Company, Limited.
An Act to grant further aid to the Harbour Commissioners of Montreal.
An Act incorporating the Western Alberta Railway Company.
An Act to amend the Companies Act.
An Act further to amend the Act respecting Public Officers.
An Act further to amend the Railway Act.
An Act to incorporate the Northern Commercial Telegraph Company, Limited.
An Act to incorporate the Lake Champlain and Saint Lawrence Ship Canal Company.
An Act in further amendment of the Post Office Act.
An Act respecting the Manitoba Debt Account.
An Act respecting the payment of grants in aid of the construction of Public Works.
An Act respecting the north-western, northern and north-eastern boundaries of the Province of Quebec.
An Act respecting the Prohibition of the Importation, Manufacture and Sale of Intoxicating Liquors.
An Act to incorporate the Ottawa Interprovincial Bridge Company.
An Act respecting the Montreal and Southern Counties Railway Company.
An Act respecting the Montreal and Province Line Railway Company.
An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.
An Act further to amend the Act respecting the Senate and House of Commons.
An Act further to amend the Weights and Measures Act.
An Act to repeal the Electoral Franchise Act, and to further amend the Dominion Elections Act.
An Act to amend and consolidate the North-west Irrigation Acts of 1894 and 1895.
An Act respecting the Great North-west Central Railway Company.
An Act to incorporate the Three Rivers and North Shore Electric Railway Company.
An Act to amend the Customs Tariff, 1897.
An Act further to amend the Inland Revenue Act.
An Act further to amend the Act respecting the Judges of Provincial Courts.
An Act in further amendment of the Fisheries Act.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows:

"MAY IT PLEASE YOUR EXCELLENCY:

"The Commons of Canada have voted certain Supplies required to enable the government to defray the expenses of the Public Service.

"In the name of the Commons, I present to Your Excellency the following bill:

'An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1898, and the 30th June, 1899, and for other purposes relating to the public service;'

to which bill I humbly request Your Excellency's assent."

To this bill the Clerk of the Senate, by His Excellency's command, did thereupon say:

"In Her Majesty's name, His Excellency the Governor General thanks Her Loyal subjects, accepts their benevolence, and assents to this bill."

After which His Excellency the Governor General was pleased to close the THIRD SESSION of the EIGHTH PARLIAMENT of the DOMINION with the following

SPEECH:

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

I am glad to be able to relieve you from further attendance in parliament.

Whilst all the measures which public interest seemed to demand and to which I invited your consideration at the opening of this session, have not received the concurrence of both Houses of Parliament, I congratulate you on the very important legislation which has been the outcome of your deliberations, particularly the Plebiscite Act and the new Franchise Act, which, it is confidently expected, will work satisfactorily in all parts of the Dominion.

I rejoice that during my term of office, it has been my good fortune to witness the improved relations that have grown up between Canada and the neighbouring republic, and I look forward with much satisfaction to the great benefits that will flow from a settlement of the many questions that have caused irritation in the past.

Gentlemen of the House of Commons:

I thank you for the liberal provision which you have made for the public service.

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

I now wish to express the earnest hope that the work of the session may materially advance the prosperity of the country.

I cannot be unmindful of the fact that this is the last occasion on which it will be my privilege to address you from this seat as the representative of the sovereign.

In bidding you a cordial farewell, I have to return my warm acknowledgments of the parting address, full of loyalty to the Queen and of kindly good-will to myself, which I am officially informed has been unanimously passed by both Houses of Parliament, and which will always constitute a valued token and memorial of my stay amongst you; and in conclusion I desire to express my most hearty good wishes for your personal happiness and for the welfare of the great interests entrusted to you.

The SPEAKER of the Senate then said:

Honourable Gentlemen of the Senate:
Gentlemen of the House of Commons:

It is His Excellency the Governor General's will and pleasure that this Parliament be prorogued until Monday, the twenty-fifth day of July next, to be here held, and this Parliament is accordingly prorogued until the twenty-fifth day of July next.

REPLY OF HIS EXCELLENCY TO THE ADDRESS OF BOTH HOUSES.

The Speaker of the Senate in French, and the Speaker of the Commons in English, read to His Excellency the joint address passed by both Houses.

To this His EXCELLENCY replied as follows:

The source and character of this address combine to render it conspicuous and memorable in my estimation as an express token to be prized with no ordinary sense of satisfaction and appreciation.

The mere fact that this manifestation has emanated from the two Houses of Parliament would render it interesting and significant. But this is not one of those occurrences or proceedings where the action itself is everything, and the manner and method of its performance of comparatively little account. A declaration of your well-known loyalty to the Queen, and of good-will towards her representative, is doubtless something to be welcomed with great satisfaction, but in addition to that aspect of the matter you have offered to us assurances of discriminating kindliness which cannot fail to be gratefully received by those to whom these evidently sincere and cordial expressions are addressed.

It may possibly be within your knowledge, gentlemen, that when entering upon the honourable position which I have been privileged to occupy for nearly five years, I stated, after taking the oaths of office, that it was my clear duty and my aim to make the service of Canada the main principle and purpose of my life while in this country. To be reminded of that utterance is to be reminded of much inadequacy and many omissions on my part; but if in any degree I have been enabled to keep that aim in view, and to endeavour to act in accordance therewith this has been due, humanly speaking, especially and emphatically, to the constant co-operation, the ever ready and suggestive sympathy of one whose devotion to the interests and welfare of Canada you have thoughtfully referred to in terms no less generous than just.

With the manifold experiences of the past five years you can readily believe that no one occupying a public position, and especially the position of the representative of the Crown, in this loyal and hospitable country, could pass that amount of time amongst you in all parts of the Dominion, without acquiring a large amount of information and experiencing a vast amount of kindness and consideration. To leave our many friends and acquaintances adds inevitably to the regret with which we contemplate our departure, but we also feel that those friendships and acquaintanceships are an abiding possession, not to be abolished by absence, and while alluding to this, let me remark that this element in our Canadian experience commenced before we came to this country in our official capacity. We were here in earlier days; and it was during our first voyage hither, before setting foot on your shores, that some lifelong friendships with several eminent Canadians were commenced. It was thus that we met that truly noble man, Sir John Thompson—a man of rare and splendid gifts, and not only so, but one who was imbued with the spirit to devote those gifts unreservedly for the good of this country—one whose sound principles and high standards could not fail to have an ennobling influence on all the phases of public life with which he had to deal.

I allude to him as the first as well as one of the most eminent of all our Canadian friends, and also as one of the three premiers to each of whom I have had the privilege of announcing the bestowal of honours at the hand of the Queen. The last of these was on the occasion of the Diamond Jubilee of Her Majesty, when Canada was so well represented at that historic and memorable celebration by the Prime Minister. I may be permitted to congratulate him regarding those auspicious circumstances, and also, with reference to this address, to thank him, not only officially as the mover thereof in the House of Commons, but personally as a friend, because of the manner in which he has always shown how truly he has been actuated at all times by those sentiments which are here expressed and set forth.

In conclusion, gentlemen, allow me to exchange felicitations with you upon what you have referred to with just satisfaction, as to the marks of progress and prosperity for Canada in various departments of her national life. In alluding to one important feature of these, I am tempted to quote the words of a distinguished predecessor uttered by him in this House, also to a farewell address from the two Houses of Parliament. In the course of his eloquent reply, Lord Dufferin said:

"I found you a loyal people. I leave you the truest-hearted subjects in Her Majesty's dominions. I found you proud of your descent, and anxious to maintain your connection with the mother country. I leave you, more convinced than ever of the solicitude of Great Britain to reciprocate your affection, and of her dependence on your fidelity in every emergency."

And when I have the privilege, in accordance with the mission entrusted to me by you in this address, of presenting to our gracious Queen the assurance of your unswerving and patriotic devotion, I shall, again quoting the words of that former Viceroy, be able to assure her that not a leaf has fallen from her maple chaplet, and that the lustre of no jewel in her transatlantic diadem has been dimmed. (Applause.)

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PART I.—SENATORS.

The following abbreviations are used :—1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings ; *without remark or debate ; Accts., Accounts ; Adjn., Adjourn ; Adjd., Adjourned ; Amt., Amendment ; Amts., Amendments ; B , Bill ; B.C., British Columbia ; Can., Canada or Canadian ; Com., Committee ; Co., Company ; Consd., Consider ; Consdn., Consideration ; Cor., Correspondence ; Dept., Department ; Govt., Government ; His Ex., His Excellency the Governor General ; H. of C., House of Commons ; Incorp., Incorporation ; Inq., Inquiry ; Man., Manitoba ; Mess., Message ; M., Motion ; *m.*, moved ; N.B., New Brunswick ; N.W.T., North-west Territories ; N.S., Nova Scotia ; Ont., Ontario ; Parlt., Parliament ; P.E.I., Prince Edward Island ; P.O., Post Office ; Ques., Question ; Rep., Report, Reported ; Ret., Return ; Ry., Railway ; Sel., Select ; Wthdn., Withdrawn.

AIKINS, Hon. J. C. (Home).

Central Canada Loan and Savings Co.'s B. (B) : on Amts. from H. of Co., 690.

Construction of Public Works Grants B. (161) : on M. for 2nd R., 1258.

Loan Companies B. (Q) : 1st R., 822.

Man. Debt Account B. (169) : on M. for 2nd R., 1257 ; on 2nd R., 1276.

Man. School Fund B. (168) : on 2nd R., 1288.

Weights and Measures Act Amt. B. (71) : on Amt. to refer to Com., 1196.

ALLAN, Hon. G. W. (York).

Adjournment : on M. to adjn. from 17th to 25th May, 811.

Adulteration Act Amt. B. (72) : in Com., 819.

Central Canada Loan and Savings Co.'s Incorp. B. (B) : Rep. from Com., 240 ; 3rd R.*, 268.

Companies Act Amt. B. (S) : in Com., 1071.

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Franchise Act B. (16): on 2nd R., 904; in Com., cl. 5, 963; cl. 10, 974; cl. 21, 1046.

Geological Survey Dept. Act Amt. B. (114): on 2nd R., 703.

Great North-west Central Ry. Co.'s B. (L): Introduced*, 620; 2nd R., 629; in Com., 744; 3rd R.*, 760.

Hamilton and Lake Erie Power Co.'s B. (100): Introduced*, 608; 2nd R., 621; 3rd R., 637.

Hart Relief B. (A): Introduced*, 163; 2nd R.*, 173; 3rd R.*, 243.

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Kingston and Pembroke Ry. Co.'s B. (69): Introduced*, 730; 2nd R.*, 773; 3rd R.*, 804.

Klondike and Dawson City Bank Incorp. B. (117): Introduced*, 773; 2nd R.*, 800; 3rd R.*, 854.

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Lake Champlain and St. Lawrence Ship Canal Co.'s Incorp. B. (99): Introduced*, 1215; 2nd R.*, 1238.

Lake Superior and Rocky Mts. Nav. Co.'s B. (J): Introduced*, 509; 2nd R.*, 604.

Montfort and Gatineau Colonization Co.'s B. (68): Introduced*, 652; 2nd R.*, 666; 3rd R.*, 776.

Montreal Harbour Commissioners B. (163): in Com., 1205.

Montreal, Ottawa and Georgian Bay Canal Co.'s B. (104): Introduced*, 800; 2nd R.*, 805; 3rd R.*, 880.

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Nickel Steel Co.'s Incorp. B. (96): Introduced*, 636; 2nd R.*, 662; 3rd R.*, 690.

North American Telegraph Co.'s B. (120): Introduced*, 800; 2nd R.*, 805.

Ontario and Rainy River Ry. Co.'s B. (32): Introduced*, 570: 2nd R.*, 599.

Ottawa and New York Ry. Co.'s B. (80): Introduced*, 636; 2nd R.*, 638; 3rd R.*, 699.

Ottawa Interprovincial Bridge Co.'s B. (125): Introduced*, 1063; 2nd R.*, 1095; 3rd R.*, 1160.

Pearson (James) Relief B. (D): Introduced*, 173; 2nd R.*, 403; 3rd R.*, 804.

Plebiscite B. (121): on 2nd R., 930.

Post Office Act Amt. B. (110): in Com., 1092.

Public Officers Act Amt. B. (T): in Com., 1141.

Senate and H. of C. Act Amt. B. (173): on 2nd R., 1302.

Steamboat Inspection and Examination of Engineers B. (39): in Com., 611.

St. John Bridge and Ry. Extension Co.'s B. (78): on 3rd R., 735.

——— B. (157): in Com., 1174.

Supply Act B. (174): on 2nd R., 1340.

Weights and Measures Act Amt. B. (71): in Com., 1150; on Amt. to ref. to Com., 1196.

Winnipeg Great Northern Ry. Co.'s B. (148): Rep. from Com., 1120.

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Yukon Ry. Contract: on the Address, 153.

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Govt. Harbours, Piers and Breakwaters Act Amt. B. (135): Introduced*, 800; 2nd R., 805; in Com., 819; 3rd R.*, 829.
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(B) Incorporating the Central Canada Loan and Savings Company (Mr. MacInnes). Introduced*, 163. 2nd R., 165. Rep. from Com. (Mr. Allan) 240. M. for conc. (Mr. MacInnes) 240. 3rd R.*, 268. Amts. from H. of C. conc., 690. (61 V., c. 97.)

(C) For the relief of Edwin Heyward (Mr. Clemow). Introduced*, 173. 2nd R.*, 403. 3rd R. (Mr. Gowan) 599. (61 V., c. 122.)

(D) For the relief of James Pearson (Mr. Clemow). Introduced*, 173. 2nd R.*, 403. Rep. (Mr. Kirchhoffer) from Com., 751. 3rd R.*, 804. (61 V., c. 123.)

(E) To amend the Canadian Mining Regulations for the Yukon (Mr. Boulton). Introduced*, 173. M. (Mr. Boulton) for 2nd R. on Thursday. Remarks: Messrs. Power, Sir M. Bowell, 280. Mr. Boulton wthds. B., 568.

(F) To incorporate the Pacific and Yukon Railway, Navigation and Mining Company (Mr. Lougheed). Introduced*, 173. 2nd R. postponed: Debated: Messrs. Lougheed, Sir M. Bowell, Power, 219; Messrs. Kirchhoffer, Ferguson, 220; Messrs. Boulton, Miller, 221; Messrs. Allan, Scott, de Boucherville, Vidal, McCallum, 222; Mr. Almon, The Speaker, 223. M. (Mr. Lougheed) to postpone 2nd R., 239; Mr. Mills, 240. 2nd R. *m.* (Mr. Lougheed) 545; Debated: Mr. Mills, 545; Amt. (Mr. Mills) 6 m. h., 546; Mr. Macdonald, B.C., 546; Messrs. Bellerose, Perley, Almon, Boulton, 547; Mr. Allan, 551; Mr. Power, 555; Messrs. McMillan, McCallum, 556; Sir M. Bowell, 557; Mr. Scott, 560; Mr. Wood, 562; Amt. agreed to, 565. Remarks (Mr. Lougheed) to restore on Order Paper, 569; Messrs. Mills, Power, 570. M. (Mr. Lougheed) to restore to the Orders for 2nd R., 609. Remarks: Messrs. Mills, Sir M. Bowell, Bernier, 609. Order for 2nd R. (Mr. Lougheed) postponed, 635. 2nd R. (Mr. Lougheed) 712. Deb.: Mr. Mills, 715; Mr. O'Donohoe, 717, 727; Mr. Macdonald (B.C.), 718; Mr. McCallum, 728; Mr. Ferguson, 720; Mr. Boulton, 728. Rep. from Com. (Mr. Baker) 821; Messrs. Lougheed, Power, Almon, The Speaker, 821. 3rd R. *m.* (Sir M. Bowell) 834. Remarks: Messrs. Kirchhoffer, Ferguson, Boulton, Mills, Power, Scott, 834.

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(H) To incorporate the Alberta and Yukon Railway, Navigation and Mining Company (Mr. Lougheed). Introduced*, 301. 2nd R. *m.* (Mr.

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(I) To incorporate the Klondike and Peace River Railway Company (Mr. Lougheed). 1st R.*, 509. 2nd R.*, 662.

(J) To incorporate the Lake Superior and Rocky Mountains Navigation Company (Mr. Clemow). Introduced*, 509; 2nd R.*, 604.

(K) To incorporate the Tobique Manufacturing Company (Mr. Baird). Introduced*, 542. 2nd R. *m.* (Mr. Perley) 601. Remarks (Mr. Mills) 601. Amts. conc.: Messrs. Allan, Scott, Wood, Mills, 628. 3rd R.* (Mr. Wood) 635. (61 V., c. 116.)

(L) Respecting the Great North-west Central Railway Company—(Mr. Clemow). Introduced*, 620. 2nd R., *m.* (Mr. Clemow) 629. Deb.: Messrs. Mills, Perley, Boulton, 630. Consdn. of Amts. in Com. (Mr. Clemow) 744. Remarks: Mr. Kirchhoffer, 744; Mr. Macdonald (B.C.), 745; Mr. Power, 747; Messrs. Boulton, Lougheed, 748; Mr. Mills, 749. 3rd R.*, 760. (61 V., c. 64.)

(M) To further amend the Companies Act (Mr. Mills). 1st R.*, 632. On M. for 2nd R. at future date, Sir M. Bowell, Mr. Mills, 632. M. (Mr. Mills) for 2nd R., 691. Deb.: Sir M. Bowell, 691; Messrs. Macdonald (B.C.), Lougheed, Scott, 693. In Com.: Messrs. Macdonald (B.C.), Mills, Sir M. Bowell, 700; Messrs. Lougheed, Scott, 701; Mr. Power, 702. 3rd R.*, 730. (61 V., c. 50.)

(N) To amend the Canada Evidence Act (Mr. Mills). Introduced*, 705. 2nd R. *m.* (Mr. Mills) 786; Sir M. Bowell, 786; Messrs. DeBoucherville, Lougheed, 787. 3rd R.*, 800. (61 V. c. 53.)

(O) To amend chap. 11 of the Statutes of 1897, intituled "An Act to restrict the importation and employment of Aliens" (Mr. Mills). 1st R., (Mr. Mills) 805: Remarks (Sir M. Bowell) 806. 2nd R. *m.* (Mr. Mills) 842. Remarks: Messrs. Boulton, Sir M. Bowell, 843; Mr. Dandurand, 844. 3rd R.*, 880. (61 V., c. 2.)

(P) To provide for the government of the District of Yukon—(Mr. Mills). 1st R.*, 821: Remarks: Mr. Lougheed, 821. 2nd R. *m.* (Mr. Mills) 835. Remarks: Sir M. Bowell, Macdonald (B.C.), 836; Mr. Perley, 837; Mr. Scott, 839; Mr. Ferguson, 840: In Com.: Messrs. Perley, Mills, Boulton, Sir M. Bowell, Macdonald (B.C.), 855; Mr. Scott, 856; Messrs. Power, Kirchhoffer, Primrose, 860.

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(R) Respecting the Identification of Criminals—(Mr. Mills). 1st R., 845. M. (Mr. Mills) for 2nd R, at future date, 845. 2nd R., 855. In Com. and 3rd R.*, 911. (61 V., c. 54.)

(S) To amend the Companies Act—(Mr. Scott). 1st R., 852. Remarks (Sir M. Bowell) 852; 2nd R. *m.* (Mr. Scott) 868. Deb.: Mr. Power, Sir M. Bowell, 868; Messrs. Ferguson, Boulton, 868. In Com.: Messrs. Power, Scott, 911. Rep. (Mr. Baird) 912; M. (Mr. Scott) to amend, 917. Remarks: Mr. Macdonald (B.C.), Sir M. Bowell, Mr. Lougheed, 917; Messrs. DeBoucherville, The Speaker, 919. In Com.: Messrs. Scott, Allan, Macdonald (B.C.), Lougheed, 1071: Mr. Power, Sir M. Bowell, 1072: Messrs. Mills, Perley, 1073. 3rd R.*, 1073. (61 V., c. 50.)

(T) Further to amend the Act respecting public officers (Mr. Mills). Introduced*, 1049. 2nd R., 1139. In Com.: Messrs. Mills, Lougheed, Macdonald (P.E.I.), Power, Sir M. Bowell, 1140; Messrs. Scott, Ferguson, Clemow, Villeneuve, and 3rd R., 1141. (V. 12, c. 16).

(4) To better secure the Safety of Railway Employés and Passengers (Mr. Power). Introduced*, 773; 2nd R.*, (Mr. Power), 804. Remarks: Sir M. Bowell, 805.

(6) To confirm an agreement between Her Majesty and William Mackenzie and Donald D. Mann, and to incorporate the Canadian Yukon Railway Company. 1st R.*, 267. M. (Mr. Mills) for 2nd R., on Tuesday. Remarks (Mr. Macdonald, B.C.), 267. 2nd R. *m.* (Mr. Mills), 280. Debated: Mr. Kirchhoffer, 292. Mr. Scott *m.* adjmt. of Deb., 300. Remarks: Sir M. Bowell, Mr. Mills, 300. Deb. continued: Sir F. Smith, 301; Mr. Milier, 304. Amt. (Macdonald, B.C.), 6 m. h. 317; Debated: Mr. Scott, 320; Messrs. de Boucherville, Prowse, 335; Mr. Boulton, 341. Mr. Allan raises Ques. of Order; Remarks: Messrs. Almon, Prowse, Dever, Power, McCallum, 346; Mr. Lougheed, The Speaker, Mr. Bellerose, Mr. Landry, 347. Mr. Boulton continues, 348; Mr. Wood, 358; Mr. King, 371; Mr. Perley, 378; Mr. Dever, 387; Mr. Primrose,

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388; Mr. Bolduc, 391; Mr. McCallum, 398, 404; Mr. Power, 406; Mr. Lougheed, 422; Mr. Dandurand, 440; Mr. Bellerose, 441, 453; Mr. Masson, 450; Mr. Reesor, 459; Mr. Fiset, 462; Sir Wm. Hingston, 464; Sir M. Bowell, 467; Mr. Templeman, 488; Mr. Poirier, 497; Mr. Clemow, 503; Mr. Primrose, 509; Mr. Sullivan, 515; Mr. O'Donohoe, 517; Mr. Macdonald (P.E.I.), 518; Mr. Cox, 520; Mr. Mills, 527; Amt. agreed to, 542.

(13) To amend the Mounted Police Pension Act of 1889 (Mr. Scott). Introduced*, 278. 2nd R., (Mr. Scott) 566. Remarks: Messrs. Power, Boulton, Clemow, 566. In Com.: Mr. Scott, 571; Mr Miller, Sir M. Bowell, Messrs. Almon, Gowan, 572. 3rd R., *m.* (Mr. Scott). Remarks (Mr. Almon) 594. (61 V., c. 33.)

(16) To repeal the Electoral Franchise Act and to further amend the Dominion Election Act (Mr. Mills). Introduced*, 845. Mr. Miller gives notice of Amts., 872. 2nd R., *m.* (Mr. Mills), 880, 907. Deb.: Mr. McCallum, 889; Mr. McMillan, 882, 910; Mr. Perley, 903; Messrs. deBoucherville, Bolduc, 889; Sir M. Bowell, Mr. Ferguson, 890; Messrs. McKay, McKindsey, Scott, 888; Mr. Dandurand, 892; Mr. Miller, 899; Mr. Poirier, 903; Mr. Clemow, 904; Mr. Boulton, 906. In Com., cl. 3: Messrs. Power, Miller, Mills, Ferguson, 957. Cl. 4: Messrs. Ferguson, Mills, 958. Cl. 5: Messrs. Ferguson, Mills, 958; Sir M. Bowell, Mr. Perley, 960; Messrs. Mills, Power, 961; Messrs. Lougheed, Clemow, 963. Cl. 6: Messrs. Boulton, Scott, Mills, Sir M. Bowell, Mr. Masson, 964. Cl. 7: Sir M. Bowell, Mr. Mills, 964; Mr. Ferguson, 965; Messrs. Scott, Lougheed, 966. Cl. 8: Messrs. Ferguson, Mills, 966; Sir M. Bowell, 967. Cl. 9: Messrs. Kirchhoffer, Mills, 967; Sir M. Bowell, Mr. Bernier, 968; Messrs. Power, Masson, Scott, 969. Cl. 10: Mr. Ferguson, 969; Messrs. McMillan, McKay, Mills, Lougheed, Sir M. Bowell. 970, 1004; Messrs. Power, deBoucherville, 971; Messrs. Clemow, Wood, 974; Mills, Miller, Scott, 1004. Amt., *m.* (Mr. Miller, 1005; Mr. Kirchhoffer, 1007; Mr. Power, 1013; Mr. Dever, 1019; Mr. King, 1020; Mr. Perley, 1021; Mr. Snowball, 1022; Mr. Mills, 1023, 1040; Mr. Boulton, 1028; Mr. McCallum, 1031; Sir M. Bowell, 1032; Messrs. Dandurand, Masson, 1039; Sir J. Carling: 1040; Mr. Ferguson, 1041. Cl. 20: Messrs. Ferguson, Mills, Sir M. Bowell, 1043. Cl. 21: Messrs. Ferguson, Mills, 1043; Mr. Scott, 1044; Mr. Landry, 1045; Messrs. Clemow, Macdonald, (P.E.I.), 1046. Cls. 23, 26: Messrs. Ferguson, Power, Mills, Sir M. Bowell, 1047. Cl. 5: Mr. Miller, 1047; Mr. Mills, 1048. Cl. 27: Messrs. Ferguson, Power, Mills, Scott, Sir M. Bowell, 1048. Amts., conc.: Messrs. Mills, Scott, Miller, 1064; Mr. Perley, 1065; Sir M. Bowell, Mr. Macdonald (B.C.), 1066; Mr. Power, 1067; Mr. Dickey, 1068. M. (Mr. Mills) to again ref. to Com., 1101. In Com.: Messrs. Power, Miller, 1101; Mr. Vidal, 1102. 3rd R., *m.* (Mr. Mills). Amt., (Mr. Boulton) 1102; Messrs. Mills, Bellerose, 1102; Mr. Power, The Speaker, Mr. Masson, M. wthdn., 3rd R., 1106. Mess. and B. returned from Coms., 1238. M. (Mr. Mills) to take Mess., into consdn., 1239. Remarks: Sir M. Bowell, 1239. M. (Mr. Mills) not to conc., in Amts., 1268. Deb.: Sir M. Bowell, 1268; Mr. Macdonald (B.C.), 1271; Messrs. Ferguson, Power, Wood, 1273; Messrs. Scott, Dandurand, 1273; Mr. Miller makes an explanation, 1327. (61 V., c. 14).

(22) Respecting the Hudson Bay and Pacific Ry. Company (Mr. McMillan). Introduced*, 301. 2nd R., *m.* (Mr. Boulton). Remarks, (Mr. Power) 568; 3rd R.*, 624. (61 V., c. 65.)

(23) To incorporate the Miles Cañon and Lewes River Tramway Company (Mr. Allan). Introduced*, 620; 2nd R.*, 624; 3rd R.*, 638. (61 V., c. 73.)

(24) To amend the Charter of the Union Bank of Canada (Mr. McMillan). Introduced*, 301; 2nd R., *m.* (Mr. McMillan) 568. Rep. from Com., (Mr. Allan). Remarks: Messrs. McKay, Almon, Dever, 601. 3rd R.*, 604. (61 V., c. 118.)

(29) Respecting the Federal Life Assurance Company of Ontario, and to change its name to the Federal Assurance Company of Canada (Mr. Cox). Introduced*, 542; 2nd R.*, 569. Mr. Allan reps. Amt. from Com.; Mr. Lougheed *m.* Amts. conc., 621. 3rd R., *m.* (Mr. Lougheed) 623. Remarks: Messrs. Power, Mills, 623. (61 V., c. 103.)

(30) Respecting the Lake Erie and Detroit River Railway Company (Mr. Casgrain). Introduced*, 239. (61 V., c. 69.)

(31) To incorporate the Lake Bennett and Klondike Railway and Tramway Company (Mr. Lougheed). Introduced*, 627. 2nd R.*, 635. 3rd R. postponed (Mr. Lougheed), 665. M. (Mr. MacInnes) for 3rd R., 668; Amt. (Mr. Lougheed) to ref. to Com., 668. Deb.: Messrs. Allan, Mills, 668; Messrs. Macdonald (B.C.), Power, 669; Sir M. Bowell, 670. 3rd R. postponed (Mr. Lougheed), 776; Messrs. Power, Macdonald (B.C.), Boulton, 776. 3rd R. *m.* (Mr. MacInnes), Amt. (Mr. Lougheed), 799. Amts. from H. of C. conc., 1073. (61 V., c. 68.)

(32) Respecting the Ontario and Rainy River Railway Company (Mr. Clemow). Introduced*, 570. 2nd R.*, 599. 3rd R.*, 624. (61 V., c. 81.)

BILLS—*Seriatim*—Continued.

(34) Respecting the Columbia and Western Railway Company (Mr. MacInnes). Introduced*, 608. 2nd R., 622. 3rd R.*, 638. (61 V., c. 61.)

(35) To incorporate the Miles Cañon and White Horse Tramway Company (Mr. Allan). Introduced*, 620. 2nd R.*, 624. 3rd R.*, 662. (61 V., c. 74.)

(37) Further to amend the Act respecting Certificates to Masters and Mates of Ships (Mr. Mills). Introduced*, 241. 2nd R. *m.* (Mr. Mills) 566; Remarks (Mr. Prowse) 567. In Com. (Mr. Mills) 601; Messrs. Power, Almon, 602; Messrs. McCallum, Wood, Sir M. Bowell, Vidal, 603. 3rd R. *m.* (Mr. Mills) 603. Remarks (Mr. Wood) 604. (61 V., c. 45.)

(38) To further amend the Act respecting Government Harbours, Piers and Breakwaters (Mr. Mills). Introduced*, 241. 2nd R. *m.* (Mr. Mills) 566. In Com.: Messrs. Mills, Sir M. Bowell, Lougheed, Miller, Wood, 572. 3rd R.*, 594. (61 V., c. 42.)

(39) Respecting the Inspection of Steamboats and the Examination and Licensing of Engineers employed on them (Mr. Scott). Introduced*, 542. 2nd R. *m.* (Mr. Scott) 571. In Com.: Mr. Scott, 604, 610; Sir M. Bowell, 604, 612; Mr. Lougheed, 605, 611; Mr. Drummond, 605; Mr. Power, 605, 611; Mr. Mills, 607, 613; Mr. Ogilvie, 608; Mr. Forget, 610; Messrs. Clemow, Dandurand, 611; Mr. Wood, 612; Mr. Sanford, 613; Mr. Masson, 614; Mr. Ross, 615; Mr. McCallum, 616; Mr. Prowse, 617; Mr. Macdonald (P.E.I.), 619; Mr. Ogilvie, 620. 3rd R. (Mr. Scott), Remarks (Mr. Forget) 629. (61 V., c. 46.)

(41) Respecting the Dominion Building and Loan Association (Mr. Power). Introduced*, 542. 2nd R., 569. Rep. from Com. (Mr. Allan) 599. Remarks: Messrs. Power, Mills, 599; Mr. Almon, 600; Mr. Gowan, 601. 3rd R.*, 604. (61 V., c. 101.)

(43) Respecting the Board of Trade of the City of Toronto (Mr. Cox). Introduced*, 301, 339. (61 V., c. 117.)

(44) To confirm an agreement between the St. Stephen and Milltown Railway Company and the Canadian Pacific Railway Company (Mr. MacInnes). Introduced*, 608. 2nd R.*, 622. 3rd R.*, 638. (61 V., c. 84.)

(45) Respecting the British Columbia Southern Railway Company (Mr. MacInnes). Introduced*, 608. 2nd R.*, 622. 3rd R.*, 638. (61 V., c. 56.)

(46) Respecting the Canadian Pacific Railway Company (Mr. MacInnes). Introduced*, 621. 2nd R.*, 624. 3rd R.*, 638. (61 V., c. 60.)

BILLS—*Seriatim*—Continued.

(47) Respecting the Brandon and South-western Railway Company (Mr. Power). Introduced*, 627. 2nd R., 631. 3rd R.*, 664. (61 V., c. 65.)

(48) To incorporate the Cowichan Valley Railway Company (Mr. Macdonald, B.C.) Introduced*, 621. 2nd R. (Mr. Macdonald, B.C.), Remarks: Messrs. Mills, Scott, 629. 3rd R.*, 663. (61 V., c. 62.)

(50) To incorporate the Montreal and James Bay Railway Company (Mr. Power). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 690. (61 V., c. 76.)

(51) Respecting the Calgary and Edmonton Railway Company (Mr. Lougheed). Introduced*, 621. 2nd R.*, 624. 2rd R.*, 638. (61 V., c. 57.)

(52) Respecting the Nakusp and Slocan Railway Company (Mr. MacInnes). Introduced*, 627. 2nd R. *m.* (Mr. MacInnes) 635. Remarks: Mr. Templeman, 635; Sir M. Bowell, 636. 3rd R. *m.* (Mr. MacInnes) 761. Amt. (Mr. Boulton) 3 m. h., 761. Deb.: Mr. Baker, 765; Mr. Power, 766; Mr. Lougheed, 768; Mr. Templeman, 770. Remarks on Order for 3rd R.: Mr. Macdonald (B.C.), 777; Mr. McCallum, 778; Messrs. Ferguson, Templeman, 779; Messrs. Bellerose, Prowse, 780; Messrs. Boulton, Lougheed, Ogilvie, Macdonald (P.E.I.), 781; Mr. Vidal, 782; Sir M. Bowell, 783. (61 V., c. 80.)

(53) To incorporate the Prudential Life Assurance Company of Canada (Mr. Vidal). Introduced*, 542. 2nd R.*, 571. 3rd R.*, 604. (61 V., c. 113.)

(54) Respecting the Edmonton District Railway Company (Mr. Lougheed). Introduced*, 621. 2nd R.*, 624. 3rd R.*, 664. (61 V., c. 63.)

(55) To incorporate the Atlas Loan Company—(Mr. Power). Introduced*, 690. 2nd R. *m.*, 694. 3rd R.*, 772. (61 V., c. 92.)

(56) Respecting the Montreal and Province Line Railway Company (Mr. Power). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 1049. (61 V., c. 77.)

(57) Respecting the Manufacturers Guarantee and Accident Insurance Company, and to change its name to the Dominion of Canada Guarantee and Accident Insurance Company (Mr. Sanford). Introduced*, 608; 2nd R.*, 622; 3rd R.* (Mr. Allan), 635. (61 V., c. 102.)

(58) Respecting the Queenston Heights Bridge Company (Mr. Sanford). Introduced*, 620. 2nd R.*, 624. 3rd R.*, 638. (61 V., c. 114.)

(59) To incorporate the Victoria and Montreal Fire Insurance Company (Mr. MacInnes). Introduced*, 908. 2nd R., 622. 3rd R.* (Mr. Wood), 635. (61 V., c. 119.)

BILLS—*Seriatim*—Continued.

(61) In further amendment of the Trade Mark and Design Act (Mr. Scott). Introduced*, 636. Order for 2nd R., postponed, Remarks: Messrs. Scott, Sir M. Bowell, Mills, 638. 2nd R. *m.* (Mr. Scott), 665. Deb.: Messrs. Lougheed, Almon, Ferguson, 665; Mr. Power, 666. 2nd R. *m.* (Mr. Scott), 739. Amt. (Mr. Boulton), 739. Deb.: Messrs. Almon, Mills, Macdonald (B.C.), Drummond, 740; Messrs. Ferguson, Sir M. Bowell, Power, 741. M. (Mr. Templeman) to restore to Orders, 788. Deb.: Messrs. Macdonald (B.C.), Prowse, Bellerose, Ferguson, 789; Messrs. McCallum, Allan, 790; Mr. Mills, 791; Messrs. Lougheed, Scott, 793; Mr. Boulton, 794; Mr. Dever, 795; Sir M. Bowell, 796; Messrs. Perley, the Speaker, Almon, 797.

(62) To incorporate the Timagami Railway Company (Mr. Dobson). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 690. (61 V., c. 87.)

(64) Respecting the Vancouver, Victoria and Eastern Railway and Navigation Company (Mr. Power). Introduced*, 652. 2nd R. *m.* (Mr. Power), 667. Deb.: Messrs. Macdonald (B.C.), Sir M. Bowell, Templeman, 667. 3rd R.*, 730. (61 V., c. 89.)

(66) Respecting the Lake Manitoba Railway and Canal Company (Mr. MacInnes). Introduced*, 620. 2nd R.*, 624. 3rd R. postponed (Mr. Boulton), 637. Remarks: Mr. MacInnes, Sir M. Bowell, 637. 3rd R. *m.* (Mr. MacInnes), 652. Amt. *m.* (Mr. Boulton), 652. Remarks: Messrs. Allan, Lougheed, Scott, Macdonald, P.E.I., 660; Mr. Power, the Speaker, 661. M. (Mr. Lougheed) on H. of C. Amts., 695. Deb.: Mr. Boulton, 695; Mr. Power, 697; Mr. Perley, 698. (61 V., c. 70.)

(67) To incorporate the London and Lake Huron Railway Company (Sir John Carling). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 699. (61 V., c. 71.)

(68) Respecting the Montfort Colonization Company, and to change its name to the Montfort and Gatineau Colonization Company (Mr. Clemow). Introduced*, 652. 2nd R.*, 666. 3rd R.*, 776. (61 V., c. 75.)

(69) Respecting the Kingston and Pembroke Railway Company (Mr. Clemow). Introduced*, 730. 2nd R.*, 773. 3rd R.*, 804. (61 V., c. 67.)

(71) Further to amend the Weights and Measures Act (Mr. Scott). Introduced*, 1049. M. (Mr. Mills) for 2nd R., Deb.: Sir M. Bowell, Mr. McMillan, 1112; Messrs. Perley, Ferguson, 1113; Mr. Masson, 1114; Mr. Power, 1115. In Com.: Mr. Perley, 1141; Messrs. Mills, Scott, Ferguson, Sir M. Bowell, Power, McKay, 1142; Messrs. Boulton, Dever, Villeneuve, Primrose, Lougheed, 1143; Mr. Macdonald (P.E.I.), 1144; Mr. Macdonald (B.C.), 1145; Mr. Snowball, 1146; Sir John Carling, 1149; Mr. Clemow, 1150; Mr. Sullivan, 1153. 3rd R. *m.* (Mr. Mills), 1193. Amt. (Sir M. Bowell) to ref. to Com., 1193. Deb.: Mr. Mills, 1193; Messrs. Perley, Ogilvie, 1194; Mr. Boulton, 1195; Messrs. Clemow, Aikins, Macdonald (P.E.I.), 1196; Mr. Power, 1197; Mr. Ferguson, 1198. In Com.: Sir M. Bowell, 1216; Mr. Snowball, 1217. 3rd R.*, 1217. Amts. ret. from H. of C., 1306. (61 V., c. 30.)

(72) Further to amend the Adulteration Act (Mr. Mills). Introduced*, 705. 2nd R.*, 786. In Com.: Messrs. Mills, Power, Sir M. Bowell, 814; Messrs. Sullivan, Scott, Lougheed, 815; Messrs. Villeneuve, Dever, 817: Mr. McMillan, 818; Messrs. Allan, Templeman, 819. 3rd R.*, 829. (61 V., c. 24.)

(73) Further to amend the Gas Inspection Act (Mr. Scott). Introduced*, 301. 2nd R.*, 569. In Com., 573. 3rd R.*, 594. (61 V., c. 26.)

(74) Further to amend the Petroleum Inspection Act (Mr. Scott). Introduced*, 301. 2nd R.*, 569. In Com.: Messrs. Scott, Sir M. Bowell, Boulton, 573. 3rd R.*, 594. (61 V., c. 29.)

(75) Further to amend the Inland Revenue Act (Mr. Scott). Introduced*, 301. 2nd R., 569. In Com.: Mr. Scott, 573; Messrs. Power, Vidal, Sir M. Bowell, 574. 3rd R. *m.* (Mr. Scott), 594. Remarks: Mr. Perley, 594; Mr. Scott, 597; Sir M. Bowell, 598. (61 V., c. 27.)

(76) To provide for the Abolition of the Civil Service Superannuation Act and for the retirement of members of the Civil Service. 1st R., M. (Mr. Mills) for 2nd R. to-morrow, Sir M. Bowell, 1109. 2nd R. *m.* (Mr. Mills) 1171. In Com.: Messrs. Macdonald (P.E.I.), Macdonald (B.C.), Sir M. Bowell, Mills, Scott, 1172; Messrs. Drummond, Power, Casgrain, and 3rd R.*, 1173. (61 V., c. 17.)

(77) To incorporate the Toronto and Hudson Bay Railway Company (Mr. MacInnes). Introduced*, 690. 2nd R. (Sir M. Bowell), 730. Amts. *m.* (Mr. Baker) in Com., 751; Sir M. Bowell, 751; Sir M. Bowell *m.* Amts., 803; Remarks, Mr. Power, 804. (61 V., c. 88.)

(78) Respecting the St. John Bridge and Railway Extension Company (Mr. Wood). Introduced*, 636. 2nd R.*, 638. Order for 3rd R. discharged (Mr. Dever), 691. 3rd R. *m.* (Mr. Dever), 731. Deb.: Mr. Power, 731; Messrs. Scott, Vidal, Wood, 733; Messrs. Drummond, Snowball, 734; Messrs. Clemow, Boulton, Bellerose, 735; Mr. Mills, 736; Sir M. Bowell, 737; Mr. Wark, 738. (61 V., c. 83.)

(79) To incorporate the Windsor and Detroit Union Bridge Company (Sir M. Bowell)? Intro-

BILLS—*Seriatim*—Continued.

duced*, 667. 2nd R. *m.* (Sir M. Bowell), 670. Deb.: Mr. McCallum, 670; Mr. Mills, 671. Mr. Baker *m.* Amts. from Com., 699. Remarks: Sir M. Bowell, Mr. Vidal, Mr. McCallum, 699. 3rd R.*, 772. (61 V., c. 120.)

(80) Respecting the Ottawa and New York Railway Company (Mr. Clemow). Introduced*, 636; 2nd R.*, 638; 3rd R.*, 699. (61 V., c. 82.)

(81) Respecting the Montreal and Southern Counties Railway Company (Mr. Owens). Introduced*, 845. 2nd R.*, 853. M. (Mr. Owens) that B. be ref. back to Com., 957. 3rd R.*, 1106. (61 V., c. 78.)

(82) To protect Canada against the introduction of the insect pest known as the San José Scale. 1st R., 241. Mr. Scott *m.* suspension of rules, Remarks: Sir M. Bowell, 241; Messrs. Almon, Allan, Ferguson, 242. 2nd and 3rd R.*, 242. (61 V., c. 23.)

(86) Respecting the Brockville and St Lawrence Bridge Company (Mr. Clemow). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 691. (61 V., c. 94.)

(91) To incorporate the Klondike and Peace River Gold Mining, Land and Transportation Company, Limited (Mr. Lougheed). Introduced*, 636. 2nd R.*, 662. 3rd R.* (Mr. Macdonald, B.C.), 690. (61 V., c. 106.)

(92) To incorporate the Canada Atlantic Transit Company (Mr. Clemow). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 690. (61 V., c. 95.)

(93) Respecting the Canada Atlantic Railway Company (Mr. Clemow). Introduced*, 652. 2nd R., 667. 3rd R.*, 730. (61 V., c. 58.)

(94) To authorize the Canada Eastern Railway Company to convey its railway to the Alexander Gibson Railway and Manufacturing Company (Mr. Power). Introduced*, 690. 2nd R. postponed (Mr. Power). Remarks: Mr. Drummond, 750. 2nd R.*, 773. B. rep. from Com. and 3rd R., 854. (61 V., c. 59.)

(96) To incorporate the Nickel Steel Company of Canada (Mr. Clemow). Introduced*, 636. 2nd R.*, 662; 3rd R.*, 690. (61 V., c. 110.)

(97) To incorporate the North Shore Electric Railway Company—(Mr. Owens). Introduced*, 845. 2nd R.*, 852. 3rd R.*, 1049. (61 V., c. 86.)

(99) To incorporate the Lake Champlain and St. Lawrence Ship Canal Company (Mr. Clemow). Introduced*, 1215. 2nd R.*, 1238. 3rd R. *m.* (Mr. Dandurand), 1261. Remarks: Messrs. Allan, Power, 1261; Mr. Ogilvie, 1262; Mr. Wood, 1263; Messrs. Boulton, Vidal, 1264; Messrs. Drummond, Perley, 1265. (61 V., c. 107.)

(100) Respecting the Hamilton and Lake Erie Power Company (Mr. Clemow). Introduced*, 608.

BILLS—*Seriatim*—Continued.

2nd R. *m.* (Mr. Clemow), 621. Remarks (Mr. McCallum), 622. 3rd R. *m.* (Mr. Clemow). Remarks (Mr. McCallum), 637. (61 V., c. 104.)

(101) Respecting the Harbour of the City of St. John, in the Province of New Brunswick (Mr. Dever). Introduced*, 750. 2nd R., 788. 3rd R.*, 821. (61 V., c. 115.)

(102) To incorporate the Montmorency Cotton Mills Company (Mr. Power). Introduced*, 636. 2nd R.*, 638. 3rd R.*, 730. (61 V., c. 108.)

(104) Respecting the Montreal, Ottawa and Georgian Bay Canal Company (Mr. Clemow). Introduced*, 800. 2nd R.*, 805. 3rd R.*, 880. (61 V., c. 109.)

(105) Respecting the Montreal Island Belt Line Railway Company (Mr. Bellerose). Introduced*, 730. 2nd R.*, 773. 3rd R.*, 804. (61 V., c. 79.)

(109) To incorporate the British American Light and Power Company (Mr. Clemow). Introduced*, 690. 2nd R., 699. 3rd R.*, 776. (61 V., c. 93.)

(110) Further to amend the Post Office Act (Mr. Mills). 1st R., 871. Remarks: Sir M. Bowell, 871. 2nd R.*, 955. In Com.: Sir M. Bowell, 1085; Mr. Boulton, 1090; Mr. Mills, 1088; Mr. Perley, 1090; Mr. Macdonald (P.E.I.), 1091; Mr. Clemow, 1092; Mr. Dever, 1094. 3rd R.*, 1106. (61 V., c. 20.)

(113) To incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada (Sir M. Bowell). Introduced*, 829. 2nd R. *m.* (Sir M. Bowell), 845. 3rd R.*, 957. (61 V., c. 91.)

(114) Further to amend the Act respecting the Department of Geological Survey (Mr. Scott). Introduced*, 699. 2nd R. *m.* (Mr. Scott), 702. Deb.: Messrs. Ferguson, Lougheed, Sir M. Bowell, Mills, Clemow, 703; Mr. Power, 704. In Com.: Messrs. Scott, Bellerose, 742. 3rd R.*, 772. (61 V., c. 18.)

(116) To incorporate the Canadian Mining Institute (Mr. Clemow). Introduced*, 690. 2nd R.* 699. 3rd R.*, 776. (61 V., c. 96.)

(117) To incorporate the Klondike and Dawson City Bank (Mr. Clemow). Introduced*, 773. 2nd R.*, 800. 3rd R.*, 854. (61 V., c. 105.)

(118) To incorporate the Dawson City Electric Lighting and Tramway Company, Limited (Mr. Clemow). 1st* and 2nd R.*, 1159. 3rd R.*, 1216. (61 V., c. 99.)

(119) To incorporate the Dawson City and Victoria Telegraph Company (Mr. Clemow.). Introduced*, 800. 2nd R.*, 805. 3rd R.*, 880. (61 V., c. 100.)

(120) Respecting the North American Telegraph Company (Mr. Clemow.) Introduced*, 800. 2nd R.*, 805.

BILLS--*Seriatim*—Continued.

(121) Respecting the Prohibition of the importation, manufacture and sale of intoxicating liquors (Mr. Scott.) Introduced*, 853. 2nd R. *m.* (Mr. Scott) 919, 949. Deb.: Sir M. Bowell, 922, 946, 951; Mr. Bernier, 925; Mr. Perley, 926; Mr. Boulton, 928; Mr. Vidal, 929; Mr. Reesor, 933; Mr. Macdonald (B.C.), 934; Mr. Ferguson, 935; Mr. Power, 938; Mr. Allan, 940; Mr. Mills, 942; Mr. Lougheed, 947; Mr. Primrose, 953; Mr. Dever, 952; Mr. Sullivan, 945; Mr. McCallum, 944; Messrs. McMillan, Casgrain, 931; Mr. Clemow, 930; Mr. Wark, 920; Com. Stage postponed, 1111. In Com.: (Mr. Scott) 1131; cl. 3, Mr. Sullivan, 1131; Mr. O'Donohoe, 1132; Mr. Vidal, 1133; Messrs. Dever, Scott, Perley, Allan, Sir M. Bowell, Dickey, 1135; Mr. Primrose, 1136; cl. 6, Sir M. Bowell, Mr. Scott, 1136; cl. 8, 9, Mr. Vidal, 1138; Messrs. Scott, Sullivan, Perley, Mills, Ferguson, Bellerose, 1139. 3rd R. *m.* (Mr. Scott), Sir M. Bowell, 1199. 3rd R. *m.* (Mr. Scott) 1273. Deb.: Mr. Mills, Sir M. Bowell, 1273. (61 V., c. 51.)

(122) To incorporate the Supreme Grand Lodge of the S. O. E. Benefit Society. 1st R.*, M. (Mr. Vidal) to suspend rule 41, and 2nd R., 955. Rep. (Mr. Allan) from Com., M. (Mr. Vidal) to adopt Rep., Mr. McMillan, 1003.

(123) To incorporate the Dawson City Electric Company, Limited (Mr. Clemow). 1st* and 2nd* R., 1159. 3rd R. *m.* (Mr. Clemow). Amt. (Mr. Power) 1215; Messrs. Macdonald, B.C., Scott, 1216. (61 V., c. 98.)

(125) To incorporate the Ottawa Interprovincial Bridge Company (Mr. Clemow). Introduced*, 1063. 2nd R.*, 1095. 3rd R.*, 1160. (61 V., c. 112.)

(126) Respecting the Saskatchewan Railway and Mining Company (Mr. Lougheed). Introduced*, 1063. 2nd R.*, 1095. 3rd R.*, 1160. (61 V., c. 85.)

(127) Further to amend the Fisheries Act (Mr. Scott). Introduced*, 705. 2nd R.*, 743. Deb.: Mr. Clemow, 743; Mr. Macdonald (P.E.I.), 744. 3rd R.*, 814. (61 V., c. 39.)

(128) Further to amend the General Inspection Act (Mr. Scott). Introduced*, 845. 2nd R. *m.* (Mr. Scott). Remarks (Sir M. Bowell) 853. In Com., 870. 3rd R.*, 880. (61 V., c. 25.)

(130) Further to amend the Dominion Lands Act 1st R.*, 871. M. (Mr. Scott) for 2nd R. at future Date, 871. 2nd R., *m.* (Mr. Scott) 964. Deb.: Mr. Lougheed, 954; Mr. Bernier, 955. In Com.: Messrs. Scott, Lougheed, Macdonald (B.C.), Boulton, 1074; Mr. Mills, 1075, 1083; Mr. Perley, 1076; Sir M. Bowell, 1078, 1082; Mr. Allan, 1081; Mr. McKay, 1085. 3rd R.*, 1106. (61 V., c. 31.)

BILLS—*Seriatim*—Continued.

(131) To amend the Acts respecting the North-west Territories (Mr. Mills). Introduced*, 870. 2nd R. *m.* (Mr. Mills), 912. In Com.: Messrs. Mills, Snowball, 1071. 3rd R.*, 1071. (61 V., c. 5.)

(132) Further to amend the Land Titles Act, 1894 (Mr. Scott). 1st R., 870. M. (Mr. Scott) for 2nd R., Sir M. Bowell, Boulton, Allan, 870. 2nd R. *m.* (Mr. Scott) 912. In Com.: Mr. Scott, 1068; Messrs. Power, Lougheed, Casgrain, 1069. 3rd R.*, 1069. (61 V., c. 32.)

(133) To make further provision respecting Grants of land to members of the Militia Force on Active service in the North-west (Mr. Mills). 1st R., 871. 2nd and 3rd R., 912. (61 V., c. 13.)

(135) Further to amend the Act respecting Government Harbours, Piers and Breakwaters (Mr. Scott.) Introduced*, 800. 2nd R. *m.* (Mr. Scott), 805; Mr. Prowse, 805. In Com.: Mr. Scott, 819; Messrs. Prowse, Ferguson, Mills, McMillan, 820. 3rd R.*, 829. (61 V., c. 43.)

(136) Further to amend the Act respecting the protection of Navigable Waters (Mr. Mills). Introduced*, 800. 2nd R.*, 805. In Com.: Sir M. Bowell, Messrs. Mills, Scott, Lougheed, 820; Messrs. Prowse, McDonald (C.B.), 821. 3rd R.*, 829. (61 V., c. 41.)

(137) Respecting the International Radial Railway Company (Mr. Lougheed.) Introduced*, 1049. 2nd R.*, 1095. 3rd R.*, 1160. (61 V., c. 66.)

(139) To incorporate the Northern Commercial Telegraph Company, Limited (Mr. Macdonald, B.C.) 1st and 2nd R.*, 1215. 3rd R.*, 1261. (61 V., c. 111.)

(140) Further to amend the Militia Act (Mr. Scott.) Introduced*, 845. 2nd R., 853. In Com.: Messrs. Scott, Sir M. Bowell, Vidal, 870. 3rd R.*, 880. (61 V., c. 19.)

(142) To authorize the Quebec Harbour Commissioners to borrow money (Mr. Mills). Introduced*, 955. 2nd R. *m.* (Mr. Mills). Deb.: Sir M. Bowell, 1106. In Com.: Messrs. Mills, Macdonald, B.C., Sir M. Bowell, 1117; Mr. Primrose, 1118. 3rd R.*, 1118. (61 V., c. 48.)

(144) Further to amend the Indian Act (Mr. Scott). Introduced*, 870; 2nd R. *m.* (Mr. Scott), 912. In Com.: Messrs. Macdonald, B. C., Scott, Mills, Macdonald, P. E. I., Lougheed, 1070; Messrs. Perley, Landry, 1071. 3rd R.*, 1071. (61 V., c. 34.)

(145) Further to amend the Railway Act. 1st R., 871. M. (Mr. Scott) for 2nd R. at future date, 871. 2nd R., 913; 3rd R.*, 1160. (61 V., c. 22.)

(146) To amend and consolidate the North-west Irrigation Acts of 1894 and 1895 (Mr. Scott). 1st R.*, 1111. 2nd R. *m.* (Mr. Scott), 1178. In

BILLS—*Seriatim*—Continued.

Com.: Messrs. Scott, Lougheed, Macdonald (B.C.), 1179; Messrs. Power, O'Donohoe, 1180; Mr. Mills, 1182; Mr. Drummond, 1185; Mr. Vidal, 1186. M. (Mr. Scott) to consider Amts. to-morrow, 1186. Consdn. of Amts.: Messrs. Scott, Lougheed, 1219; Messrs. Power, Ferguson, 1220; Sir M. Bowell, 1221; Mr. Mills, 1223. Restored to Order paper: Messrs. Scott, Sir M. Bowell, 1260. 3rd R. *m.* (Mr. Scott) Deb.: Mr. Perley, 1260. Amts. returned from H. of C., 1309, 1325. (61 V., c. 35.)

(148) Respecting the Transport Contract between Her Majesty and the Winnipeg Great Northern Railway Company (Mr. Scott). Introduced*, 955. 2nd R. *m.* (Mr. Scott), Sir M. Bowell, Boulton, Lougheed, 1107; Mr. Power, 1108; Mr. Ferguson, 1109. In Com.: Messrs. Boulton, Scott, Power, Mills, 1118; Sir M. Bowell, Messrs. Macdonald (B.C.), Lougheed, 1119; Messrs. Masson, McKay, Clemow, 1120. On ques. of Order: Messrs. Scott, Sir M. Bowell, Boulton, 1121; Messrs. Mills, Macdonald (B. C.), 1122; Mr. DeBoucherville, the Speaker, 1123. 3rd R. *m.* (Mr. Scott), 1166. Deb.: Mr. Boulton, 1166; Mr. Scott, 1169. 3rd R., 1170. (61 V., c. 10.)

(149) To authorize certain Contracts with Steamship Companies for Cold Storage Accommodation (Mr. Mills). Introduced*, 1063. 2nd R.*, 1095. In Com.: Messrs. Mills, Ferguson, 1153; Mr. Macdonald (P.E.I.), 1154; Mr. Scott, 1155; Mr. Power, 1156; Messrs. Snowball, Fiset, 1159. 3rd R.*, 1159. (61 V., c. 7.)

(150) Further to amend the Acts respecting the Judges of Provincial Courts (Mr. Mills). Introduced*, 1117. 2nd R. *m.* (Mr. Mills), 1186. Deb.: Sir M. Bowell, Mr. Gowan, 1189; Messrs. Macdonald (B. C.), Power, 1192. In Com.: Messrs. Macdonald (B.C.), Mills, 1224; cl. 1: Messrs. Gowan, Sir M. Bowell, Mills, 1224; Mr. Power, 1227; Mr. Boulton, 1228; Mr. Allan, 1231; Mr. Perley, 1233; Mr. Clemow, 1234; Messrs. Wood, Miller, 1236; cl. 3: Messrs. Power, Baker, 1237; cl. 10: Messrs. Power, Mills, Dever, Macdonald (P.E.I.), Bernier, 1238. 3rd R.*, 1238. B. returned from Coms., 1329. (61 V., c. 52.)

(152) Further to amend the Customs Act. 1st R., M. (Mr. Scott) for 2nd R., Sir M. Bowell, 1111. 2nd R. *m.* (Mr. Scott), Sir M. Bowell, in Com.: Mr. Snowball, 3rd R.*, 1178. (61 V. c. 36.)

(153) To further protect the Customs and Fisheries. 1st R., M. (Mr. Scott), for 2nd R., Sir M. Bowell, 1111. 2nd R. *m.* (Mr. Scott), in Com.: Messrs. Drummond, Scott, Sir M. Bowell, 1175; Mr. Mills, 1176; Mr. Forget, 1178. 3rd R.*, 1178. (61 V., c. 38.)

BILLS—*Seriatim*—Continued.

(157) Providing for the repayment of the Moneys advanced to the St. John Bridge and Railway Extension Company. 1st R., M. (Mr. Scott) for 2nd R., Sir M. Bowell, 1109; Messrs. Dever, Mills, McMillan, Power, 1110. 2nd R. *m.* (Mr. Mills), 1173. In Com.: Messrs. Macdonald (B.C.), Mills, Lougheed, Scott, 1173; Messrs. Clemow, Drummond, Power, Dever, 1174; Mr. Bernier, 1175. 3rd R.*, 1175. (61 V., c. 9.)

(158) Respecting the London and Lake Huron Railway Company. (Sir J. Carling). Introduced*, 1063. 2nd R.*, 1095, 3rd R.*, 1160. (61 V., c. 72.)

(159) To amend the Act to provide for Bounties on Iron and Steel made in Canada. 1st R.*, 1063. On M. (Mr. Scott) for 2nd R. at future date, Sir M. Bowell, 1063. 2nd R. *m.* (Mr. Scott), 1115. Deb.: Sir M. Bowell, Messrs. Power, Mills, 1116. In Com.: Messrs. Scott, Sir M. Bowell, Macdonald (B.C.), McMillan, 3rd R. *m.* (Mr. Scott), 1170; Sir M. Bowell, 1171. (61 V., c. 11.)

(160) Respecting the North-western, Northern and North-eastern Boundaries of Quebec (Mr. Mills). Introduced*, 1215. 2nd R.*, 1238. 3rd R.*, 1268. (61 V., c. 3.)

(161) Respecting the payment of Grants in aid of the Construction of Public Works (Mr. Scott). 1st R.*, 1258; M. (Mr. Scott) for 2nd R., Deb.: Messrs. Mills, Aikins, McKindsey, Clemow, 1258; Sir M. Bowell, 1259. 2nd R. *m.* (Mr. Scott); Mr. Macdonald (B.C.), 1274. In Com.: Messrs. Scott, Ferguson, 1274; Mr. Ogilvie, 1275. 3rd R.*, 1275. (61 V., c. 12.)

(162) To confirm a certain Award in favour of the Dominion Atlantic Railway Company. 1st R., M. (Mr. Mills) for 2nd R., Sir M. Bowell, 1110. 2nd R. *m.* (Mr. Mills), in Com.: Messrs. Mills, King, 3rd R.*, 1175. (61 V., c. 8.)

(163) To grant further Aid to the Harbour Commissioners of Montreal (Mr. Scott). Introduced*, 1159. 2nd R. *m.* (Mr. Scott), 1199; Messrs. Macdonald (B.C.), Ogilvie, Forget, 1200; Mr. Drummond, 1201; Mr. DeBoucherville, 1202; Messrs. O'Donohoe, Dever, 1203. In Com.: Messrs. Scott, Drummond, 1204; Messrs. Ogilvie, Clemow, 1205; Messrs. Forget, Bellerose, 1206; Messrr. Perley, Mills, 1210; Mr. Macdonald (B.C.), 1212; Messrs. Ferguson, Boulton, 1213; Mr. Owens, 1214; Mr. Dever, 1215. 3rd R.*, 1215. (61 V., c. 47.)

(166) To further amend the Fisheries Act (Mr. Scott). Introduced*, 1215, 2nd R. *m.* (Mr. Mills), 1266. Deb.: Messrs. Allan, Clemow, 1266; Messrs. Miller, Sullivan, 1267. In Com.: Messrs. Clemow, Snowball, 1267. 3rd R.*, 1267. (61 V., c. 39.)

BILLS—*Seriatim*—Concluded.

(167) In further amendment of the Post Office Act (Mr. Mills). Introduced*, 1255. 2nd R. *m.* (Mr. Mills), Sir M. Bowell, 1275. 3rd R.*, 1275. (61 V., c. 21.)

(168) Respecting the Manitoba School Fund. 1st R. and M. (Mr. Mills) for 2nd R., 1259. Remarks: Sir M. Bowell, Mr. Boulton, 1259. 2nd R. *m.* (Mr. Mills), 1282. Remarks: Messrs. de Boucherville, Boulton, 1284; Messrs. Bernier, Macdonald (B.C.), 1285; Mr. De-Boucherville, Sir M. Bowell, 1286. Deb. resumed: Mr. Mills, 1287, 1298; Mr. Scott, 1288; Sir M. Bowell, 1291; Mr. Boulton, 1295; Mr. Bernier, 1296.

(169) Respecting the Manitoba Debt Account (Mr. Scott). 1st R.*, 1256. M. (Mr. Scott) for 2nd R., 1256. Deb.: Sir M. Bowell, 1256; Messrs. Aikins, Mills, 1257. 2nd R. *m.* (Mr. Scott), 1275. Deb.: Messrs. Macdonald, B.C., Perley, Aikins, DeBoucherville, Bernier, Sir M. Bowell, 1276; Mr. Macdonald, P.E.I., 1280; Messrs. Boulton, McMillan, 1281; Mr. Landry, 1282. In Com. and 3rd R.*, 1282. (61 V., c. 4.)

(171) To amend the Customs Tariff Act of 1897 (Mr. Scott), 1310. Remarks: Sir M. Bowell, 1311; Mr. Boulton, 1315; Mr. Dever, 1323; Mr. Ferguson, 1325; 2nd and 3rd R., 1325. (61 V., c. 37.)

(172) Further to amend the Inland Revenue Act. 1st R.*, 1307. M. (Mr. Mills) for 2nd R., Deb.: Messrs. DeBoucherville, Power, 1307; Sir M. Bowell, Messrs. Villeneuve, Boulton, 1308; Mr. Macdonald, B.C., 1309. 2nd and 3rd R., 1326. (61 V., c. 27.)

(173) Further to amend the Act respecting the Senate and House of Commons. 1st R., M. (Mr. Mills) that rules be suspended and 2nd R., 1301. Remarks: Messrs. Miller, Clemow, Power, Ogilvie, Dandurand, Masson, Sir M. Bowell, Ferguson, 1302; Mr. Bernier, 1303; Mr. Power, 1303; Mr. Perley, 1304; Messrs. Allan, Dever, 1305; Messrs. DeBoucherville, Boulton, Speaker, 1306. 3rd R.*, 1306. (61 V., c. 15.)

(174) An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively 30th June, 1898, and 30th June, 1899, and for other purposes relating to the public service. 1st R. and 2nd R. *m.* (Mr. Mills) 1330. Deb.: Mr. Ferguson, 1330; Mr. Scott, 1331; Mr. Mills, 1336; Sir M. Bowell, 1339; Messrs. Dever, Clemow, 1340. 3rd R.*, 1341. (61 V., c. 1.)

BONDING PRIVILEGES IN YUKON: Inq. (Sir M. Bowell) *re* reported, 813. Remarks: Messrs. Macdonald, (B.C.), Mr. Mills, 813.

——— Return presented, 829.

Brandon and South-western Ry. Co.'s B. (47)—Mr. Power. Introduced*, 627; 2nd R.*, 631; 3rd R.*, 664. (61 V., c. 65.)

British American Light and Power Co.'s B. (109)—Mr. Clemow. Introduced*, 690: 2nd R., 699; 3rd R.*, 776. (61 V., c. 93.)

C. B. Southern Ry. Co.'s B. (45)—Mr. MacInnes. Introduced*, 608; 2nd R.*, 622; 3rd R*, 638. (61 V., c. 56.)

B. C. SUPREME COURT JUDGES: Inq. (Mr. Macdonald B.C.) as to appointment, Reply (Mr. Mills) 1260.

Brockville and St. Lawrence Bridge Co.'s B. (86)—Mr. Clemow. Introduced*, 636; 2nd R.*, 638; 3rd R.*, 691. (61 V., c. 94.)

Bounties on Iron and Steel Amt. B. (159)—Mr. Scott. 1st R.*, 1063; 2nd R., 1115; in Com., 1170. 3rd R., 1171. (61 V., c. 11.)

Calgary and Edmonton Ry. Co.'s B. (51)—Mr. Lougheed. Introduced*, 621; 2nd R.*, 624; 3rd R.*, 638. (61 V., c. 57.)

Can. Atlantic Ry. Co.'s B. (93)—Mr. Clemow. Introduced*, 652; 2nd R., 667; 3rd R.*, 730. (61 V., c. 58.)

Can. Atlantic Transit Co.'s Incorp. B. (92)—Mr. Clemow. Introduced*, 636; 2nd R.*, 638; 3rd R.*, 690. (61 V., c. 95.)

Can. Eastern Ry Co.'s B. (94)—Mr. Power. Introduced*, 690; 2nd R. postponed, 750; 2nd R.*, 773; Rep. from Com. and 3rd R.*, 854. (61 V., c. 59.)

Can. Mining Institute Co.'s B. (116)—Mr. Clemow. Introduced*, 690; 2nd R., 699; 3rd R.*, 776. (61 V., c. 96.)

C. P. R. Co.'s B. (46)—Mr. MacInnes. Introduced*, 621; 2nd R.*, 624; 3rd R.*, 638. (61 V., c. 60.)

C. P. R. Land Grants: Inq. (Mr. Boulton) *re* expiry of term for exemption, 851. Reply (Mr. Mills) 852.

——— Inq. (Mr. Boulton) *re* exemption of taxation, 830. Reply (Mr. Mills), 831.

C. P. RY. *See* "St. Stephen."

CENSUS OF HALF BREEDS IN N. W. T.: Inq. (Mr. Perley) 157. Reply (Mr. Mills) 157.

Central Canada Loan and Savings Co.'s Incorp. B. (B)—Mr. MacInnes. Introduced*, 163; 2nd R., 165; Rep. from Com. (Mr. Allan) 240; M. for conc, (Mr. MacInnes) 240; 3rd R., 268. (61 V., c. 97.)

CHAMBERLAND (MR.): Inq. (Mr. Perley) as to issue of liquor permit in Yukon, 157. Reply (Mr. Mills), 158.

Civil Service Superannuation Act B. (76)—1st R., M. for 2nd R. (Mr. Mills) 1109; in Com., 1172; 3rd R.*, 1173. (61 V., c. 17.)

Cold Storage Accommodation B. (149)—
Mr. Mills. Introduced*, 1063; 2nd R., 1095; in Com., 1153; 3rd R.*, 1159. (61 V., c. 7.)

COLD STORAGE BETWEEN CHARLOTTETOWN AND G.B.:
M. (Mr. Ferguson) for address *re* Cor., 223. Reply (Mr. Scott) 225. Remarks: Mr. Boulton, 226; Mr. Power, 228.

Columbia and Western Ry. Co.'s B. (34)—
Mr. MacInnes. Introduced*, 608; 2nd R., 622; 3rd R*, 638. (61 V., c. 61).

COMMERCIAL TRAVELLERS' TAX IN P.E.I.: Remarks *re* Act: Mr. Ferguson, 1328: Messrs. Mills and Macdonald, P.E.I., 1329.

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——— M. (Mr. Scott) to adopt Rep. of, 160.
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——— M. (Mr. Bellerose) to adopt Rep. of Com., 1217. Remarks: Messrs. Power, Clemow, Mills, Perley, 1217; Messrs. Dever, Scott, Sir M. Bowell, Ferguson, Bellerose, 1218.
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Drummond Co. Ry.:
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Final Rep. (Mr. Miller) to adopt, Remarks: Mr. Mills, Sir M. Bowell, 1301.
3rd Rep.: M. (Mr. Miller) to adopt, Remarks: Messrs. Power, Dever, 1301.
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——— M. (Mr. Power) to adopt 2nd Rep. *re* Electric Lighting, 911.
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Ottawa and Georgian Bay Canal: M. (Mr. Clemow) for Sel. Com. to investigate routes, &c., 160.
M. (Mr. Clemow) to adopt final rep. of Sel. Com., 1124; Mr. Boulton, 1128; Mr. Scott, 1130.
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M. (Sir John Carling) for adoption of 1st Rep., 385. Remarks (Mr. Power), 386.
Mess. from H. of C. *re* Joint Com., Remarks (Sir M. Bowell), 160.
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M. (Sir J. Carling) to inq. into navigable waters of Yukon and Ry. System of Can., 578.
M. (Mr. Boulton) to adopt Rep. of Com., 974, 1002. Remarks: Mr. Sanford, 980; Mr. Power, 984; Mr. McCallum, 987; Messrs. Macdonald, B.C., Mills, 989; Sir M. Bowell, 992; Mr. Snowball, 995; Mr. Allan, 997; Mr. Ferguson, 999; Mr. Drummond, 1001.

COMPANIES:
Atlas and Yukon.
A. O. Foresters.
Atlas Loan.
Brandon and South-western.
British American Light and Power.
British Columbia Southern.
Brockville and St. Lawrence Bridge.
Calgary and Edmonton.
Canada Atlantic.
Canada Atlantic Transit.
Canada Eastern.
Canadian Mining Institute.
Canadian Pacific.
Central Canada Loan and Savings.
Columbia and Western.
Cowichan Valley.
Dawson City Electric,
Dawson City Electric Lighting and Tramway.
Dawson City and Victoria Telegraph.
Dominion Building and Loan.
Dominion of Canada Guarantee and Accident.
Edmonton District.
Federal Life.
Great North-west Central.
Gibson Ry. and Manufacturing.
Hamilton and Lake Erie Power.
Hudson Bay and Pacific.
International Radial.
Kingston and Pembroke.
Klondike and Dawson City Bank.
Klondike and Peace River Gold Mining.
Klondike and Peace River.
Lake Bennett and Klondike.
Lake Champlain and St. Lawrence Ship Canal.
Lake Erie and Detroit River.
Lake Manitoba.
Lake Superior and Rocky Mountains.
London and Lake Huron.
Miles Cañon and Lewes River Tramway.
Miles Cañon and White Horse Tramway.
Montfort Colonization.
Montmorency Cotton Mills.
Montfort and Gatineau Colonization.
Montreal and Georgian Bay Canal.
Montreal and James Bay.
Montreal and Province Line.
Montreal and Southern Counties.
Montreal Island Belt Line.
Nakusp and Slocan.
Nickel Steel.
Northern Commercial Telegraph.
Ontario and Rainy River.
Ottawa International Bridge.
Ottawa and New York.
Pacific and Yukon.
Prudential Life.
Queenston Heights Bridge.
St. John Bridge and Ry. Extension.
St. John Harbour.
St. Stephen and Milltown.

COMPANIES—*Continued.*

Saskatchewan Ry. and Mining.
S. O. E. Benefit Society.
Three Rivers and North Shore Electric.
Timagami.
Tobique Manufacturing.
Toronto and Hudson Bay.
Toronto Board of Trade.
Union Bank.
Vancouver, Victoria and Eastern.
Victoria-Montreal Fire.
Western Alberta.
Windsor and Detroit Union Bridge.
Yukon.

Companies Act Amt. B. (M)—Mr. Mills. Introduced, 632; M. for 2nd R. at future date, 632; 2nd R., 691; in Com., 700; 3rd R.*, 730. (61 V., c. 50.)

—— **B (S)**—Mr. Scott. 1st R., 852; 2nd R., 868; in Com., 911; M. to ref. back to Com., 917; in Com., 1071; 3rd R.*, 1073. (61 V., c. 50.)

Construction of Public Works Grants B. (161)—Mr. Scott. 1st R. and M. for 2nd R., 1258; 2nd R. and in Com., 1274; 3rd R.*, 1275. (61 V., c. 12.)

COSTE'S REPORT ON YUKON: M. (Mr. Macdonald (B. C.) for Rep., 632. Remarks: Messrs. Mills, Sir M. Bowell, Lougheed, 633.

Cowichan Valley Ry. Co.'s Incorp. B. (48)—Mr. Macdonald (B.C.). Introduced*, 621; 2nd R., 629; 3rd R.*, 664. (61 V., c. 62.)

CROW'S NEST PASS RY. STOCK: Inq. (Mr. Boulton). Ques. of Order (Sir M. Bowell), Remarks: Mr. Mills, 82; Mr. Allan, 83. Notice allowed to stand, 83.

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—— M. (Mr. Power) for Cor. *re* deaths on, 1193, 1240. Remarks: Mr. Mills, 1240; Mr. McMillan, 1242; Sir M. Bowell, 1243; Messrs. Perley, Boulton, 1244.

Customs Act Amt. B. (152)—1st R., M. (Mr. Scott) for 2nd R., 1111; 2nd R., in Com. and 3rd R.*, 1178. (61 V., c. 36.)

Customs and Fisheries Protection B. (153)—1st R., M. (Mr. Scott) for 2nd R., 1111; 2nd R. and in Com., 1175; 3rd R.*, 1178. (61 Vic., c. 38.)

Customs Tariff (1897) Act. Amt B. (171)—Mr. Scott. 1st R., 1310; 2nd and 3rd R., 1325. (61 V., c. 37.)

Dawson City Bank. *See* B. 117.

Dawson City and Victoria Telegraph Co.'s Incorp. B. (119)—Mr. Clemow. Introduced*, 800; 2nd R., 805; 3rd R.*, 880. (61 V., c. 100.)

Dawson City Electric Co.'s Incorp. B. (123)—Mr. Clemow. 1st* and 2nd* R., 1159; 3rd R., 1215. (61 V., c. 98.)

Dawson City Electric Lighting and Tramway Co.'s Incorp. B. (118)—Mr. Clemow. 1st* and 2nd R.*, 1159; 3rd R.*, 1216. (61 V., c. 99.)

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Dom. Atlantic Ry. Co.'s Award B. (162). 1st R., M. (Mr. Mills) for 2nd R., 1110; 2nd R., in Com., and 3rd R.*, 1175. (61 V., c. 8.)

Dom. Building and Loan Ass. B. (41)—Mr. Power. Introduced*, 542; 2nd R., 569; Rep. from Com., 599; 3rd R.*, 604. (61 V., c. 101.)

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Dom. Lands Act Amt. B. (130)—Mr. Scott. 1st R.*. 871; 2nd R., 954; in Com., 1074; 3rd R.*, 1106. (61 V., c. 31.)

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——— Inq. (Mr. Wood) if Govt. will ratify agreement by legislation, 636, 705, 808. Remarks: Mr. Mills, 636, 808; Sir M. Bowell, 636.

——— Inq. (Mr. Landry) *re* supposed saving by action of Senate, Reply (Mr. Mills), 1286.

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